



TRANSPORTING CHILDREN IN PRIVATE CARS IN
EMERGENCY SITUATIONS

September 2022

Transporting Children in emergency situations Procedures

Introduction

The issue of transporting children in cars, particularly member of staff own cars is one that causes concern to some staff. However, it could be something that needs to take place in specific, and often urgent situation. These guidelines aim to give advice to those staff who undertake this task in order to keep themselves and the people they are transporting safe.

Guiding Principles

The guiding principle should be that transporting children in staff cars should be the exception to the rule rather than the norm unless it is an accepted part of a member of staff's role and included in their job description, which is currently not the case at EPA.

Any journeys undertaken should always be planned, absolutely necessary and not undertaken on an ad hoc basis and must be authorised by a manager.

In certain circumstances children may need to be transported in an emergency situation where management cannot be contacted to approve this. It is anticipated that these by the nature of them being emergencies would be very rare.

However, this guidance still needs to be followed to ensure the safety of staff and young people. Services should therefore put plans in place for such situations that will allow workers to carry out such transport functions with delegated management approval to ensure we act in the best interests of the child.

In situations that have not been planned for, or where senior management has not agreed its procedures, workers will still need to act in the best interest of the child.

If this means they have to be transported in a car then as long as the worker is acting in accordance with their job role, is following this guidance and associated risk assessments are carried out, transporting a child would be deemed as appropriate. They must not drive a child alone. There should always be **two adults**.

A range of alternative options should be considered where a child person needs to be transported including: -

1. Contact the parents/carers in order for them to transport the child.
2. Contact the parents/carers for them to arrange a taxi to transport the young person.
3. Arrange for a taxi with escort to transport the child from an approved list of taxi operators.

Only where none of these options is appropriate or viable should a child be transported in a member of staff's car.

Drivers and their Vehicles

Drivers are responsible for their own vehicle's roadworthiness and appropriateness for the task to be undertaken and their fitness to drive.

Drivers must ensure that they:

- Have an appropriate valid driving license
- Are insured for the journey (Business Use)
- Have a valid MOT certificate
- Have a valid Excise licence (TAX)
- Have checked the vehicle is in a roadworthy condition
- Are not excessively tired, fatigued or under the influence of alcohol or drugs.
- Meet minimum eyesight standards for driving. If they need to wear glasses or contact lenses to meet minimum standards, these must be worn at all times.
- Have no medical condition including the taking of medication or infirmity that may affect their ability to drive safely.

Children

Before children are transported in staff cars, the need and reasons for this method of transportation should be clearly established. Once this has been established, a full picture of the needs of the child/ren (including physical, emotional, behavioural and medical), and the risks that this may present to them or the staff involved when transporting them needs to be established.

This should involve gathering and sharing information with all agencies involved with supporting the child. This information is required to inform specific risk assessment for transporting the child. The information will need to be reviewed regularly to ensure it remains valid.

Risk Assessment

Each use of a private vehicle should produce a risk assessment for transporting children based on their circumstances and way of working. The generic risk assessment for this activity can be adapted and used for this.

Over and above this, where information gathered on a child or staff members' safety poses significant risk to the child or staff members safety during transportation, then a specific risk assessment relating to this activity must be carried out. It is not possible to give full detailed control measures for such risk assessments as they will relate to the particular needs of the individual and the specific circumstances involved.

However, when considering children with medical conditions their transport and any control measures required during transport if this is to be a regular occurrence, should be included in their individual care/treatment plan. This should be used to inform any risk assessment. A second person, trained in administering medication or the relevant medical procedure should always be provided where necessary.

For children who present with behavioural issues a range of control measures could be considered; from not transporting the person if it is felt their behaviour is such that doing so is not safe, providing an escort to ensure the driver can concentrate safely on driving, placing the child/so they cannot easily distract the driver (diagonally across from the driver in the back seat) amongst others.

Child locks should be used when transporting children as a control measure.

Travelling

A system needs to be put in place to ensure staff contact a fixed point/person to confirm their departure and arrival at destinations and that the journey has been completed. There also needs to be systems in place to ensure an appropriate response should a member of staff not confirm these details within specified time.

A system also needs to be put in place and communicated to staff to ensure an appropriate response is summoned and action taken in the event of an accident or emergency during transport.

All staff who transport children as part of their role should have access to a mobile phone or the appropriate means of communication.

All journeys should only be for named children and other people family/friends etc should not be transported with the child/young person if they are not named and part of the arrangement.

The law makes drivers responsible for ensuring those under 14 years of age wear an appropriate seatbelt or child restraint. However, where staff are transporting children as part of their job then they will at all times be responsible for ensuring the children they are transporting are wearing a suitable restraint irrespective of their age. As there are very clear dangers to passengers and drivers if restraints are not worn, if a driver becomes aware of this they should stop the journey as soon as it is safe to do so. If the passenger continues to refuse to wear a seatbelt/restraint then the contact system should be implemented and the journey ceased until a solution is found.

Drivers must not use mobile phones, drink, or smoke while driving on Academy business and should be aware of the highway code and drive appropriately and within speed limits. In order to facilitate this, when planning a journey, adequate time for the journey must be allowed.

All Loads should be carried in the boot where possible or should be suitably secured.

Child Restraints

When staff are transporting children, they should ensure that the correct type of restraint is used and that it meets the required standards. Restraints should also be checked before use to ensure that they are well-maintained and fit for purpose, with no defects.

Child restraints are the collective term in the seat belt wearing legislation for baby seats, child seats, booster seats and booster cushions. Modern child restraints are designed for specific weight ranges of child. They have to meet UN ECE Regulations 44.03 (or subsequent) type approval standard and be marked with a label showing an 'E' and 44.03 or 03 and the weight range of child, for which it is designed. These are approved for use in forward-facing or rear-facing seats.

Legislation requires all young people in cars, vans and other goods vehicles to be carried in the correct child restraint from birth until either are 135 cm (4'5") tall or have reached the age of 12 years (whichever comes first). They must then use a seat belt.

Three exceptions allow children 3 years to 135cm in height to travel in the rear and use an adult belt –

- In a licensed taxi/private hire vehicle, if the right child restraint is not available.
- For unexpected necessity over a short distance, if the right child restraint is not available,
- Where two occupied child seats in the rear prevent the fitment of a third child seat.

If no seat belts are fitted in the front, then passengers including children and young people cannot travel in the front. For more detailed information on child restraint visit <http://think.direct.gov.uk>

Children/Young People

Every effort should be made to gain written consent but where this not practically possible; details of the verbal consent should be recorded. If no type of consent is obtained, transportation should not be permitted.

Children must behave appropriately while travelling in the vehicle. If there are any concerns during the journey a dynamic “on the spot” risk assessment should be carried out to determine if there is a significant risk to the driver or passenger and appropriate action taken.

If the child has a medical condition that is likely to require additional support/medication, a copy of their Care Plan plus appropriate medication must be available. A parent or member of staff who has received training in administering support/medication should accompany the young person in the vehicle.

Accidents/Incidents

In the case of a road traffic accident, these must be reported by the driver, to their own insurance company and passengers must be advised of the name and address of the insurance company, if wishing to make a claim.

All accidents/incidents that occur during working hours must be reported to the business manager and the Principal