

Transporting Children Policy

This policy details the legal requirements and other safety considerations necessary when transporting children. It is intended to support safer care and working practices and is relevant to all adults who transport children, including foster parents and agency staff.

Guidance is provided in relation to the child's risk assessment, suitability of vehicles and drivers, responding to emergency situations, and how to manage situations where a child's behaviour poses a risk of accident, injury or allegations being made against the driver.

Legal requirements

Vehicles

Vehicles used to transport children must be registered with DVLA, have a current MOT certificate and vehicle tax and be roadworthy. A vehicle with a valid MOT certificate may not be roadworthy and the owner of the vehicle should ensure regular checks of the following:

- Windscreen
- Lights
- Brakes
- Tyres
- Engine oil
- Water in the radiator
- Brake fluid level

We recommend that all vehicles are serviced by a suitably qualified and experienced motor vehicle technician in line with the manufacturer's recommendations, and that drivers refer to the vehicle handbook for routine checks. Regular servicing and routine checks can help prevent accidents and breakdown.

Foster parents will be asked to provide evidence of MOT and vehicle tax when their household health & safety assessment is completed. Managers can check that staff vehicles are road legal at: <https://www.gov.uk/check-vehicle-tax>.

Drivers

All drivers must hold a valid UK driving licence for the vehicle that they are driving. Holders of a photocard driving licence must renew the licence every 10 years.

Driving licences and any penalties will be checked by the agency for staff and foster parents. Any penalties incurred between routine checks should be notified to the Supervising Social Worker or line manager immediately.

Drivers must drive within the legal speed limit at all times when transporting children. Any failure by agency staff to do so could result in disciplinary action being taken by the company, and foster parents may be subject to a review of their suitability to foster.

Car seats

It is a legal requirement for a child to be in an appropriate car seat/booster seat (appropriate to their age, height and weight) until 12 years old, or 135cm in height, whichever comes first. It is the driver's legal responsibility to ensure that the correct car seat/booster seat and seat belt for the child are used.

When transporting children, the following guidance **must** be followed:

- An appropriate child car seat or booster seat must be used, depending upon the child's age, height, weight, and any disability or additional needs.
- A child car seat **must be rear-facing** until the child is **over 15 months old**. A forward-facing car seat can be used when the child is **over 15 months old**.
- It is safest for a child car seat to be used in the rear seat of the car. A forward-facing seat can be used in the front passenger seat, but the vehicle handbook should be referred to for checking whether installation is possible and safe. A rearward-facing car seat should **never** be used in the front seat if there is an active passenger airbag.
- Car seats and booster seats should be approved seats, fitted and used in accordance with the manufacturer's instructions.
- Checks should be made to ensure compatibility with the make and model of the vehicle.
- Guidance regarding the type of car seat/booster seat required and ensuring it is appropriately fitted is available at <https://www.gov.uk/child-car-seats-the-rules>.
- In cases where an appropriate car seat or booster seat is unavailable (e.g. in a taxi), it is company policy **not** to transport children where the appropriate safety restraints are not available.

- Whilst car seats do not have an expiry date in the UK, please refer to the manufacturer's recommendations with regard to how often they should be replaced. Advice on car seat safety can be found here:

<https://www.rospa.com/policy/road-safety/advice/vehicles/car-seats>

Foster parents are responsible for providing the appropriate car seat for the child and the vehicle. For respite placements, children's car seats should go with the child wherever possible.

Smoking

When children and young people are present in a private vehicle, no smoking is permitted.

It is illegal:

- For a person of any age to smoke in a private vehicle that is carrying someone who is under 18;
- For a driver (including a provisional driver) not to stop someone smoking in these circumstances.

For the purposes of this policy, the term 'smoking' also includes vaping and the use of electronic cigarettes.

Drivers should also explain to children / young people that they are not permitted to smoke or vape whilst in the vehicle.

Drugs and alcohol (including legal medication)

It's illegal to drive if:

- you're unfit to do so because you're on legal or illegal drugs
- you have certain levels of illegal drugs in your blood (even if they have not affected your driving)
- you are above the legal limit for alcohol

The law can be consulted here:

<https://www.gov.uk/drug-driving-law>

<https://www.gov.uk/drink-drive-limit>

- Drivers are therefore not permitted, under any circumstances, to transport children if they have consumed any illegal drugs.
- Drivers are strongly advised to not consume any alcohol prior to transporting

children.

- Drivers who are taking prescription medication that can cause drowsiness or impair driving ability should obtain medical advice with regard to their safety to transport children.

If a driver suspects or discovers that a child in their car is or has been in possession of drugs, the driver must contact their line manager/Supervising Social Worker (or Out of Hours contact) immediately for advice and action. Accurate and timely recording of the incident is essential to protect the driver against potential repercussions.

Mobile phones and Satnavs

We recommend that drivers should carry a mobile phone with them when transporting children, but **on no account are they to use the phone whilst driving.**

It is illegal to hold and use a phone, Satnav, tablet or any device that can send or receive data whilst driving.

Hands-free use of mobile phones and satnavs is permitted. A summary of the law can be found at <https://www.gov.uk/using-mobile-phones-when-driving-the-law>

Additional safety considerations

Appropriate driver

When driving children, it is important that the driver is sufficiently experienced in driving to be both safe and confident in managing unexpected or emergency situations. Ideally they will be familiar to the child and experienced in managing the child's behaviour. New and relatively inexperienced drivers, for example the children of foster parents, may be permitted to transport children on short journeys if they and the child are comfortable with this. The child's social worker should be asked for their written permission first.

Some journeys will require careful consideration of who should be the driver, and if additional adult support is required in the car. This may include visits to birth family where the child may feel anxious, upset or angry before the visit or on their return journey.

All drivers must conduct themselves appropriately whilst in the car with the child. It is completely unacceptable to use inappropriate or foul language, or play explicit music in the presence of children.

Dash cams

Any use of a dash cam to record outside of the vehicle must be in line with the company's CCTV Procedure. Anyone affected by the use of this equipment should be made aware of its existence.

Dash cams should not be used to record inside the vehicle. If there is any consideration of the use of a dash cam in an exceptional circumstance, then this would have to be considered by a Senior Manager in conjunction with seeking legal advice and consent from the young person and their social worker.

Transporting groups of children

Where large groups of children are being transported by minibus or people carrier (e.g. group outing or day trip), the following guidance should be followed:

- If the children are new to each other, it may be appropriate to consider specific behaviours within the group, potential risks when they interact, and appropriate levels of supervision.
- Any minibus or people carrier to be used must have safety belts fitted, and these must be used at all times during the journey.
- An adult to child ratio of 1:3 (minimum) should be maintained for the journey. A higher ratio may be required for vulnerable children and/or those with additional needs. The adults are responsible for remaining in contact with their allocated children when using public transport.

Safer sleeping

- Babies should be taken out of the car seat after a **maximum of 2 hours**, so stop for a rest break on long journeys. Take the baby out of the car seat and let them stretch and move around. This includes time in the car seat whilst outside the car, such as when the car seat is connected to the pram base or in a shopping trolley. The Lullaby Trust provide a useful [Car seat fact sheet](#).
- Premature and low birth weight babies (under 2.5 kg) and babies under 4 weeks should avoid long car journeys of more than 30 minutes, where possible. It is important to check on the baby regularly while they are asleep.

Disabled children

- Disabled children may have particular safety and comfort requirements beyond those of other children their age. Where this is the case, consideration should be given to an assessment by the Occupational Therapist, dependent upon the complexity of need and aids/adaptations.

- Consideration should be given to any special needs or behavioural needs that could influence how the child behaves whilst in the car. Advice should be sought from the relevant social worker and a risk management plan should be agreed prior to the child being transported. Agreements for safe transporting should be made in conjunction with the child's social worker.

Children's behaviour

The child's risk assessment and safer care plan includes consideration of any particular known behaviours and risks relating to individual children. Risks may be related to specific situations and/or triggers and these should be made known to anyone transporting the child.

Journeys that involve meetings or visits that may lead to a child becoming upset should be carefully planned to ensure that there is sufficient support for the child during the journey.

Where behaviour is of particular concern, or for specific journeys, consideration should be given as to whether it is appropriate for a child to be transported by a lone driver, or if a second person should be present to act as an escort to support the child and reduce risks. This decision should be assessed on an individual basis.

Managing problems and reducing risk

- The driver must ensure they are able to safely drive and maintain control of the vehicle at all times. Whilst it may be safe and appropriate to ignore certain behaviours in the home environment, the same behaviour could be distracting or dangerous in the car. If a driver feels it is not possible to safely drive due to the actions of a child, then the car must be stopped at the first safe place until the issue has been resolved. Details of the incident should be recorded and discussed with the relevant line manager/supervising social worker, as soon as practicable. The child's risk assessment and safer care plan may need to be updated in response to any changes of behaviour or risk.
- Any decision to confiscate an item from a child should only be taken where the item poses an immediate danger **and** the child consents to the removal, or it can be removed safely. The driver must not place themselves, the child or any other person in a position of danger by trying to remove the item, and if necessary and appropriate, should stop the journey and phone for help/advice.

- For **staff only**, it may be safest to return the child to their home, and inform those with parental responsibility or the responsible adult of the item in the child's possession.
 - Where an item is confiscated, the child must be informed as to when the items will be returned and by whom.
- There is a potential risk of allegations being made where transporting children. Information relating to this will be held in the child's risk management plan, including whether the child has any history of making allegations, or any known risk-facing behaviours (e.g. sexualised behaviour). Consideration should be given to whether it is appropriate for a driver to transport the child alone, or whether an additional person may be required to act as an escort.
- Very young children and children with learning difficulties are more likely to be involved in situations that could require some form of minimal physical contact. For example, it may be necessary for an adult to hold a child's hand when crossing the road, or to supervise their movements on the way to the car. Drivers should always be aware of the vulnerability of their position, and avoid any physical contact if possible (except in cases of babies, young children and children with additional needs). This includes recognising when it would be inappropriate to respond to a child seeking physical comfort. That is not always possible with young children, and great care should be taken over the nature of that contact (i.e. not in private, just sufficient to reassure).
- Drivers should ensure that sufficient stops are undertaken as and when the need arises, including planning in a sufficient number of toilet stops on long journeys. This is to ensure their own safety and comfort, and that of the child and any escorts.

Managing emergencies

Accidents

Any accidents where children in placement have been involved should be communicated at the soonest opportunity and a written report provided to the supervising social worker. Where medical treatment has been necessary this should be communicated immediately (or as soon after the accident when it is practical to do so) to the supervising social worker (or Out of Hours service) and the decision made about who will notify the child's social worker and, where required and appropriate, the child's family.

Vehicle breakdown on a motorway

In the event of a motorway breakdown, the following guidance is to be followed:

- Move to the hard shoulder (where provided) or an emergency refuge area if you can (clearly marked with blue signs featuring an orange SOS telephone symbol) If you cannot get to an emergency refuge area, move it as close to the nearside verge or other nearside boundary as possible.
- Switch on hazard warning lights.
- All persons should exit the vehicle from the passenger side and move to a place of safety, behind barriers and away from the traffic.
- Wear high visibility clothing, if available.
- Do not leave children unattended.
- If you are in a safe place, contact National Highways (0300 123 5000) and then your breakdown service.
- If you are in an unsafe place (e.g you cannot exit the vehicle, are in a live lane), keep your seatbelt on, call 999 and wait for assistance.
- Contact the relevant supervising social worker, line manager (or Out of Hours service) to inform them of the situation, including the location where the breakdown has occurred.
- Only return to the vehicle when it is safe to do so.

The National Highways website provides helpful emergency information:

<https://nationalhighways.co.uk/road-safety/breakdowns/>