



Department  
for Transport

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From the Parliamentary  
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Dear Dr Henderson,

Thank you for your Regulation 28 report made under the Coroners (Investigations) Regulations 2013 into the death of Christopher Sears on a school bus in November 2014. This letter details the Department's response as required by regulation 29 of the above Regulations. The Department has carefully considered the report, and the potential actions that it considers it could take to ensure that the tragic circumstances that your report describes are not repeated.

This letter sets out our responses to your first three matters of concern, which are each matters in which both the Department for Education (DfE) and the Department for Transport (DfT) have involvement. I understand that the Department for Education will be responding to you separately, including on the final two issues that are education-specific.

DfE provides guidance to Local Authorities on the provision of home to school transport, which can be found at:

<https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>.

At paragraph 44, the guidance notes:

"44. All local authorities should ensure that all drivers and escorts taking pupils to and from school and related services have undertaken appropriate training, and that this is kept up to date. It is also considered good practice for those responsible for planning and managing school transport to have undertaken appropriate equality training. This training could consist of (but is not restricted to):

- an awareness of different types of disability including hidden disabilities;
- an awareness of what constitutes discrimination;
- training in the necessary skills to recognise, support and manage pupils with different types of disabilities, including hidden disabilities and certain behaviour that may be associated with such disabilities;
- training in the skills necessary to communicate appropriately with pupils with all types of different disabilities, including the hidden disabilities; and
- training in the implementation of health care protocols to cover emergency procedures.”

The Department, as a responsible public authority, fully supports DfE’s intention, as expressed above, that Local Authorities should ensure that school bus drivers have training in basic life support skills. I understand that DfE intends to consult on a revised version of the school transport guidance in autumn.

Additionally, professional bus drivers are required to hold a Driver’s Certificate of Professional Competence (Driver CPC). After an initial qualification, it requires that the holder undertakes 35 hours of periodic training every 5 years to keep the qualification valid. Training providers offer a range of approved courses within a set syllabus, which includes:

“Section 3.5: the Ability to assess emergency situations. This includes:

Behaviour in an emergency situation: assessment of the situation, avoiding complications of an accident, summoning assistance, assisting casualties and giving first aid, reaction in the event of fire, evacuation of occupants of a lorry/bus passengers, ensuring the safety of all passengers, reaction in the event of aggression; basic principles for the drafting of an accident report.” [See <https://www.gov.uk/government/publications/driver-cpc-syllabus>]

The Driver CPC is purposely designed to be flexible in its application – no specific part of the periodic training syllabus is mandatory, and the Department believes that this is important to ensure that training can be focussed on every individual’s specific training needs. In 2014/15 275,900 drivers chose to undertake training courses that taught them either basic or more advanced first aid techniques; while that total includes both bus and HGV drivers, it nevertheless suggests strong take-up.

Considering both those positions, it is not proposed to make basic life support training a mandatory requirement for bus drivers. I have however asked the Driver and Vehicle Standards Agency (DVSA), who are responsible for the Driver CPC, to undertake some promotional activity to ensure that awareness of the relevance of basic life support training as part of an individual bus driver's development needs is as high as it should be. This will be undertaken through the DVSA's regular communication and stakeholder engagement routes, but particularly through targeted communications and social media activity around the 10 September 2016. This date is both World First Aid Day, and the 10<sup>th</sup> anniversary of the implementation of the Driver CPC in UK law, providing an ideal opportunity to reinforce how important basic life support training can be for a driver carrying, in particular, children or vulnerable individuals.

Further to this, Department for Transport officials will, through their ongoing engagement with bus industry and local authority stakeholders, take opportunities to raise the profile of this issue.

I would also add that although there is no specific requirement in health and safety at work legislation for provision of first aid to non-employees (e.g. pupils), in its on-line guidance the Health and Safety Executive (HSE) nevertheless strongly encourages employers to consider non-employees when carrying out their first-aid needs assessment and to make provision for them.

As a responsible public authority the Department fully appreciates that the safety of children on the way to and from school on provided transport is of fundamental importance. In this respect the Department is of the view that DfE's guidance to Local Authorities on home to school transport is an appropriate mechanism for achieving the appropriate and necessary level of safety. This is bolstered by the forthcoming consultation which provides an important opportunity to consider and review whether the guidance's expectations can be strengthened. I hope that DfT/DVSA supporting promotion of the importance of basic life support training as part of considering a school bus driver's Driver CPC training needs will further strengthen take up of relevant courses.

*Yours sincerely,*

*Andrew Jones*

**ANDREW JONES MP**