



HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE

Response Date:05/09/2025

2025/889 - Guidance document

In response to your recent request for information regarding;

Around 2013 / 2014, a guidance document was published, written jointly by the Department for Education, the Department for Transport and Association of Chief Police Officers. The guidance document stated that where a teacher is not obligated to drive a school minibus by their contract of employment, they may be classed as "volunteer" minibus drivers and therefore drive a 17 seat minibus on a Cat B licence, not requiring a Cat D1 licence

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fdriving-school-minibuses-advice-for-schools-and-local-authorities%2Fdriving-school-minibuses-advice-for-schools-and-local-authorities&data=05%7C02%7CFreedomofinformationteam%40northwales.police.uk%7C6a5f184291e74530e0e408dddb5392bb%7C4e86b176a10e43bd8d27927f44d0e665%7C0%7C0%7C638907874183905122%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIIYiOiIwLjAuMDAwMCIsIIAiOiJXaW4zMtIsIkFOIjoiTWFpbCIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=ubzoi71J354scdSvJgSzxOwu%2B%2BhSVanxzeTUmu2qfE%3D&reserved=0>

"This guidance has been cleared by the Association of Chief Police Officers, who will promote awareness of this legislation amongst local traffic police officers."

1 Can you please confirm that this information was indeed passed to your force?

We have conducted a search of the NPCC mailbox with not results. However, to confirm if the information was ever passed to our police Force would involve searching all mailboxes and potentially paper records. To even comply with Section 1 (1) (1) of the Freedom of Information Legislation (which is the duty to inform the applicant whether or not information is held by the authority) would be above the amount to which we are legally required to respond i.e. the cost of retrieving the information exceeds the 'appropriate level' as stated in the Freedom of Information (FOI) Fees and Appropriate Limit regulations 2004.

Therefore, in accordance with the FOI Act 2000 the information you have requested is exempt under Section 12 (2), and this letter acts as a Refusal Notice under section 17 (5) of the legislation.

2 How would your Traffic Officers view anyone driving a 17 seat minibus on a Cat B licence as per the published guidance. Would your force prosecute the driver for not holding a Cat D1 licence?

Providing that the following is being met, then no prosecutions would follow:

Pencadlys yr Heddlu,
Glan-y-Don, Bae Colwyn LL29 8AW
www.heddlugogleddcymru.police.uk

Police Headquarters,
Glan-y-Don, Colwyn Bay LL29 8AW
www.northwales.police.uk

What is 'on a voluntary basis'?

In our view, if the terms and conditions of a teacher's contract of employment state that driving minibuses is a part of their duties, or if a teacher is paid an additional sum specifically for driving the minibus (other than a sum to reimburse the teacher for out of pocket expenses on a cost recovery basis), such staff would be deemed as receiving payment for driving a minibus and would not be driving the minibus 'on a voluntary basis'. In these cases, a full D1 licence (or a full D licence) would be needed.

However, in our view, if a teacher's contract of employment does not state that driving minibuses is part of their duties and they receive no additional payment for driving a minibus to take pupils on trips or to social sporting events (except for reimbursement for out of pocket expenses), they will be driving on an extra-contractual, voluntary basis. In this case, the category B licence would suffice (assuming the conditions are met) even if the school reimburses the teacher for fuel, parking and tolls.

However if anyone fell outside of this for example even though it might not be part of their contract but are being paid extra apart from out of pocket expenses, it would be 'Driving otherwise in accordance with a licence' and the driver prosecuted, it would be down to the patrol officer at the roadside to make the relevant checks.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 04/09/2025