

CODE OF PRACTICE FOR WHEELCHAIR USERS IN
TAXIS, PRIVATE HIRE VEHICLES AND MINIBUSES
Version 4

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INTRODUCTION

This Code of Practice is designed to ensure that when the County Council arranges transport for passengers in wheelchairs:

- a) Wheelchair users have a safe and comfortable Journey;
- b) Drivers and operators:
 - understand their responsibilities
 - safely use the equipment in their vehicles
 - treat their passengers with respect;
- c) County Council staff know the quality standards that operators must meet when transporting wheelchair users

This Code of Practice is for:

- a) All operators of wheelchair-accessible vehicles:
 - Taxis
 - Private hire
 - PSV
 - Community Transport;

- b) Adult Services Care Managers, Unit Managers and other staff concerned with the transport of passengers;
- c) School staff who supervise the transport of pupils;
- d) County Council staff who arrange or assist on transport for children, students and other passengers.

The types of vehicles covered by this Code of Practice are:

- a) Any vehicle used to transport one or more passengers in a wheelchair:
 - Purpose-built wheelchair-accessible taxis. These include 'Londonstyle black cabs' as well as many other designs: Peugeot E7, Volkswagen Caravelle & Transporter, Mercedes Vito and Fiat Doblo
 - Other conversions based on 'MPVs' and small vans, usually designed to accommodate one wheelchair user
 - Accessible minibuses which can usually accommodate several wheelchair users.

Note: This Code of Practice is also relevant to passengers who transfer from their wheelchairs into a conventional seat in a car or minibus.

THE CODE OF PRACTICE

1. PASSENGERS IN WHEELCHAIRS

1.1. Passengers (or their relatives or carers) need to know the make and model of the wheelchair so that checks can be made as to whether it is safe to use as a seat in a vehicle. Where a wheelchair has not been crash-tested, a passenger may need to use another wheelchair that has been crash-tested, when being transported or alternatively transfer to a vehicle seat, if possible.

1.2. Passengers (or their relatives or carers) should ensure that wheelchairs are maintained in good condition (tyres pumped up and brakes working properly etc.) so that they can be transported safely.

- 1.3. If a wheelchair user is going to change their wheelchair for a different model, they should contact the person who arranges their transport, to make sure that the new wheelchair can be transported safely.
- 1.4. If a wheelchair user can transfer out of their wheelchair and into a vehicle seat (without assistance and without pain) they should generally do so as this is a safer way to travel.

2. THE ORGANISATION ARRANGING THE TRANSPORT

- 2.1. The organisation arranging the transport (usually part of Hampshire County Council) should:
 - a) Obtain details of the make and model of the passenger's wheelchair, and check whether the wheelchair type has been crash tested by the manufacturer and is safe to be used as a seat in a vehicle (i.e. for the passenger to travel in their wheelchair in the vehicle);
 - b) ensure that the type of transport they order is appropriate to the needs of the wheelchair user;
 - c) ensure the following details are provided to ensure appropriate transport is provided including:
 - I. the make and model of wheelchair that the person uses;
 - II. whether any specific equipment is needed to secure the make/model of wheelchair and the wheelchair user;
 - III. any individual needs that a passenger has that may affect their transport requirements, to include any specialised equipment fitted to their wheelchair (eg communication board or knee blocks) and any medical conditions they have including epilepsy, dementia and travel sickness, for example;
 - IV. monitor compliance with this Code of Practice;
 - V. ensure that any complaints or concerns are followed up with the operator;
 - VI. ensure that where a passenger cannot wear a passenger restraint ('seatbelt') for medical reasons, they hold a Medical Exemption Certificate (a copy of which is kept on file) and a risk assessment

has been carried out to decide the safest way for the passenger to travel.

3. THE VEHICLE

3.1. The vehicle must be constructed and equipped to provide wheelchair users with a safe journey. This means that it needs to have been factory built or professionally converted to accommodate wheelchair users. In particular:

- a) there must be a safe means for wheelchair users to enter the vehicle: a ramp or passenger lift; there must be appropriate equipment to secure a wide range of makes and models of wheelchair to the vehicle.

Note: Hampshire County Council does not allow the use of old metal ratchet clamps as they are only compatible with a minority of wheelchairs. Also these clamps are often used incorrectly resulting in a high risk of injury to the wheelchair user;

Note: When services are tendered, Operators need to check the specification carefully to see if a particular type of equipment is required.

- b) There must be a passenger restraint ('seat belt') for each wheelchair user; these should be of the inertia reel type with a lap and diagonal belt lap and diagonal belts for wheelchair users, where the upper mounting point for the diagonal belt is at shoulder level or above, are strongly recommended. These provide much better protection in a crash than diagonal belts that go over the passenger's shoulder and secure to a point on the floor behind the wheelchair.

3.2. Any specialist equipment must be fitted and maintained in accordance with the manufacturer's instructions.

4. THE OPERATOR

The Operator is responsible for ensuring that:

- a) the vehicle is suitable for transporting wheelchair users safely and meets the specification in the contract;
- b) they undertake risk assessments to ensure that they can transport each individual wheelchair passenger safely;
- c) all drivers read this Code of Practice and comply with it;
- d) they comply with the *BPG 1 v2.2 (1st revision): Transportation of people seated in wheelchairs* and any guidance that replaces this;
- e) specialist equipment fitted to or used in the vehicle, such as ramps, wheelchair restraint systems and passenger restraints, is regularly inspected, has no missing parts and is maintained in good condition, in accordance with the manufacturer's instructions and health and safety legislation. (*The Lifting Operations and Lifting Regulations 1998 (LOLER)* require passenger lifts to be inspected at least every 6 months and it is recommended that they are load-tested annually by a competent person, i.e., a trained lift engineer);
- f) drivers follow the manufacturer's instructions for the equipment they are using; a copy of the instructions for the equipment must be carried on the vehicle at all times, and ideally should be clearly displayed;
- g) drivers have been trained and are competent to use equipment such as a passenger lift, wheelchair tie-down systems and passenger restraint systems, including knowing when and how to use different types of equipment; MiDAS training is strongly recommended;
- h) drivers are trained on how to safely evacuate the vehicle if equipment fails e.g., how to evacuate wheelchair users if a passenger lift fails;
- i) drivers follow recognised procedures to report incidents, concerns, problems in using equipment or changes in a passenger's condition or needs;
- j) drivers are made aware that it is particularly important to report 'adverse incidents' (sometimes called 'near misses' or 'near hits') where someone could be injured if a similar incident occurs again;
- k) drivers are given other training appropriate to their duties and the passengers they are transporting, such as Manual Handling, safeguarding and Disability Awareness
- l) drivers are instructed that if they encounter a wheelchair user whose wheelchair cannot, in their opinion, be transported safely, that they are entitled to telephone their manager for advice and may, if necessary, politely

explain to the passenger why they cannot be transported. Wheelchair users must never be transported unrestrained or facing sideways.

5. THE DRIVER

5.1. General Obligations of Drivers

When transporting wheelchair users, drivers must always:

- a) respect wheelchair users as individuals;
- b) be aware of the specific needs of passengers who also have vision or hearing impairments or difficulties with communication;
- c) ask the passenger what level of assistance they need; they must not assume that a passenger cannot understand them;
- d) drive in a considerate manner, avoiding sharp braking, harsh acceleration and fast cornering which is unnerving and uncomfortable for a person travelling in a wheelchair;
- e) always use the vehicle equipment correctly and in accordance with the manufacturer's instructions; the driver is responsible for ensuring that the wheelchair user is transported safely;
- f) report to their manager immediately if they come across a passenger whose wheelchair they are unable to transport safely;
- g) report to their manager if they notice any change in a passenger's condition or needs that may affect their ability to travel safely.

5.2 Assisting wheelchair users into and out of the vehicle. This is when most accidents and injuries happen, usually because a driver has not followed safe practice. It is vital that all drivers follow the training, instructions, and guidance they have been given, including this Code of Practice.

5.3 Using Ramps

Drivers must always ensure that:

- a) ramps are always used;
- b) for vehicles with ramps on the side entrance, they park alongside the kerb where possible, to make the gradient of the ramp less steep;

- c) wheelchairs are pushed forwards up the ramp, and come down backwards. Only where the slope of a ramp is very gentle is it allowable for a wheelchair user to be pushed forwards down a ramp;
- d) wheelchair users do not hit their heads, legs or any other parts of their body on the door frame or other part of the vehicle when being manoeuvred into the vehicle. Particularly at risk are older people as they may have fragile skin which takes a long time to heal if damaged.

5.4 Using a Passenger Lift

When using a passenger lift, drivers must always ensure that:

- a) they follow the manufacturer's instructions at all times. These instructions should be readily visible close to the lift;
- b) the wheelchair brakes are on when the user is in position on the lift platform;
- c) they stand on the lift platform with the passenger, provided there is room and it is safe to do so. If there isn't room to do so safely and a second person such as an escort is present, the driver must work as a team with the second person. The driver should stay on the ground and control the lift whilst the escort should be inside the vehicle to assist the wheelchair user on/off the lift platform. If there is no escort present and the driver has concerns about the embarkation of a particular passenger via a passenger lift, the driver must contact the County Council so that a risk assessment can be arranged. This will recommend how best the passenger can be safely transported;
- d) the handrails are secure and are used by the passenger wherever possible;
- e) the bridge plate and wheelchair backstop are in place;
- f) they inform the wheelchair user when they are about to raise or lower the lift;
- g) the lift is not left at ground level if there are passengers in the vehicle. There have been accidents where passengers have fallen out of the vehicle when they thought the lift platform was up but in fact it was down and unattended;
- h) they take extra care with passengers in 'electric' or powered wheelchairs, and comply with section 6.2

5.5 Inside the vehicle

When inside the vehicle drivers must always ensure that:

- a) wheelchair users never travel facing sideways or at an angle as they will suffer much more serious injuries if there is a crash;
- b) wheelchair users travel facing forwards; they should only face backwards if the vehicle has been specifically designed for this;
- c) in those vehicles where the wheelchair position is designed to be rear-facing the driver must ensure that the wheelchair is as close to the bulkhead as possible;
- d) only transport wheelchair users who comfortably fit in the vehicle and can be safely secured. The vehicle may not be suitable for every type of wheelchair. Electric wheelchairs and some larger manual wheelchairs are sometimes too large or too heavy to use the ramp or passenger lift, too large to fit through the doorway or impossible to manoeuvre into position when inside the vehicle. There are also some passengers whose size, height or mobility aids (such as extended leg rests) may mean that they need a larger vehicle in order to travel safely;
- e) when the wheelchair is in position inside the vehicle there is sufficient space around the wheelchair user so that the user does not make contact with other passengers, other wheelchairs, unpadded parts of the vehicle, the wheelchair restraints and any other equipment; as this will help to reduce their injuries in a crash;
- f) the brakes on the wheelchair are always on during the journey. Although brakes alone are not sufficient for wheelchair restraint, they do give a little extra stability during the journey which helps to reassure the wheelchair user;
- g) they secure the wheelchair and provide the user with a passenger restraint ('seat belt') on every journey – and they check that the wheelchair won't move, once it has been secured. If a driver fails to do this they could be found negligent if there were an accident;
- h) they follow the manufacturer's instructions for the restraint equipment being used;
- i) the wheelchair restraints are secured to a strong part of the wheelchair

frame, in a position that does not allow them to work loose or fall off.

Where attachment points are marked on the frame by the manufacturer these points should be used. Restraints must never be attached to wheels or footplates;

- j) where a wheelchair user cannot be transported safely, they politely explain to the passenger why they cannot be transported safely and then contact their employer, who will contact the Council for advice.
Wheelchair users must never be transported unrestrained or facing sideways;
- k) that where a passenger refuses to wear a passenger restraint ('seat belt') for medical reasons, they holds a Medical Exemption Certificate and has been risk-assessed by the Council;
- l) if a passenger repeatedly removes his/her seat belt, they contact their employer, who will contact the Council for advice;
- m) they report any equipment failure or worn/damaged equipment to their employer.

6. OTHER INFORMATION FOR DRIVERS

6.1. Escort or Passenger Assistant

6.1.1. Where an escort or Passenger Assistant travels with the wheelchair user, that person is there for the care and supervision of the passenger. The safety of the wheelchair user remains the responsibility of the driver.

6.1.2. Drivers are responsible for operating all equipment on the vehicle including doors, lifts and wheelchair restraints, although escorts may receive awareness training for the use of equipment and what to do in an emergency situation.

6.2. 'Electric wheelchairs' (Powered wheelchairs)

6.2.1. Extra care is needed when transporting electric wheelchairs as there is greater potential for an accident resulting in serious injury or death.

6.2.2. Some large powered wheelchairs may be too large or too heavy for the ramp or passenger lift. Any concerns that the driver or operator may have should be reported to the Council immediately.

6.2.3. Smaller vehicles where the passenger enters the vehicle via a side ramp and then needs to turn through 90 degrees, are often unsuitable for powered wheelchairs as there is very limited space to manoeuvre the wheelchair inside the vehicle. Generally, users of powered wheelchairs are best accommodated in converted MPVs or minibuses with a rear entrance.

6.2.4. When assisting the user of a powered wheelchair the driver must follow any specific instructions for that Passenger.

6.2.5. Where there are no specific instructions, the general guidance to be followed is:

6.2.5.1. On **ramps**:

- a) allow the wheelchair user to drive themselves, provided they are able to do so safely. They should drive forwards up the ramp. When coming down, they should drive forwards if it is a gentle slope or reverse back down (supervised by the driver) if it is steeper.
- b) When the wheelchair is in position inside the vehicle the power should be switched off before the tie-downs are attached.
- c) Only those wheelchair users who have been assessed as having good co-ordination and 'driving skills' should power themselves up or down a ramp. If a driver has concerns about a passenger's ability to manoeuvre safely, this should be reported to their manager, who in turn must report this to the Council who will advise on what course of action should be taken;

6.2.5.2. With a **passenger lift**:

- a) It is essential that the wheelchair's power is switched off and the drive clutches disengaged so that the wheelchair can be pushed on/off the lift platform as if it were a manual wheelchair. This reduces the chance of the wheelchair overshooting the platform.
- b) Once in position on the lift, use the brakes, or re-engage the clutch with the power still off, to stop the wheelchair rolling off the lift.
- c) When in position inside the vehicle, re-engage the clutch, as putting the wheelchair in gear provides 'brakes'.
- d) Make sure the power is still switched off whilst the wheelchair is inside the vehicle.

6.3. Mobility Scooters

Mobility Scooters are generally larger than powered wheelchairs; some are designed for a mix of indoor and outdoor use whilst larger versions are for outdoor use only.

6.3.1. Mobility Scooters are unsuitable for the passenger to travel on: the passenger **must always** transfer to an ordinary seat in the vehicle

6.3.2. The driver must seek advice before transporting a mobility scooter.

Very few types of scooter can be transported safely. They may be:

- a) too large to fit inside the vehicle
- b) too heavy for the ramp or passenger lift
- c) difficult to restrain safely; special restraints must be used

6.3.3. The driver should not transport a mobility scooter unless they are sure that it can be transported safely.

6.4. Pushchairs and buggies for babies and very young children

6.4.1. Most of these are lightweight folding designs and children should not travel in them in a vehicle. The frames are not strong enough to withstand a crash.

6.4.2. Where possible, a child should transfer or be transferred to the age or weight appropriate child car seat [Child car seats: the law: Using a child car seat or booster seat - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/child-car-seats-the-law-using-a-child-car-seat-or-booster-seat)

6.4.3. A very small number of designs are stronger and suitable for travelling in. The driver should **only** allow a child to travel in a buggy if the Council has given clear instructions that it is safe to do so and the buggy and child have been properly secured in the vehicle, using appropriate restraint equipment as per the manufacturers instructions and as per outlined within a risk assessment.

6.5. Transferring from a wheelchair to a vehicle seat

6.5.1. When a wheelchair user transfers from their wheelchair to a vehicle seat, drivers should always ensure that:

- a) the wheelchair brakes are on;

- b) the small front wheels (castors) are swept forwards to make the wheelchair more stable;
 - c) they hold on to the wheelchair to keep it steady whilst the passenger is getting in or out of it;
 - d) they do not lift passengers in or out of their wheelchairs as there is a risk of back injury;
 - e) empty wheelchairs are handled carefully and stowed securely.
- Damaging a wheelchair could cause major inconvenience to the wheelchair user.

6.5.2. Only passengers who can bear their own weight and can transfer safely and painlessly should do so.

By following this Code of Practice, you will help to ensure that wheelchair users have a safe and comfortable Journey.

If you wish to make a comment about this Code of Practice or share any experience or good practice please contact:
Community Transport Team
01962 846785 or community.transport@hants.gov.uk