



**Seat Belts and Car Restraints**  
**NEU guidance for members, reps and local officers**

**Car travel**

School staff who transport children in their own car need to be aware of the regulations on child car seats.

The law requires all children travelling in the front or rear seat of any car, van or goods vehicle to use the correct child car seat until they are 12 years old or have reached 1.35 metres in height, whichever comes sooner. There are a small number of exceptions to this.

School staff who carry children up to the age of 12, unless they are at least 1.35m tall, whether they are their own children or pupils, in their own private vehicle, need to comply with the regulations, which are summarised below.

	Front seat	Rear seat	Who is responsible
Driver	Seat belt must be worn if available		Driver
Child up to 3 years	Correct child restraint must be used.  Rearward facing seats must not go in the front seat if there is an active airbag present.	Correct child restraint must be used.  Children under 3 may go in a taxi or minicab if there is no child car seat or seat belt, but only on the rear seat.	Driver
Child from 3rd birthday, up to either 1.35ms in height or 12 years old	Correct child restraint must be used.	Where seat belts fitted, correct child restraints must be used.  Must use adult belt if the correct child restraint is not available in three scenarios: <ul style="list-style-type: none"> <li>• in a taxi</li> <li>• over a short distance for reason of unexpected necessity</li> <li>• two occupied child restraints prevent fitment of a third.</li> </ul> In addition, a child aged 3 and over may travel	Driver



		unrestrained in the rear seat of a vehicle if seat belts are not available.	
Child over 1.35m or 12-13 years old	Seat belt must be worn if available.	Seat belt must be worn if available.	Driver
Adult passenger (ie 14 years and over)	Seat belt must be worn if available.	Seat belt must be worn if available.	Passenger

For more information on which child car seats are correct, go to the Child Car Seats [website](http://childcarseats.org.uk/types-of-seat) at: [childcarseats.org.uk/types-of-seat](http://childcarseats.org.uk/types-of-seat)

There are three scenarios where a seat belt without child restraint may be used in the back seat of a car. They are:

- in a taxi
- over a short distance for reason of unexpected necessity
- where two occupied child restraints prevent the fitting of a third.

If no seat belts are fitted in the rear seat of a vehicle, for example a classic car, a child aged three years or over may travel unrestrained. A child younger than three cannot travel in a car which does not have a seatbelt or the correct car seat, unless it is a licensed taxi or minicab.

### Types of child restraints suitable for children

Booster seats and booster cushions

Group 2: for children weighing 15-25 kg (33-55 lbs), roughly ages 4-6 years.

Group 3: for children weighing 22-36 kg (48-79 lbs), roughly ages 6-11 years.

Booster seats that only fit into Group 2 or only into Group 3 are no longer produced and modern booster seats are designed for children between 15kg and 36kg (33-79 lbs).



Booster cushions can be approved for Groups 2 and Group 3, although some are only approved for Group 3.

Some booster seats are designed to be converted into a booster cushion by detaching the back rest. The manufacturer's advice should always be consulted in order to determine when and how to do this.

Booster seats and booster cushions do not have an integral harness to hold the child in place. The adult seat belt goes around the child and the seat. It is therefore important that the seat belt is correctly adjusted in accordance with the manufacturer's instructions.

Forward-facing child seats are those which can be secured either by an adult seat belt or ISOfix attachment points. The child is then restrained by the seat's own harness. This type of seat is suitable for children roughly between the ages of nine months and four years or weighing between 9-18 kgs.

Manufacturers' guidelines on minimum and maximum weights should be followed for all types of seat.

### **Buses, coaches and minibuses**

All coaches and minibuses manufactured or first used on or after 1 October 2001, whether they carry adult or child passengers, must by law be fitted with either three-point seat belts or lap belts on forward- or rearward-facing seats.

#### **Smaller minibuses (up to 2,540kg)**

Front seats – children up to age three years must use an appropriate child restraint. Children between three and 11 and under 1.35 metres tall must use an appropriate child restraint, if available, or if not available, use the seat belt. If there is no seat belt or child restraint available, children should not travel in the front seats. Children aged 14 and over must wear a seat belt if available and are responsible for doing so.

Rear seats – children up to age three years must use an appropriate restraint, if available. Children aged 3-12 years and under 1.35m tall, must use an appropriate restraint if available, and if a restraint is not available, the seat belt. Children aged 12 and 13 or those over 1.35m tall must use the seat belt when available. Children aged 14 and over are legally responsible for wearing their own seat belt, and the driver is responsible for anyone under the age of 14.

#### **Larger minibuses (over 2,540kg)**

Front seats – children up to age three years must use an appropriate child restraint. Children between three and 11 and under 1.35m tall must use an appropriate child restraint, if available, or if not available, use the seat belt. If there is no seat belt or child restraint available, children should not travel in the front seats. Children aged 14 and over must wear a seat belt if available and are responsible for doing so.

Rear seats – the law stipulates that anyone over the age of 14 must wear seat belts in the rear of larger minibuses but there is currently no requirement on children under the



age of 14. However, the NEU strongly advises that all children are required to wear seatbelts or the correct child restraint. See section below on duty of care.

### **Coaches**

Front seats – passengers sitting in line with, or in front of, the driver must use seat belts that are fitted.

Rear seats – children aged 14 or over must wear seat belts in the rear seats. However, the NEU strongly advises that all children are required to wear seat belts or the correct child restraint. See section below on duty of care.

Passengers on vehicles used for public fare-paying passengers on 30mph roads are exempt from the requirements.

### **Duty of care**

Children under 1.35m tall are at greater risk of injury if an accident occurs when wearing adult seat belts as the seat belt may be too high on their stomach or face and neck.

Therefore, it is advisable for schools to consider the height and age of children under 12 when allocating seats and child restraints when numbers of these are limited.

Operators (coach and minibus providers) are not required by law to provide child restraints. However, if they are available and can be fitted properly, they must be used.

Many minibuses and coaches have 'all age' adjustable seat belts fitted and these should be used correctly whenever they are available.

When schools are booking minibuses or coaches, the NEU advises that they make sure that the vehicle has seat belts and that child restraints or adjustable seat belts are available. If child restraints are not provided, parents or schools may be able to bring their own. However, child restraints made for cars may not fit properly in coaches and minibuses, so this should be checked with the provider.

### **Further information sources on seat belts and child restraints**

**NEU guidance School Trips at: [neu.org.uk](http://neu.org.uk)**

[ROSPA](http://rospra.com/road-safety/advice/vehicles/seatbelts-and-airbags), the Royal Society for the Prevention of accidents, website at: [rospra.com/road-safety/advice/vehicles/seatbelts-and-airbags](http://rospra.com/road-safety/advice/vehicles/seatbelts-and-airbags)

[Outdoor Education Advisers' Panel](http://oeapng.info/downloads/download-info/seatbelts-and-child-restraints/) – go to: [oeapng.info/downloads/download-info/seatbelts-and-child-restraints/](http://oeapng.info/downloads/download-info/seatbelts-and-child-restraints/)

[Child Car Seats](http://childcarseats.org.uk/carrying-other-peoples-children/other-vehicles/) – go to: [childcarseats.org.uk/carrying-other-peoples-children/other-vehicles/](http://childcarseats.org.uk/carrying-other-peoples-children/other-vehicles/)

[Think! road safety resources for schools](http://think.gov.uk/education-resources/) available at: [think.gov.uk/education-resources/](http://think.gov.uk/education-resources/)