



Alternatives to Seatbelt Buckle Guards

Good Practice Guide for Local Authorities

Produced by ATCO with support from the Department for Transport (DfT), Driver and Vehicle Standards Agency (DVSA) and the Department for Education (DfE)

July 2023

Introduction

- A seatbelt buckle guard fits over a standard seatbelt buckle to prevent the passenger from easily releasing it. We know these are sometimes used when carrying passengers with additional needs who may put themselves and others in danger by releasing their seatbelt and getting out of their seat during their journey.
- Regulation 48(4)(d) of the Road Vehicles (Construction and Use) Regulations 1986¹ requires that seatbelt buckles can be readily fastened and unfastened and that they are kept free from obstruction. There is a substantial risk a court would find that seatbelt buckle guards contravene this provision.
- Regulation 48(5) exempts circumstances where, after the start of a journey, regulation 48(4)(d) is no longer complied with. This exemption appears to relate to unforeseen events such as breakage rather than a deliberate act. It is therefore unlikely to apply to a buckle guard.
- The Driver and Vehicle Standards Agency (DVSA) carries out roadside checks on commercial drivers and vehicles such as buses and coaches to make sure they follow safety rules. DVSA do not have enforcement powers in relation to other vehicles such as taxis, private hire vehicles and personal cars, but the regulations cited nevertheless apply to all vehicles.
- In February 2023, DVSA advised local authorities and transport operators that it had no plans to target enforcement action against the use of buckle guards. If DVSA examiners find evidence of the use of buckle guards during routine roadside inspections, their first action would instead be to offer advice and guidance about passenger safety. However, it is vital that local authorities make time-bound plans to phase out buckle guards as quickly as possible.
- We recognise there is a degree of uncertainty about how to safely transport passengers with additional needs. This is something we thought it important to address. This good practice guide provides some practical advice about alternatives to the use of seatbelt buckle guards. It relates primarily to transport for children, most commonly on home-to-school contracts, but may also be relevant to any transport local authorities arrange for adults.
- This document has the support of the Department for Transport (DfT), DVSA and the Department for Education (DfE) and has been prepared with their input.
- DfT and DVSA are also considering what further advice and support can be provided and working with industry to investigate solutions to support the safe transport of people with additional needs.

¹ [The Road Vehicles \(Construction and Use\) Regulations 1986 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Good practice advice

Local authorities should not issue any new seatbelt buckle guards. Where buckle guards are already in use, it will be necessary to find alternatives. The advice below aims to help local authorities do this. Authorities may also wish to seek their own legal advice.

Risk assessment

We recommend local authorities undertake a fresh risk assessment for each affected passenger. There is no 'one size fits all' solution that will work for every passenger. Each case must be looked at on its own merits. A collaborative approach involving families, schools and transport operators will be helpful to better understand the needs of the passenger.

Recognising individual needs

It may be possible to understand any underlying reasons for the passenger unbuckling their seatbelt by working with the people who know them best – their parents and their school or social care setting. For example, an element of the journey may be causing them discomfort and adjustments tailored to their needs, such as switching on a favourite radio station or opening a window, may reduce any disruption.

Distraction Techniques

It may be possible to devise techniques to distract the passenger from the seatbelt buckle for the duration of their journey. For example, some local authorities have asked parents to provide their child's favourite book or an electronic device which a passenger assistant can then use to distract them.

Case Study

Devon County Council has not used buckle guards for more than two years. Instead, it has worked with parents and passenger assistants to successfully deploy distraction techniques tailored to the child. In some cases, the Council has provided electronic devices where a family has not been able to. This has proved more cost effective than providing an additional passenger assistant or vehicle.

Fidget toys may also be useful. There are a wide range of products on the market. They are usually small, tactile toys that can be squeezed, pulled, or moved around one or both hands during the journey. They keep the passenger's hands occupied and may also reduce the stress and anxiety which is prompting them to unbuckle their seat belt.

Behaviour Management Techniques

Working with parents and schools, it may be possible to devise behaviour management strategies which are consistent with those used elsewhere in the passenger's daily life and so more likely to achieve positive results. It may be difficult to adopt some of the more long-term behavioural management techniques used elsewhere but there are often methods used which can be transferred successfully.

Case Study

After discussion with a local school, Norfolk County Council discovered that the child in question enjoyed counting things. Working closely with the school they were able to develop a worksheet to use during the journey where the child counted churches along the route.

Dedicated Passenger Assistants

A dedicated passenger assistant may be able to provide bespoke practical support to the passenger, supervising them throughout their journey and ensuring that they remain buckled in their seat. The passenger assistant may also be able to provide support in implementing some of the other techniques suggested in this guide – for example providing a favourite toy or device to the passenger or singing or counting with them.

Raising Awareness for Drivers

There are limits to the extent to which a driver can control passengers' behaviour whilst the vehicle is moving. It may nevertheless be helpful to increase the driver's awareness of their passengers' needs and how to respond to them. This may be achieved in a range of ways from formal training to providing handbooks and having a more joined up approach with the school and parents.

Purpose-Built Harnesses

There are several purpose-built harnesses on the market which can be used in conjunction with the vehicle's seatbelt which make it harder for the passenger to get out of their seat. Local authorities must satisfy themselves that the harnesses they use comply with regulations 48 and 100 of the Road Vehicles (Construction and Use) Regulations 1986.

Personal travel budgets or mileage allowances

Local authorities may offer parents a personal travel budget or mileage allowance to undertake their child's transport themselves. Some parents may find this beneficial. It may give them the flexibility to make travel arrangements which are built around the specific needs of their child. The parent must however consent to receiving an allowance as an alternative to transport for their eligible child. For further information see [Home-to-school travel and transport - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

Useful Links

DVSA bulletin about the use of buckle guards:

<https://content.govdelivery.com/accounts/UKDVSA/bulletins/3496836>

Statutory guidance on Home-to-School Travel:

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

The Royal Society for the Prevention of Accidents guidance on transporting children with additional needs:

<https://www.childcarseats.org.uk/choosing-using/children-with-additional-needs/>

Annex: Regulation 48 of the Road Vehicles (Construction and Use) Regulations 1986

Maintenance of seat belts and anchorage points

48 (1) This regulation applies to every seat belt with which a motor vehicle is required to be provided in accordance with regulation 47 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt.

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat which incorporates integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Save as provided in paragraph (5) below—

- (a) all load-bearing members of the vehicle structure or panelling within 30 cms of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;
- (b) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;
- (c) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;
- (d) the buckle or other fastening of the seat belt shall—
 - (i) be so maintained that the belt can be readily fastened or unfastened;
 - (ii) be kept free from any temporary or permanent obstruction; and
 - (iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;
- (e) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;
- (f) the ends of every seat belt, other than a disabled person's seat belt, shall be securely fastened to the anchorage points provided for them; and
- (g) the ends of every disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure

of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.

- (5) No requirement specified in paragraph (4) above applies if the vehicle is being used—
 - (a) on a journey after the start of which the requirement ceased to be complied with; or
 - (b) after the requirement ceased to be complied with and steps have been taken for such compliance to be restored with all reasonable expedition.
- (6) Expressions which are used in this regulation and are defined in regulation 47 have the same meaning in this regulation as they have in regulation 47.