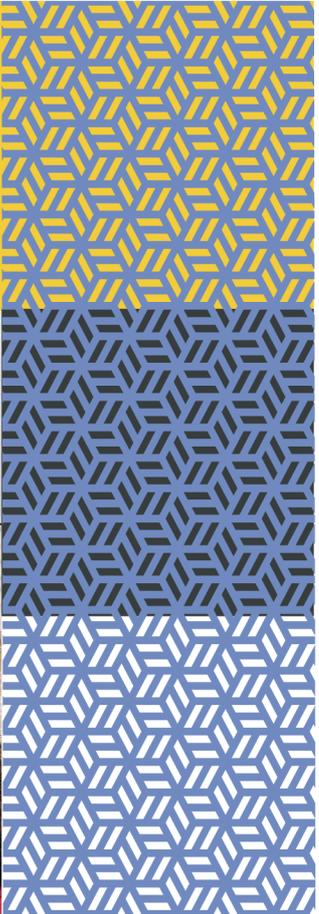


rmp

Risk control
Seat Belt Buckle Guards



In partnership with



Seat Belt Buckle Guards

For those transporting children, or vulnerable adults in school or local authority transport, seat belt buckle guards have been common practice. The plastic guard fits over the original equipment manufacturer (OEM) buckle with some requiring a special key to allow release. They are designed to prevent the user from unbuckling the seatbelt when it is inappropriate such as whilst still in transit.

Concerns have been raised as to the safety of such devices and the DVSA ^{1,2} have now sought to confirm the position. DVSA ² have also issued clarification on their original briefing, and on 17th February 2023 stated that they would be looking to find a solution for the safe transport of passengers and had no current plans for enforcement.

The Road Vehicle (Construction and Use) Regulations 1986, Regulation 48 (4) intended purpose is to ensure that the maintenance of seat belts and anchorage points are adequate to ensure the safety of passengers and the fitting of buckle guards breaches this. There are some exemptions to these regulations but buckle guards are not exempt under regulation 48 (5) as they cannot be fastened or unfastened quickly. Consumer group Which? ³ report that by having to insert a key for release it slows down the process should an emergency occur and as such cannot meet the legal requirements.

The Inspection Manual for Public Service Vehicles ⁴ is a comprehensive document which details the expected standard for any vehicle and the penalty should it fail to meet those. IM3 in the Manual covers seat belt and supplementary restraint systems and details one defect type as '*any seat belt not capable of performing its intended purpose...*'. Should the vehicle be stopped as part of a roadside check the driver and operator would be liable to enforcement action. If the seat belt is in use this could attract an immediate prohibition, whilst if not in use it would be a delayed prohibition. This will affect the Operator Compliance Risk Score (OCRS) and the ability for the Operator to continue its service. The DVSA have stated that at this stage the action is likely to be guidance and advice in the first instance.

The Community Transport Association (CTA) ⁵ have maintained their position that operators should avoid any devices that do not comply with regulations. For those who transport children this will cause difficulties and it is recommended that operators revisit risk assessments and appropriate alternative controls are implemented. Operators can use passenger assistants and put individual travel plans in place for those who require the use of these devices such as those with special needs. These devices are also prohibited from private vehicles such as parent cars.

References

1. <https://content.govdelivery.com/accounts/UKDVSA/bulletins/34637b8>
2. <https://content.govdelivery.com/accounts/UKDVSA/bulletins/3496836>
3. <https://www.which.co.uk/reviews/child-car-seats/article/child-car-seat-accessories-afYV16y7R8OC>
4. <https://assets.publishing.service.gov.uk/media/6453c62f2f62220013a6a52d/categorisation-of-vehicle-defects.pdf>
5. <https://ctauk.org/news/buckle-guards-cta-statement>

Further information

For access to further RMP Resources you may find helpful in reducing your organisation's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

Get in touch

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