

Advice and Information

Operational

Oxygen Cylinders

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Introduction

Community transport (cts) operators are increasingly receiving requests to provide transport to service users who need to take and use their oxygen cylinders with them on journeys. These journeys can be in minibuses, MPVs and in volunteers' cars. This advice leaflet gives a brief outline of regulations that apply and how operators can carry oxygen safely.

The oxygen itself would not normally be considered hazardous as it is being transported in a properly-designed pressure vessel. However, the carriage of oxygen cylinders may present hazards nonetheless, so the CTA recommends that operators have procedures which follow a number of good practice guidelines.

Legislation

There are several bits of legislation that ct operators need to be aware of:

- Under section 8(1) of the **Road Traffic Act 1991** a person has a duty of care by which they are guilty of an offence if he uses, or causes or permits another to use, a motor vehicle or trailer

on a road when....the condition of the motor vehicle....is such that the use of the motor vehicle or trailer involves a danger of injury to any person. The main implication of these regulations is that both the organisation and ultimately the driver are responsible for ensuring that items like oxygen cylinders are secured safely so that they cannot injure anyone in the event of an accident.

It is advisable for the vehicle operator's (or the volunteer car driver's) insurance company to be informed that oxygen cylinders will be being carried in the vehicles and for a risk assessment to be carried out. It would be good practice to ensure that information and/or training is available on what to do in the event of an accident or incident. This will also mean that the driver is able inform the emergency services of the type of oxygen cylinder being carried if necessary. There is, however, no longer a requirement to display a 'hazard diamond' warning sign on the vehicle whilst an oxygen cylinder is being transported (note - in any event it is illegal to display such a sign if the vehicle is not carrying oxygen).

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Risk Assessments

You should only transport cylinders that are small enough to be handled safely by the driver or passenger assistant and, when carrying out a risk assessment, any potential manual handling risks should be taken into consideration. This may require organisations to provide additional training, which is available as part of the Passenger Assistant Training (PATs) course - see the CTA website for further details.

It is allowable for a passenger to use their oxygen cylinder whilst being transported but the operator needs to ensure that the risk of fire is minimised. There must be good ventilation within the vehicle because in confined spaces, where windows are closed, materials such as clothing, seats or carpets can become enriched with the oxygen, increasing the risk of fire in the event of naked flames, electrical sparks or any other ignition source. Operators should ensure that drivers are fully aware of the need to check that vehicles are properly ventilated if oxygen is in use.

Since 2007 smoking has been prohibited in vehicles that are used for the transport of members of the public, or a section of the public, and in vehicles that are used for voluntary or paid work by more than one person. Signs must be displayed to inform passengers of this requirement. Adherence to these regulations is clearly even more important if oxygen cylinders are being transported. Electronic devices such as electronic cigarettes should not be used and the charging of electronic devices such as mobile phones should also be avoided.

Refuelling the vehicle whilst carrying oxygen cylinders should also be avoided where possible; the CTA recommends that vehicles should be refuelled before passengers are collected. If this is unavoidable, then it is recommended that the passenger is advised not to use the oxygen, that the valve on the cylinder is closed and that any vehicle windows near the refuelling point remain closed.

Oxygen cylinders need to be secured safely, either in an appropriate storage box or fastened to the side of the vehicle using luggage straps designed for the purpose. The cylinder should be within the reach of the passenger if there is any chance they may need to use it during transportation. Cylinders should never be wedged between seats or anywhere else where they could become loose in the event of an incident and they should not be left attached to a wheelchair during transportation. If storage boxes are provided, these should not be placed in the gangway of a minibus as this is a potential contravention of vehicle Construction and Use Regulations.

Recommendations

When carrying out a risk assessment the CTA recommends that:

- It should be done jointly - organisations should include the passenger and their representative if possible, as well as their own drivers and passenger assistants;
- It should consider any potential risk to passengers, drivers/assistants or any member of the public;
- It should note how such risks will be minimised;
- The passenger should receive a copy of the risk assessment;
- The risk assessment should be kept on file by the operator and copied to the vehicle insurer.

The format of risk assessments can be varied. There is no standard response to controlling a risk: every situation is slightly different and organisations may be able to put different control measures in place. It is important to remember that the control measures should be 'reasonably practicable' for the organisation. For example, it may be desirable to have a storage box for every vehicle but it is 'reasonably practicable' in the first instance to purchase only one which can then be moved between vehicles. For more guidance, see the CTA advice leaflet: [Health and Safety - Risk Assessments](#).

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About the Community Transport Association

The Community Transport Association is a national charity that represents and supports providers of community transport: thousands of other local charities and community groups across the UK that all provide transport services that fulfil a social purpose and community benefit. We are for, and about, accessible and inclusive transport.

We help our members remain relevant and responsive to key areas of public policy and to make a big difference for the people and families in the communities in which they work. Our vision is of a world where people can shape and create their own accessible and inclusive transport solutions and our mission is to achieve this through championing accessible and inclusive transport, connecting people and ideas and by strengthening our members and raising standards.

Keep up to date with CTA via our website or by signing up to our monthly [News Brief](#).

About CTA's Advice Service

The CTA's Advice Service is available to CTA members, community and other voluntary groups, local authorities and other statutory bodies. It offers information and support on any aspect of non-profit transport operations. The CTA's Advice Service covers the whole of the UK and is supported by national governments. We will only ever explain the most accurate and commonly accepted interpretation of regulations and best practice. We do this by providing support and information on a wide range of community transport related topics such as permits and licensing regulations and by signposting to other agencies. The Advice Service does not exist to provide legal advice on any topics. If you are still unsure you will need to seek [legal advice](#).

For more information, contact

advice@ctauk.org | 0345 130 6195 | www.ctauk.org

This leaflet has been primarily produced for members of the CTA. If your organisation has benefited from using it but isn't a member please consider joining us, for more details please see: <https://ctauk.org/why-become-a-cta-member>.

Disclaimer:

The Community Transport Association has made every effort to ensure the accuracy of the information contained in this leaflet, but it should be noted that this is only a guide, and should be treated as such.