



VALE OF GLAMORGAN COUNCIL

PLANNING AND TRANSPORTATION DIVISION

**POLICY FOR THE PROVISION OF
HOME TO SCHOOL TRANSPORT**

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HOME TO SCHOOL TRANSPORT POLICY

It is the Council's intention to provide a reliable system of transportation that will seek to carry pupils safely, punctually and in comfort. These principles apply to all services contracted by the Council.

1. Provision of school transport

Councils have a statutory duty under s.509 of the Education Act 1996 to provide transport for eligible pupils to and from school.

The Act provides that where the nearest suitable school is more than 3 miles (2 miles if the child is under 8 years of age) the child shall not be considered to have failed to attend school regularly if the parent proves that the school is not within walking distance of the child's home and no suitable arrangements have been made for transport. Distances will be measured by the nearest available walking route.

However, where pupils attend, as a result of parental preference, a school other than the local traditional area school as recognised by the Council, it must be understood that parents accept full responsibility for transport costs and arrangements.

The Education (Miscellaneous Provisions) Act 1953 empowers LEAs to fill, at separate fares, any vacant places in such free transport, and the Public Passenger Vehicles Act 1981 empowers them to provide as a Registered Local Service a school bus carrying fare paying passengers. These duties are unaffected by the Transport Act 1985 but the Act may affect the way in which LEAs discharge them:

- *by the purchase of scholars passes for use on public transport, or*
- *by contract services available also to the public, or*
- *by exclusive contract services, or*
- *by using their own buses.*

The Code of Practice recommends that Authorities consider integrating schools services (whether provided by themselves or their LEAs) into the local services which they propose to subsidise.

In all cases, the efficient use of resources will dictate the mode of transport provided (subject to any special needs requirements). Transport may be provided by means of contracted school transport services or existing public transport services (bus, minibus, train, taxi etc.).

In the Vale of Glamorgan Council, all functions related to school transport (with the exception of special needs transport) are dealt with by the Planning & Transportation Division, for and on behalf of the Directorate for Learning & Development. **Any correspondence can be sent to Planning & Transportation, Environmental & Economic Regeneration, Docks Offices, Barry Docks, Barry CF63 4RT and the contact telephone numbers are 01446 704664 / 01446 704687.**

2. Transport for children with special needs

Free transport may be available for children who have statements of Special Educational Needs attending designated schools/units of schools. Such transport will only be provided on the recommendation of the Special Needs Service (Pupil Support Service). Transport may be provided on a short or long term basis and will be subject to a regular review.

(This is the only school transport function that is dealt with by The Directorate of Learning & Development, Civic Offices, Holton Road, Barry and officers can be contacted on 01446 709114 / 01446 709116.)

3. Transport to voluntary aided, Welsh Medium schools, post 16 pupils and pupils transported to schools outside of the County

Pupils currently attending the nearest voluntary aided or welsh medium school receive free transport if they reside beyond the Council's agreed 'walking distance' criteria (see 1 above). Whilst, this transport provision is discretionary, it is part of the Vale of Glamorgan policy to provide free travel.

Free school transport is also provided for post 16 pupils who reside beyond the Council's agreed walking distance criteria as mentioned above. Likewise, this provision is also discretionary but it is part of the Vale of Glamorgan policy to provide free travel.

Free school transport is also provided for pupils whose nearest suitable school is outside of the Vale of Glamorgan and where they reside beyond the Council's agreed 'walking distance' criteria (see 1 above).

4. Transport links to buses

The Council will exercise discretion in determining whether or not it will provide a taxi link to an existing bus service for those pupils living in rural locations. The Council will apply the 2 mile limit walking distance criteria, as mentioned at 1 before, before considering whether or not to provide assistance.

5. Special arrangements – hazardous routes

The Council has a duty to recognise a route as hazardous if a pupil cannot walk safely when accompanied by an adult. In assessing the safety of an available route, consideration is only given to the potential risk created by traffic, highway and topographical conditions and not personal safety.

Each case will be considered on its own merits, will be reviewed initially, and the Council will have regard to the following primary criteria in arriving at such decisions:

- That there is no available fare paying bus service along the route between the home and the school.
- That the degree of danger involved is such that escorting parents and children are at risk from the particular traffic situation.

If there is still contention after any initial assessment, it is the Council's intention to appoint an independent company to assess the route.

6. Special arrangements - payments to parents/guardians

The authority may agree to a parent/guardian transporting their child to and from school and receiving reimbursement of petrol expenses when there is no other alternative transport provision available.

7. Fare paying passengers

From time to time it is possible that the numbers to be carried by the Council will be below the capacity of the vehicle used. In such cases the Council will reserve the right, using the appropriate powers, to make spare capacity available to children who live below the limit listed in section 1. When places on a vehicle are made available under this provision they will be charged with payment being made in advance. It must be understood that the provision of this facility does not represent an obligation on the Council and, being entirely dependent on the capacity of the vehicle used, may result in withdrawal of the facility at relatively short notice.

8. Changing schools – transport arrangements

Pupils whose families move to an address outside the local traditional area of the school attended will not continue to be provided with free school transport if that move takes place during primary education, or in years seven, eight or nine of secondary education. Applications made on behalf of pupils who move in years ten and eleven will be considered individually. Such transport will usually be provided if it can be made available by existing services and therefore, represent no additional charge on the Council.

9. Seatbelts

Current seat belt legislation requires:

- *Public Service Vehicles (PSVs) with between 9 and 16 passenger seats have a seat belt for each passenger carried in a forward facing seat with effect from 10th February 1997.*
- *PSVs with 17 or more passenger seats and weighing under 7.5 tonnes are not required to have seat belts no matter what their maximum speed (in effect buses used to provide a bus service eligible for Bus Service Operators Grant (formerly fuel duty rebate) i.e. locally registered bus services).*
- *PSV over 7.5 tonnes that not capable of 60mph are not required to have seat belts (in effect buses used to provide a bus service eligible for Bus Service Operators Grant (formerly fuel duty rebate) i.e. locally registered bus services).*
- *PSVs over 7.5 tonnes capable of over 60 mph require seat belts by 10th February 1997 if first used after 1st October 1988 or by 10th February 1998 if first used before 1st October 1998.*

The Council will comply with legislation and any amendments made to this legislation will be reflected in the School Transport Policy.

10. Three for Two Rule

Legislation states that in the case of children under the age of 14 years, three seated children may be counted as two where they share a double seat however, this does not apply where seatbelts are fitted i.e. each child must have his/her own seat. (A child who reaches the age of 14 during a school term is deemed to be under 14 years of age until the last day of August next following his/her fourteenth birthday).

It is the Council's intention not to use this ruling and to always provide one seat per child on Education Act contracts.

Please note that where a registered local bus service is utilised, the Council does not have any jurisdiction. However, the Council is currently in discussion with service operators and the Traffic Commissioner to establish whether it is at all possible to allocate seats on Transport Act services, to school children. On conclusion of these discussions this policy may be amended.

11. Standing Passengers

The maximum standing capacity of a vehicle with a Certificate of Fitness or Certificate of Conformity issued on or after 1 April 1981 is either the standing capacity stated on the certificate or otherwise issued by a vehicle examiner. In the case of any other vehicle it is not more than eight standing passengers or one third of the seating capacity on a single deck public service vehicle, or in the lower deck of a double deck public service vehicle or otherwise by a vehicle authorised by a vehicle examiner.

Again it is the Council's intention not to allow any standing capacity on school transport, however, where a registered local bus service is utilised, the Council does not have any jurisdiction. However, please refer to the commentary under section 10 (above).

12. Escorts

It is Council policy to provide escorts for all primary school buses that cater for more than 16 pupils. This is due to the age of the pupil and the fact that it may be considered appropriate to assist the child on boarding and alighting the vehicle as well as helping where necessary to put seatbelts on. In addition, it is to ensure these young vulnerable pupils stay seated whilst the vehicle is moving. For those vehicles with less than 16 seats, the Council may consider rural areas where a vehicle may break down and the driver is unable to leave pupils to call for assistance and where mobile telephones do not work in the area when assessing whether an escort is required.

It is not the Council's intention to provide supervision for secondary school pupils. However, where a behaviour problem has been identified, a Vale of Glamorgan Council Officer or a teacher may ride the vehicle to identify the problem and appropriate action will be taken to resolve the issue.

13.C.C.T.V.

It is the Council's intention to pilot a scheme where C.C.T.V. will be used on a daily basis on selected routes. This trial will take a year to complete and any further decisions with regards extending its use, will be made after analysing the results. The routes where CCTV will be piloted will ensure a range of services and circumstances.

Tender documents reflect this pilot exercise. In addition all Council tender documents will reflect the desirability of providing CCTV on buses.

14. Seating Plans

It is the Council's intention to encourage that schools provide seating plans for pupils so that they may be accountable for their own seating arrangements. However this is in its early stages and a pilot scheme is to be set up to measure its effectiveness. This trial will take a year to complete and will inform future policy.

15. Monitoring and complaints procedure

All vehicles will be subject to random checks by the traffic commissioners or other appropriate body, when required. The Council, on unspecified days, undertakes random checks on contracts, to ensure that the contracts are being complied with in a manner acceptable to the Council.

Any complaints received by the Council from parents concerning services or vehicles will be immediately investigated. In the event of the complaint being upheld, the Council reserves the right to take any appropriate steps necessary in accordance with contract conditions. **Parents should contact the Directorate of Environmental and Economic Regeneration, Planning & Transportation Division, (Telephone no 01446 704664/687) with any concerns with regards school transport.**

Any complaints received verbally will be logged on the School Transport complaints database, investigated immediately and responded to verbally.

Any complaints that require a written response, will need to be put in writing and will be filed in the designated school transport file. It is the Council's intention to respond to such complaints within a maximum of 14 days.

It is also the Council's intention to analyse complaints quarterly and address any consistent problems that arise.

16. Pupil / Student Misbehaviour

Pupils or students travelling to school or college by service or contract vehicle using a pass supplied by the Council who misbehave, cause damage or injury either to the vehicle, driver or other passengers, may have their pass withdrawn, either temporarily or permanently by the Director of Environmental and Economic Regeneration. Once a pass has been withdrawn, the parents of the pupil(s) concerned will be responsible for ensuring pupil (s) attend school regardless of the grounds on which the pupil qualifies for transport.

Any pupils who are not entitled to free school transport but who pay a fare, will also be subjected to the same rules and the Council will do everything in their power to ensure compliance.

The Public Passenger Vehicles Act 1981 make provision for the following:

A driver must take reasonable precautions for the safety of passengers whom are either boarding or alighting the vehicle or who are already on board a vehicle.

A driver must:

- *by taking reasonable steps see that passengers comply with conduct regulations.*
- *remove from a public service vehicle any person infringing the regulations.*
- *require any passenger who he reasonably suspects of infringing the Regulations to give his name and address.*

The Public Passenger Vehicles Act 1981 also makes provision for passengers as follows:

A passenger on a public service vehicle must not:

- *Use any door for a purpose other than which is indicated by a notice unless the direction or authority of a driver.*
- *Endanger the safety of or cause discomfort to impede anyone who is travelling on the vehicle, or boarding or alighting from it.*
- *Endanger the safety of or cause discomfort to impede the driver, conductor or inspector or any employee who is working on the vehicle.*
- *Trail or throw anything from the vehicle.*
- *Smoke, carry lighted tobacco, lighted match or lighted cigarette lighter where by notice it is indicated that smoking is not permitted on the vehicle.*
- *Cause distraction by speaking to the driver while the vehicle is moving unless in emergency or to deal with matters of safety or to give directions in respect of stopping the vehicle.*

- *Distract the driver or obstruct his vision.*
- *When instructed by the driver conductor or inspector, stay on the vehicle where:*
 - *The vehicle is full*
 - *The passenger has caused a nuisance*
 - *The passenger's condition is offensive to other passengers*
 - *The passengers clothing is of such a condition that it might soil the clothing of others or the fittings of the vehicle*
 - *Use or play any noisy instrument which may cause annoyance to others on the vehicle*
 - *Deliberately interfere with the vehicle's fitted equipment.*

The Council will investigate all complaints and action will always be taken against any offenders.

As with operational complaints, verbal complaints will always be responded to verbally and written complaints responded to in writing.

It is the Council's intention to investigate such complaints immediately and take any necessary action as soon as possible once the parent has been contacted.

All complaints will be investigated jointly by the school and the Vale of Glamorgan Planning and Transportation Division (Public Transport Unit) (and the operator if required) and both the school and the Council will have the responsibility to deal with such issues.

17. Communication

It is the Council's intention to ensure that each school has a designated contact person for school transport issues and it will be the responsibility of the school to provide the name of this person to those using school transport when issuing their pass.

It is the Council's intention to have parent/pupil/school/Council/operator contracts whereby each person will agree to abide by the relevant rules. Any abuse of these rules will lead to action being taken against the relevant party.

It is the Council's intention to have triplicate incident books for schools / operators /drivers to complete where complaints have been received.

18. Training

It is the Council's intention to introduce training for all pupils who use home to school transport. This may involve videos, talks in assemblies, evacuation training, and any other form of training that the Council deems necessary. All pupils will be expected to participate in any such training. The Council will produce a Training programme in consultation with schools and operators and all aim to publish the programme on an annual basis in advance of the end of the summer term.

19. Contractor/School Briefings

It is the Council's intention to provide briefing sessions for schools and contractors. Any problems may be addressed at these meetings which may also inspire further good practice. As in the case of training the Council will publish details of the proposed briefing sessions on an annual basis.

20. Criminal Record Bureau Checks on Drivers and Escorts

It is the Council's intention that all drivers and escorts operating school transport in the Vale of Glamorgan are checked against the Criminal Record Bureau, therefore, a two year rolling programme has been set up to fulfil this commitment.

21. Bus Passes

The Council will issue bus passes to each school during the final 4 weeks of the summer term. Any pupil who does not produce either a bus pass or a dated letter from the school, to the driver, will be refused travel. This ruling is to enable the Council to fulfil its commitments to the above 'three for two' and standing passengers policy and to ensure the safety of the passengers. In these circumstances, the parents of the pupil(s) concerned will be responsible for ensuring pupil (s) attend school regardless of the grounds on which the pupil qualifies for transport.

22. Parent responsibility prior to boarding and on alighting the vehicle

It is the responsibility of the parent to ensure the safety of their child/ren prior to their acceptance onto any form of school transport. Likewise, it is the parent's responsibility to ensure the safety of the child once he/she alights the vehicle. The Council will not accept any responsibility when a parent is not at the bus stop at the designated time of arrival on an afternoon journey, or where a pupil forgets their bus pass and is not accepted onto the vehicle.

It is the Council's aim to abide by primary legislation with regards school transport and any changes to that legislation will reflect in the school transport policy.

In addition to this document, the Council has also written A Framework for dealing with Incidents on Home to School Transport.

The Council expects all participating parties to adhere to both documents.

References

1. A framework for dealing with incidents on home to school transport
2. Information and contact points including advice on communication on matters relating to home to school transport.
3. Model terms and conditions of contract