

# SCHOOL TRANSPORT POLICY

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## AIMS

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The aims of this policy are to:

- ~ Clarify entitlement to, and the extent of, home to school transport provision.
  - ~ Set out the standard of service expected from school transport operators in providing safe and reliable home to school transport.
  - ~ Deal with the responsibilities of parents, pupils and schools in ensuring safe home to school transport.
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## WHO SHOULD GET SCHOOL TRANSPORT?

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The Education (Scotland) Act 1980 places a legal responsibility on Local Education Authorities to enable the attendance of children living beyond specified maximum walking distance from their school. Walking distance is specified as two miles for pupils who have not reached their eighth birthday and three miles for pupils aged eight years and over. In Shetland this is extended during winter months (October break to Easter holidays) to provide transport for all pupils who live more than a mile-and-a-half from their school. The Education (Scotland) Act 1996 amended the 1980 Act to require education authorities to have regard to the safety of pupils when considering whether to make arrangements for the provision of school transport.

Education Authorities are also required to offer any vacant seats on school transport free of charge to pupils who live on a route but within walking distance of their school. If the number of non-entitled pupils exceeds the number of vacant seats available the Authority must select which of those pupils can travel on the vehicle.

If as a result of a "placing request" pupils are attending a school other than their area school there is no entitlement to free school transport. Those pupils may take up any vacant seats on existing school transport e.g. primary pupils travelling on secondary pupil transport between Mossbank and Brae. Placing request pupils will not be taken into account when specifying the number of seats required for any future contracts. If other pupils with entitlement move into the area and as a result there are no longer any vacant seats on existing transport the transport of placing request pupils will become the responsibility of their parents.

Local Authorities do not have to provide school transport. Their legal responsibility could be fulfilled by providing either a means to get to school, such as a bicycle, or an allowance for parents to make their own arrangements. However, Shetland Islands Council like other local authorities provide home to school transport for pupils who live outwith walking distance of their school. If the route between their home and school is considered unsafe transport is also provided for pupils who live within walking distance of their school.

To assess whether transport should be provided for safety reasons a safety audit is carried out by the Environment and Transportation Department, sometimes in consultation with the Police. The method of assessing safety factors was approved by the Council in July 1996. If a route is assigned a pedestrian safety factor of 1 or 2 it is considered that there is little or no risk to children walking whilst supervised by an adult. A pedestrian safety factor of 3 or 4 indicates that the route is less suitable, in terms of road safety, for accompanied children on foot. Council policy is that school transport provision should not be made for pupils who live within walking distance of the school if the route has been assigned a pedestrian safety factor of 1 or 2. If parents consider that the route has been assessed incorrectly they can make a written submission to the Director of Education and Community Services giving reason why they feel it should be changed.

Local Authorities are not required to provide “door-to-door” transport. Whilst transport is usually provided as close to home as practical, children may be expected to walk anything up to the legally specified or policy maximum walking distance to/from the transport pick-up point. Parents are responsible for this part of the journey.

When pupils, who are entitled to transport, enrol at a school they should use the school transport already provided in their area. This transport may not be provided from their door. Unless the journey from their house to the main road pick-up point is more than walking distance or this part of the journey is considered unsafe for accompanied pupils transport provision will not be diverted from the existing route. Similarly, when the number of pupils in any area becomes such that it may be more practical and cost effective to provide transport in larger vehicles pupils who previously enjoyed transport provision to their house in a car or mini-bus may have to walk to the main road to access a larger vehicle. Pupils and parents are given as much notice as practicable and unless there are safety reasons changes take effect at the start of the next school term or when the contract becomes due for renewal.

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## THE RESPONSIBILITIES OF CONTRACTORS/TRANSPORT OPERATORS

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Contractors provide home to school transport using cars, mini-buses and coaches. It is the responsibility of those who are awarded school transport contracts to ensure that pupils included in the route are conveyed to school in a safe, comfortable, and secure environment. The vehicles used must be suitable for the purpose and drivers must be adequately trained and qualified.

Contractors using cars (or vehicles which carry eight passengers or less) to take pupils to school must ensure that they have a valid taxi licence or private hire car licence and the appropriate driver's licence issued by Shetland Islands Council under the Civic Government (Scotland) Act 1982. If using mini-buses or coaches they must ensure that all vehicles are driven by an experienced, qualified driver holding the appropriate licence for the purpose.

A mini-bus is defined as a motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver. A coach is defined as a large bus with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph.

Seat belt regulations - The Road Vehicles (Construction and Use) (Amendment) (No 2) Regulation 1996 (SI No 1996/163) - require coaches and minibuses to be fitted with seat belts when carrying three or more children, aged from 3 to under 16. A forward facing seat fitted with a minimum of a lap belt must be available to every child. Although there is no legal responsibility on the driver to ensure that belts are worn Shetland Islands Council within their terms and conditions for school transport require drivers to use their best endeavours to ensure that seatbelts are worn by pupils. In addition, parents and school staff should encourage pupils, for their own safety, to wear seat belts at all times. The regulations only extend to school transport (including school trips/outings) and not to vehicles providing a transport service for the general public. The regulations apply to:

- minibuses used from 10 February 1997,
- coaches used from 10 February 1997, if they were registered on or after 1 October 1988, and
- coaches used from 10 February 1998, if they were registered before 1 October 1988

In addition to ensuring that seat belt regulations are adhered to contractors must comply with all current road traffic and any other applicable legislation relating to the licensing, operation, construction, fitness and safety of vehicles. Each vehicle used for home to school transport provision must have a policy of insurance endorsed to indemnify the authority against legal liability for personal injury or damage to property arising out of the use of the vehicle for the conveyance of school pupils.

Contractors should note that it is a requirement to display "school bus" signs when conveying school pupils and the regulations also permit the use of hazard warning lights when school pupils are boarding or alighting the vehicle.

Vehicles must have sufficient seating and provide adequate comfort for the number of pupils to be conveyed. Each pupil must have one full seat in the vehicle for the duration of the journey. The "3 for 2" concession which allowed three children under 14 to share a double seat no longer applies.

Contractors must ensure that they have contingency plans acceptable to the authority to deal with vehicle failures, staff unavailability, emergency closure of schools and other emergencies. Any driver employed by the contractor should be aware of issues involving pupil safety and behaviour and who to contact in an emergency. As school transport drivers are deemed to have "substantial opportunity for access" to children contractors, if requested, must provide the necessary details of all persons who may drive their vehicles when carrying out school transport contracts in order that appropriate enquiries can be made to Scottish Criminal Records Office.

A contractor must not sub-contract to another operator without the written permission of the Local Authority.

The contractor is responsible for identifying suitable turning places and the arrangement of suitable, safe and sufficient picking-up points throughout the route. The Authority can specify alternative and/or additional picking up points at no extra cost unless an additional daily journey in excess of three miles is required. The

contractor must ensure that all pupils included in the route are conveyed to school in time for opening and collected at the end of the school day when dismissed.

If at any time a contractor is not in a position to fulfil the requirements of the contract, due to the number of pupils in the area exceeding the number of seats available or due to the unavailability of a suitable vehicle or driver for any other reason they must inform the authority immediately in order that new arrangements can be put in place.

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## THE CONDUCT OF DRIVERS

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Drivers of home to school transport bear much of the responsibility for the safety of pupils. However, parents remain responsible for the behaviour of their children at all times and they should encourage their children to follow the instructions of the driver. Pupils must realise that failure to act responsibly will compromise their own safety and the safety of other pupils. The following is recommended as a suitable code of conduct for all those involved in driving school pupils whether between their home and school or on school trips/outings:

- ~ Do not drive a vehicle which you are not suitably licensed or insured to drive.
- ~ Do not drive a vehicle you suspect of being unroadworthy or in contravention of relevant regulations or legislation.
- ~ Follow the scheduled route and use pick-up and set down points designated by the contractor or agreed by the authority.
- ~ Approach each stop slowly and carefully and keep doors closed until the vehicle has stopped.
- ~ If applicable, check pupil bus passes. Pupils who do not have a pass should not be refused transport but it should be reported to the school.
- ~ Do not drive off until all pupils are seated, the doors are closed and you have checked that no pupils are in the vicinity of the vehicle.
- ~ Remind pupils to fasten their seat belts before driving off.
- ~ Do not smoke whilst carrying school pupils and do not allow any pupils to smoke.
- ~ Know who to contact in the event of an emergency, such as a breakdown, an accident, adverse weather conditions, an unforeseen delay or other hazard.
- ~ Report any discipline or behaviour problems to the school or the local authority but never eject a pupil from the vehicle under any circumstances. In the event of extreme or persistent misbehaviour the authority reserves the right to suspend school transport provision for the pupils responsible. Transport arrangements will then become the responsibility of their parents.
- ~ Be aware that the safety and welfare of all pupils on the vehicle is of paramount importance and a considerable degree of responsibility rests with the driver on each journey.

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## ROLE OF SCHOOL STAFF

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The safety of pupils using school transport, particularly when boarding and alighting a bus, could be jeopardised as a direct consequence of inappropriate or unruly behaviour. Although parents are responsible for the behaviour of their children during the journey between home and school it is considered reasonable that school staff have a role in encouraging pupils to adopt responsible attitudes whilst using school transport.

It is highly unlikely that drivers will have the training and experience necessary to deal effectively with behavioural problems and the support of school staff is sought in monitoring the conduct of pupils. This does not imply any supervisory responsibility but it would be appreciated if staff would report to their Head Teacher if they become aware of any problems on school transport vehicles.

Behaviour on school transport should be dealt with outwith any policy dealing with behaviour and discipline within the school. It is not suggested that schools should take punitive action or administer discipline but it is requested that Head Teachers investigate any misbehaviour reported to them and admonish the pupil concerned, warning them of the consequences of persistent misbehaviour.

Head Teachers should contact the Department of Education and Community Services if they feel the conduct of any pupil has reached a level where withdrawal of transport may be required.

The Safe School Travel Pack produced by the Scottish School Boards Association and endorsed by the Scottish Office provides good advice on ways in which school staff, parents and pupils can all play a part in making the journey to and from school a safe one. Copies of the pack have been issued to all schools in Shetland.

School staff can assist in the operation of a safe and efficient transport service by:

- ~ Ensuring that pupils understand the rules for safe travel on school buses, including the consequences of misbehaviour and banned activities such as smoking, vandalism, fighting, moving about the vehicle and tampering with the emergency doors/windows.
- ~ Encouraging pupils to stand back from the edge of the kerb when waiting for the bus.
- ~ Warning pupils about the danger of distracting the driver's attention by misbehaving on the vehicle.
- ~ Establishing good lines of communication with transport operators to assist in dealing with contingency plans for bad weather or other emergencies, early closure of schools or cases of problem behaviour.
- ~ Ensuring that pupils are released promptly from class and encouraging them to make their way to the transport departure point as quickly and safely as possible. Delays can result in transport being missed.
- ~ Ensuring safe access to and from pick-up and setting down points for both vehicles and pupils and ensuring adequate supervision of pupils at transport arrival and departure times from school.
- ~ Working with transport operators and the authority as appropriate in cases of problem behaviour. Taking a firm line with pupils who misbehave on or around school transport will gain the confidence and support of operators, drivers, parents and other pupils travelling on the vehicle. Letting it be known when incidents have been reported and that those responsible have been admonished will hopefully discourage similar behaviour.
- ~ Either contacting the operator or reporting to the authority any concerns regarding transport services, including late or non-operation, incorrect route, poor driving standards, inappropriate driver behaviour, overloading of or unsuitability of vehicles.
- ~ Ensuring observance of no smoking rule, taking firm action against any pupils found smoking and reporting any driver observed smoking to their employer or the authority.

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## HOW PARENTS CAN HELP

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Parents have a legal duty to provide for the education of their children, either by causing them to attend school regularly, or by other means. For many parents, this means reliance on school transport provided under arrangements made by the local education authority. Parents have a right to expect that suitable arrangements for safe and reliable school transport will be made for their children. However, the ultimate responsibility for the safety and welfare of pupils rests with their parents and it requires parents working along with the authority, schools and transport operators to ensure that a high level of service is maintained.

Unless the route is considered unsafe pupils may have to walk anything up to maximum walking distance to access school transport. Parents are responsible for this part of the journey. Parents are also responsible for the behaviour of their children whilst on the vehicle and when waiting at the pick-up point. Persistent misbehaviour on the vehicle can lead to the withdrawal of school transport and parents will then become responsible for the journey between home and school. The following guidelines are included for parents in the Scottish School Board Association booklet.

- ~ Young children should be accompanied by an adult while walking.
- ~ Ensure that your child takes the safest route.
- ~ Walk the route with your child at least once and talk about the hazards.
- ~ Children must be suitably dressed for the weather and should always wear something bright, preferably with reflective and fluorescent strips or panels.
- ~ Make sure children leave home in plenty of time so that they do not have to rush.
- ~ Children need to be at the designated pick-up point before the scheduled departure time of their transport. Transport operators cannot wait for latecomers.
- ~ Teach your children about road safety.
- ~ Remind your children that playing about at pick-up points or on the vehicle can result in accidents or injuries. Extreme or persistent misbehaviour may lead to the withdrawal of school transport from the pupils responsible.
- ~ Instruct children to do as the driver says and not to misbehave. You can be held responsible for any vandalism caused by your children.
- ~ When they return from school
  - ~ Young children should be met at the bus stop.
  - ~ If the vehicle stops on the opposite side of the road, cross over to meet your child do not expect them to cross the road to meet you.

If parents are concerned about the behaviour of pupils on school transport they should contact the Head Teacher. If the service is unreliable, or parents are concerned about the vehicles being used or the attitude of the driver they should contact the Department of Education and Community Services, preferably in writing. It is important that complaints are notified promptly. It becomes difficult to take effective action or identify who was at fault if the complaint is made long after the incident occurred.

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## WHAT PUPILS CAN DO TO HELP

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School transport is provided to get pupils to and from school. The behaviour of pupils between home and school whether as a pedestrian or as a passenger in a vehicle has a direct bearing on their safety. Pupils should be given sound advice on what constitutes responsible and safe behaviour and they should be encouraged to develop their own road safety skills. Pupils should be encouraged to adopt the following as a code of conduct in relation to their journey between home and school:

- ~ Make sure you leave home in plenty of time so that you do not have to rush.
- ~ Always walk on the pavement, where there is one.
- ~ If there is no pavement, always walk facing the oncoming traffic.
- ~ Always wear something bright to make you more visible in the dark or in bad weather.
- ~ If you are with younger children, set them a good example and let them walk on the inside so that they are furthest away from any traffic.
- ~ On narrow roads with no pavement, walk in single file.
- ~ Walk, don't run.
- ~ Act responsibly and don't be persuaded by others to act foolishly as this could compromise your own safety and the safety of others.
- ~ Stand back when the vehicle arrives.
- ~ Get on and off the vehicle one at a time and do not push or shove.
- ~ Sit still on the vehicle and fasten the seat belt.
- ~ Do not open or play with emergency doors or windows.
- ~ Always obey the instructions of the driver.
- ~ Treat other people with respect.
- ~ When you get off the vehicle do not cross the road until the vehicle has moved off and you can see clearly in both directions.
- ~ Between the vehicle and the school entrance keep your eyes open for other vehicles near the drop-off point.
- ~ If you have left anything on the vehicle do not run after it but tell your teacher or playground supervisor as soon as possible.