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East Dunbartonshire Council

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EDUCATION AND CHILDREN'S SERVICES

SCHOOL TRANSPORT POLICY

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EDUCATION AND CHILDREN'S SERVICES

Policy on the Provision of School Transport

1 STATUTORY BACKGROUND

Whilst it is the responsibility of the parents or guardians to secure their children's education, sections 50 and 51 of the Education (Scotland) Act 1980 require the education authority to make appropriate provision to assist pupils to have access to education. Under Section 42 of the Act, the authority must provide free transport or make such other arrangements for all pupils up to age 8 who live more than 2 miles from their local catchment area school and to all pupils over age 8 who live more than 3 miles from their local catchment area school. The Act also makes provision for a number of exceptional circumstances and special conditions under which the authority may also provide free transport.

2 AIMS

The Council, in discharging its statutory requirements, aims to:-

- assist parents or guardians in their responsibility of ensuring that their child attends **their local catchment area school** safely and on time in line with Council policy on the provision of free transport,
- to ensure through the services of Strathclyde Partnership for Transport (SPT), the most effective, safe and economical use of resources by close monitoring of contracts,
- be responsive to the concerns of parents and guardians in the provision of appropriate transport to meet the needs of each pupil, and
- ensure that parents or guardians are aware of their responsibility of meeting the cost of providing transport for their children if they do not qualify for free transport in line with the Council policy or have been placed in a school through their personal choice rather than the local catchment area school.

3 POLICY FRAMEWORK

The Council' policy on school transport is more generous than that required by statute. The education authority provides free home to school transport in any of the following sets of circumstances.

- The pupil lives 1 mile or more away from the local catchment area primary school (by the shortest safe walking route).
- The pupil lives 3 miles or more away from the local catchment area secondary school (by the shortest safe walking route).

(Note - the measurement of distance is taken from the house gate or pavement heel and then by the shortest safe walking route to the nearest school gate. Some pupils will require to walk a reasonable distance from home to the transport pick-up point but this should not exceed 1 mile for primary school pupils and 3 miles for secondary school pupils).

- The pupil has been recommended for transport on health grounds by a designated medical officer.
- The pupil has been assessed to attend a school to meet the requirements of his or her additional support needs. The assessment will normally involve the authority's psychological services staff who may also recommend appropriate transport arrangements. Escorts will be provided (on vehicles carrying pupils with additional support needs) where recommended by psychological services.
- The pupil has to walk a route which, after seeking the advice of the Roads and Neighbourhood Services (Traffic Officer), is considered by the authority to be unsafe for a pupil when accompanied by an adult.
- A pupil who is placed in a school nominated by the authority for any reason will be provided with free transport if the criteria for walking distances are complied with.

Free transport provision normally covers a return journey each school day, to school in the morning and to home at the end of the school day. In the case of infants who have a shorter school day in the August – September weekend, no additional transport is provided. These pupils may be collected by parents or guardians but in all other circumstances will be supervised in school until the end of the normal school day. Some pupils will wish to return home for lunch and parents or guardians will be required to make their own arrangements.

Arrangements for Placing Request Pupils

In the case of a pupil who attends a school by virtue of a **placing request** (ie. any school other than their local catchment area school), the **parent or guardian is responsible for arranging and financing transport to school** and the authority will only provide free transport in exceptional circumstances e.g. medical or safety grounds.

Arrangements for Nursery Pupils

A pupil attending nursery school will not normally be provided with free transport except in the circumstances where: either a pupil with additional support needs will benefit from attendance; or where in certain areas pupils concessionary travel seats* are available (after pupils of school age have been accommodated).

(A pupils concessionary travel seat* is where spare capacity exists on a vehicle and can be allocated without incurring the authority any additional costs). (*See below)

Provision of Transport in Exceptional Circumstances

Even when the criteria for walking distances are not met, there are certain exceptional circumstances in which the authority may provide free transport:-

- If spare seats exist on dedicated school transport vehicles, a pupil who does not meet the walking distance criteria may be granted a pupils concessionary travel seat* at no additional cost to the authority.
- If spare seats exist on dedicated transport vehicles, a pupil attending a school by virtue of a placing request (who would not normally qualify for free transport) may be granted a pupils concessionary travel seat* at no additional cost to the authority.
- A pupil who cannot be provided with a place at his or her local school due to lack of available accommodation will be given free transport to an alternative school nominated by the authority until such time as a place becomes available at the local school.

***Pupils Concessionary Travel**

This provision must be offered under Section 51(2) of the Education (Scotland) Act 1980.

Pupils concessionary travel can only be awarded where there is spare capacity on a vehicle after all pupils eligible for free transport have been accommodated and provided that the allocation of a pupils concessionary travel seat does not incur the authority any additional costs. The allocation of these seats are normally made just before the schools return in August, by which time the final number of pupils entitled for free travel is known.

An application for a pupils concessionary travel seat must be made every school year due to the changing numbers of pupils utilising their right to free travel. It should also be noted that a pupils concessionary travel seat can be withdrawn should a pupil eligible for transport move into the area. Pupils concessionary travel seats are not normally granted on vehicles that are registered as a local service and therefore contracted to carry non eligible pupils in return for payment.

When demand exceeds supply the allocation of pupils concessionary travel seats are normally made by ballot with priority given to pupils within the school catchment area who do not qualify for free transport in terms of the distance criteria, followed by other pupils from East Dunbartonshire. Pupils from outwith the authority area are then considered if any spare places remain.

4 **ARRANGEMENTS FOR IMPLEMENTATION**

Mainstream Transport

In line with the Government's legislation on compulsory competitive tendering (CCT), the Council adopts the following procedures in arranging home to school transport contracts in relation to mainstream pupils.

- (a) SPT, in consultation with the education authority, will draw up the specification for each transport contract and invite tenders from transport operators by a stated date and time.
- (b) On receipt of all tenders by the stated cut-off date, the authority will accept in all but the most exceptional circumstances (which will require to be reported to and accepted by committee) the lowest tender.
- (c) The successful contractor will be notified and, after the appropriate checks have been made and in full discussion with the education authority and SPT, parents will be notified by SPT of the detailed arrangements for the transportation of pupils who qualify for free school transport.

Additional Support Needs and/or Medical Needs Transport

In the case of pupils with additional support needs, the request for transport is normally made by an educational psychologist/head teacher. The above procedures will be followed but the responsibility for drawing up the specification, arranging contracts and communication with parents lies with the Business Support Team with no involvement of SPT.

Mode of Transport

The precise mode of transport will be decided by the successful contractor, in discussion with the education authority and SPT, where appropriate, taking all circumstances into account. However, on occasion it may be necessary for the Department to stipulate a precise mode of transport for a pupil with additional support needs (e.g. if the pupil needs to travel in his/her wheelchair a hackney cab or minibus capable of carrying wheelchairs will be requested).

Transport will normally be provided by any, or a combination, of the following:-

- dedicated school contract bus. This is a service provided solely for use by school pupils.
- bus pass on local public service bus. This can either be a commercial service or subsidised local service which is also carrying members of the public.
- train pass on service train.
- taxi, private hire car or mini-bus.
- the Council's own school transport vehicles.
- car mileage expenses paid at public transport rate (only journeys to/from

educational establishment with child in the car will be paid)

Contractual Conditions

All transport operators who are successful in securing school transport contracts are issued with a set of “Conditions of Contract” which are legally binding on both the contractor and the authority. These conditions state clearly the contractor’s and the Council’s rights and responsibilities. The main aspects covered include:-

- detailed arrangements for the operation of the contract.
- administrative and financial arrangements.
- transport safety.
- vehicle specifications/modifications/manoeuvres.
- registration documents/insurance policies/MOT certificates.
- the necessity for drivers/escorts to be checked by Disclosure Scotland as to their suitability.
- cancellation of contracts (breach of contractual conditions).
- entitlement to termination of contracts.
- emergency procedures.
- accident reporting procedures.

Codes of conduct for drivers/attendants/escorts are also issued to operators.

5 CONTRACT MONITORING

SPT is responsible for placing primary and secondary school contracts and for their day-to-day operation. SPT monitors the performance of mainstream school contracts through the deployment of a team of specialist inspectors.

Meetings take place involving the Business Support Team and the appropriate SPT staff to discuss the operation and monitoring of school contracts. To assist its monitoring, SPT welcomes the intimation of any issues of concern by schools or by parents or guardians.

Expectations of Contractors

All contractors are expected to:

- (a) meet the contract specification for which they tendered in full, including picking up/setting down times, capacity required and being stationary before the close of school if school grounds or turning areas adjacent to schools are used;

- (b) comply with the conditions of contract in full.

Failure to Meet Requirements

This is likely to result in the issue of a letter which, if not challenged or explained satisfactorily within 14 days, will be recorded as a formal warning against the contractor's performance on the contract in question which will result in non payment for that run/day.

In exceptional circumstances of negligence by the contractor, contracts may be cancelled without due period of notice.

Vehicle Timetable

Tender specifications normally allow a 10 minute time band within which pupils must be picked up or set down with the middle of that band being the preferred time. No action is generally taken against a contractor who operates within 2 or 3 minutes of the 10 minute band. There is therefore considerable leeway within which contractors can operate.

In the case of additional support needs contracts, the Business Support Team is responsible for the monitoring of contracts and for their day-to-day operation. However, it may be possible, in a limited number of special circumstances, to seek the assistance of the specialist inspectors employed by SPT.

6 COMPLAINTS PROCEDURES

It is most important for parents or guardians to have the opportunity to ask questions about eligibility of their child for free transport and they are invited to contact the Head of Education.

Parents or guardians who have concerns or complaints about any aspect of the provision of mainstream school transport may contact their pupil's school by telephone giving the details which will then be recorded and submitted to SPT using a postcard system. Parents or guardians may also complain direct to SPT in writing to reinforce their concerns. SPT will acknowledge receipt of the complaint and instigate an investigation.

In the case of additional support needs contracts, enquiries and complaints by parents or guardians should be directed in the first instance to the school who will liaise with the Business Support Team. Parents or guardians may also write direct to the Head of Education who will respond to them and advise the school on the outcome of his investigations.

7 MISBEHAVIOUR ON SCHOOL TRANSPORT VEHICLES

The responsibility of ensuring safe and acceptable behaviour remains with the parents or guardians of a pupil travelling on a school transport vehicle. Misbehaviour or action which could put the safety of others at risk may result in the pupil losing the right to free transport.

In circumstances where a pupil's behaviour is unacceptable, the driver may retain the pupil's ticket/pass for identification purposes. The incident will then be reported to the driver's supervisor.

Details of the incident are forwarded to the Head Teacher by the Business Support Team. After discussing the incident with the Business Support Team, the Head Teacher will invite the parents or guardians to an interview for assurance on their child's good conduct prior to the return of the "free" travel pass. During this period, the parents or guardians will be responsible for making their own transport arrangements for their child.

In cases of serious misbehaviour, the Head Teacher can still exercise his or her right to have regard to the discipline policy of the school including the facility to implement exclusion procedures.

8 ARRANGEMENT FOR ENSURING PUPIL AND SAFETY

Throughout the 1990's, the former Strathclyde Regional Council Education Authority kept arrangements for school transport under continuous review and a number of improvements were introduced to enhance pupils' health and safety:-

- drivers and escorts on school transport duties in small vehicles are vetted to ensure that they do not have an unacceptable criminal record in relation to their access to children.
- the use of mini-buses with side-facing seats has been discontinued. (This was also augmented by the introduction of the Road Vehicles (Construction and Use) Amendment No 2 Regulations 1996).
- all drivers and escorts on special needs contracts require to wear and display identity cards.
- the previous "3 for 2" concession rule on dedicated and combined local/school subsidised services, where 3 pupils could sit on a seat designed for 2 people, has been discontinued. Pupils now each have a seat to themselves. (This was also augmented by the introduction of the Road Vehicles (Construction and Use) Amendment No 2 Regulations 1996).
- three-point lap and diagonal seatbelts have been fitted to all school transport mini-buses after December 1994 with assistance given to schools who own their own mini-buses to fit seatbelts.
- a transport contract monitoring team has been established and employed within SPT.

The above elements have been adopted by East Dunbartonshire Council.

With the introduction of the Road Vehicles (Construction and Use) Amendment No 2 Regulations 1996 it is now necessary for the following seat belt safety measures to be implemented:-

- all minibuses irrespective of age were required to have at least lap belts fitted by 10 February 1997. (A minibus is a motor vehicle constructed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver).
- all coaches (with more than 16 seated passengers in addition to the driver), which have a gross weight of more than 7.5 tones and a maximum speed exceeding 60mph if first used from 1 October 1988, were required to have at least lap belts fitted by 10 February 1997.
- all coaches (with more than 16 seated passengers in addition to the driver), which have a gross weight of more than 7.5 tones and a maximum speed exceeding 60mph if first used after 1 October 1988, are required to have at least lap belts fitted by 10 February 1998.

These measures must be implemented on organised journeys carrying 3 or more children, aged from 3 years to under 16 years old.

10 CONCLUSION

This document details the operational arrangements for the provision of mainstream and additional support needs school transport. Every effort is made to ensure that the service operates efficiently for over 2,600 pupils in East Dunbartonshire who benefit from free school transport each school year.