

Education and Lifelong Learning Committee

Review of School Transport

Draft Report

March 2005

Section 1 - Introduction

Background

1.1 In January 2004, the Committee decided to undertake a policy review of school transport and agreed the terms of reference.

1.2 The Committee appointed Mr Alan Kreppel as expert adviser in May 2004.

1.3 From April to November 2004, the Committee gathered information as formal presentations and written submissions. A schedule of information presented to the inquiry is at Annex 1. These papers can be accessed on the committee pages of the National Assembly website - www.wales.gov.uk

Terms of Reference

1.4 The Committee shall:

- Examine the arrangements made by local authorities for transport of pupils by bus to and from school: to examine the type of buses used, and the measures taken to ensure safety and security. This shall include an assessment of the type and duration of contracts awarded to bus operators, and associated audit arrangements;
- Take a holistic view of school transport by bus and consider means of improving effectiveness and value for money;
- Consider the whole journey from home to school and the associated responsibilities;
- Consider how to improve the transport arrangements for children and young people with special educational and/or physical needs
- Take account of the provisions of the Draft School Transport Bill, and consider what guidance should be issued by the Welsh Assembly Government to assist local education authorities in preparing proposals for innovative pilot projects; and
- Submit a report to the Assembly Minister and the Cabinet Sub-Committee on Children and Young People.

1.5 ~~Our remit~~ The Committee did not have adequate time to consider issues related to include transport for children and young people with special educational needs, but during the review we were made aware that there were specific problems in this area. We ~~may~~ will incorporate this subject into the terms of reference for the final phase of our ~~ongoing~~ review of special educational needs.

Statutory Framework

1.6 Local Education Authorities (LEAs) have a duty under section 509 of the Education Act 1996 to provide free transport for eligible pupils to and from school, regardless of parental income. When assessing whether a child is entitled to free school transport, walking distance is defined as up to

two miles in the case of a child under eight, and three miles for any older children, measured along the shortest available walking route.

1.7 The route must be reasonably safe for a child, accompanied as necessary by a parent. Case law has established that this may encompass footpaths, including those crossing parks or fields, and along roads without pavements or street lighting, depending on the traffic conditions. The statutory walking distances were first defined in the Education Act 1944 and re-enacted in section 444 of the Education Act 1996. Because the statutory walking distances are laid down in primary rather than secondary legislation, the National Assembly does not have devolved powers in relation to pupils' entitlement to free home to school transport. However, the LEAs have discretionary powers to make more generous provision.

1.8 In making provision for travel to and from school, LEAs in Wales are free to organise the type of transport they feel is necessary for pupils to travel in reasonable safety and comfort. Such transport is often provided by buses under contracts entered into by local authorities with commercial operators. The school transport operators are required to run their services in accordance with the requirements of road safety legislation. LEAs should ensure that appropriate vehicles are used and are expected to take into account the safety benefits that seat belts can provide.

1.9 The legislation governing school contract operations differs from that governing the carriage of school children on local bus services. This leads to differences in standards that the bus industry and LEAs would like to reconcile.

1.10 The Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 2001 were introduced in October 2001, which means that all new coaches, minibuses and buses which do not carry standing passengers are now required to be fitted with seat belts. The legislation however does not apply retrospectively and seat belts will not have to be fitted to older vehicles.

1.11 The Education Act 1944 introduced the 'three for two' rule, which allowed LEAs to assume that three children could occupy a seat designed for two adults. As the Children's Commissioner pointed out in his recent report 'School buses: towards safer and better journeys to school', this is in fact not a rule but a concession; now contained in Regulation 5 of the Public Service Vehicle Carrying Capacity Regulations 1984, which LEAs may or may not adopt. In a paper presented to the Committee by the Assembly Government's Transport Policy Division, it was stated that "In practice, only two or three LEAs (in Wales) ever use this concession on school buses."

1.12 Section 509 of the Education Act 1996 governs school transport arrangements. Local Education Authorities are required to prepare a transport policy for each academic year, setting out arrangements for the provision of transportation, to facilitate the attendance of pupils at schools. The obligation lies with the LEA, rather than individual schools and their governors. The courts have held that any such transport provided must be non-stressful: such that the child should reach school without undue stress, strain or difficulty.

1.13 Schools and LEAs have obligations under the Health and Safety at Work Act 1974 to protect staff and pupils, such that the health and safety of people on school premises are reasonably assured. The definition of school premises can be extended to anyone "having control over any fixed or moveable structure including any vessel, vehicle or aircraft."

1.14 Part 3 of the Disability Discrimination Act 1995 has recently come into effect. This means that all new buses and coaches carrying fare paying passengers have to be accessible to disabled

people. This may have an impact on the type of buses that can be used for some school transport contracts.

Case Law

1.15 In addition to the laws outlined above, much custom and practice concerning school transport in the United Kingdom is determined by case law. In their submission to the Committee, Governors Wales helpfully set out some relevant case law over the past century. Their paper is referenced in Annex 1, and can be viewed on the National Assembly website.

Transport Policy Statements

1.16 In respect of 16-19 learners, the Education Act 2002 places a requirement on LEA led partnerships to produce transport policy statements and to publish them in a manner which they consider appropriate. These duties have applied since September 2003, when section 199 and schedule 19 to the Act were commenced in Wales. The production and publication of statements relates to the provision of support for transport from home, or place of employment, to place of education or training, for learners aged 16-19 in further education colleges, school sixth forms, work-based learning and for learners completing courses started prior to their 19th birthday.

1.17 Section 509AB(5) of the Education Act 1996, as inserted by these sections of the Education Act 2002, requires that LEAs and their transport partnerships have regard to guidance issued by the National Assembly when producing their transport policy statements (currently NAW Circular 30/2004 - under revision). For the coming academic year, LEAs must publish transport policy statements by 31 May, in consultation with their partners.

1.18 In their transport policy statements, LEAs are required to specify the arrangements that they consider necessary to make for the provision of transport, and support for transport, for learners in the 16-19 age group, so that young people can see what transport support and services are available in their area. The Act further requires that arrangements should be as favourable for learners receiving full-time education or training in establishments other than LEA maintained schools, as they are for pupils of the same age at such schools.

School Transport Bill

1.~~1946~~ The School Travel Schemes - Draft Bill and Prospectus was published jointly by the UK and Assembly governments in March 2004. The draft Bill was considered by the Education and Lifelong Learning Committee in April and a report was submitted to the Assembly in May 2004. A copy of this report is at Annex 2.

1.~~2017~~ The draft Bill became the School Transport Bill. It was introduced into Parliament in October 2004, and is expected to receive the Royal Assent around April 2005.

1.~~2148~~ Under the Bill, a limited number of local authorities in England and Wales would receive approval to test innovative approaches to school transport; adopting schemes tailored to their locality. It will enable local authorities to pilot new schemes aimed at reducing traffic congestion and improving the safety of travel to and from school. Such schemes could include safe cycle routes to schools. 'walking buses' where pupils walk together to school escorted by volunteers, and 'park and stride' schemes where parents drop children off at an agreed location to be escorted into school. They could also include measures to improve the safety and comfort of

school buses. The intention is that local authorities should make provision for more pupils than are currently entitled to free school transport, and they will be able to levy modest charges to meet the additional costs.

1.2249 The Bill provides protection from charges for pupils from low income families. In Wales, the arrangements will be governed by National Assembly regulations, and pilot schemes will have to be approved individually by the Assembly Government. It is currently expected that the pilot schemes will start in autumn 2007. If these were successful, the Assembly Government would be able, by regulation, to extend the provisions of the scheme to all local authorities in Wales.

Section 2 - Discussion

Context

2.1 The number of children who make their own way to school has declined dramatically over recent years. The National Travel Survey 2002 found that over the past 20 years, car use on the school journey has doubled, with a corresponding reduction in walking and cycling.

2.2 In 1986, children 16-years and younger made nearly 60% of their journeys to school on foot, and only 16% by car. By 2001, only 41% of such journeys were made on foot and 29% by car. Buses and coaches accounted for the remaining 30%; with cycling negligible, at less than one per cent.

2.3 The trend is for an increasing number of school journeys to be made by car. The National Travel Survey 2002 revealed that almost one car in five on the road in the morning peak is taking children to school. This trend is bad for the health of children and young people, and raises more general road safety and environmental concerns for everyone.

2.4 Statistics for the year 2000, collected by the National Assembly, found that 449 children aged 15 years or under were injured in a road accident whilst on a journey to or from school. This represented a reduction of about 28% compared with the average for the period 1994-1998. There were 46 children killed or seriously injured on the way to or from school. This was a reduction of 40% compared with the average during 1994-98.

2.5 Statistics collated by the Department of Transport document (Road Accident Accidents GB 2001; Table 51) show that, in terms of fatalities, travel by bus is over seven times safer than by car.

2.6 Despite these statistics, recent accidents involving school buses in Wales have resulted in one death, also injury to other pupils, and have raised public concerns over safety.

2.7 The Committee was aware of three relevant pieces of work concurrent with this review:

- Survey and report by the Children's Commissioner: 'School buses: towards safer and better journeys to school';
- Work by the Association of Transport Coordinating Officers (ATCO) and the Confederation of Passenger Transport (CPT);
- Research by the Welsh Local Government Association (WLGA) and the National Foundation for Education Research (NFER).

2.8 The Committee acknowledges the valuable work carried out by these organisations, all of which presented evidence to this inquiry.

Key Issues

Safety

2.9 Safety is of paramount importance. The safety of the whole journey requires careful planning, attention to detail and an awareness of possible risks.

2.10 The Committee heard moving and persuasive arguments from Stuart's Campaign and Belt Up School Kids (BUSK) on the need to take urgent steps to improve the safety of school transport. Stuart's Campaign was started following the death of Stuart Cunningham-Jones in an accident involving a service bus carrying school children at Ystradowen, near Cowbridge, in December 2001.

2.11 Evidence presented by the Traffic Commissioner and the Vehicle Operator and Standards Agency (VOSA) indicated that, contrary to the perception of many parents and pupils, buses used in Wales to carry school children are generally in sound mechanical condition and regularly maintained.

2.12 Statistics presented by VOSA showed that the probability of a breakdown increased significantly for buses over 15 years old. **The Committee recommends that contracts for school buses should generally specify an age limit of 15 years.**

2.13 **The Committee considers that all children on a contract school bus should be provided with a safety belt.** We were told that, even when seat belts are fitted, often they are not used by pupils and sometimes they are vandalised. The vehicle operator should be responsible for maintaining the seat belts and providing instruction on their use at regular intervals; possibly at the start of each term. Pupils should be responsible for using safety belts and for reporting any defects or malfunction.

2.14 **The Committee considers that the 'three for two' concession is an anachronism and should be withdrawn.**

2.15 We were told by bus operators and VOSA that children are at greatest risk when entering or exiting the vehicle, or if they (or others) misbehave in the vehicle.

2.16 The Committee considers that the area within, or outside, each school where pupils congregate before embarking, or after disembarking, should be subject to a regular risk assessment. The route should also be subject to a regular risk assessment, and appropriate measures taken when a problem is identified.

Misconduct

2.17 We realise that horseplay has taken place on school buses for generations. This is an almost inevitable consequence of placing some 50 or 60 children in a bus, for a journey of several miles. In the morning they are keen to talk with their friends and are full of energy, and in the afternoon they have just been released from the relative calm of the classroom. But there comes a point where high spirits can become dangerous, sometimes with tragic consequences.

2.18 Tackling behavioural problems on school buses is essential to improving safety for all. We accept that the causes of such problems are complex and may vary from school to school and within schools, through the different age groups. However, certain measures are already being tried and we believe there is considerable scope for disseminating best practice.

2.19 We consider that full size buses used on school contracts should be fitted with closed circuit television (CCTV) cameras. We understand that this is becoming a standard fixture on new buses and coaches, and is relatively inexpensive to fit on older vehicles. The advantages are twofold; to discourage misbehaviour by pupils and to provide a record of such behaviour when it occurs.

2.20 BUSK informed the Committee of a possible solution which they were developing, involving the use of CCTV for remote monitoring of one or more buses from a central control point. This is an interesting idea but poses the question of who would be responsible for funding and manning such a system. The Children's Commissioner cautioned against encouraging the over-surveillance of children. We have some sympathy with this view, and clearly a balance needs to be struck.

2.21 The WLGA/NFER research found that pupil behaviour on school transport was mixed, but the majority of journeys and routes were largely free of trouble. Unruly behaviour was more common amongst secondary school pupils, often on the top deck of a double deck bus and usually on the way home. The behaviour ranged from spitting and swearing to vandalising the vehicle and abusing the driver. More dangerous behaviour included children on the top deck deliberately running from one side of the bus to the other, causing it to sway.

2.22 The Committee considers that use of double deck buses on school contracts should gradually be phased out and replaced with single deck coaches, or specialist school vehicles. This to be achieved by 2010. We realise that this policy would entail additional costs for operators and LEAs. However, we consider this extra cost could be mitigated by more effective use of vehicles.

2.23 Reports by the WLGA/NFER and the Children's Commissioner show that bullying is a problem on school transport. Guidance issued by the Assembly Government in September 2003 commented that: "A good deal of bullying takes place outside the school gates, and on journeys to and from school." Schools have a duty to develop anti-bullying policies, in accordance with guidance issued by the Assembly Government. The guidance suggests a range of methods for tackling this issue, including talking to pupils and transport providers about how to handle incidents. Pupils should be made aware of the consequences of their misconduct.

2.24 We know that many primary and secondary schools regularly stress the importance of good behaviour on buses, using school assemblies and presentations by police officers to reinforce the message. This should be encouraged but perhaps pupils would pay more attention if this message was embedded in regular lessons; for example, in personal and social education (PSE). Bridgend County Council and BUSK have each produced a video, for use in the classroom, to illustrate the problem and to encourage children to think about the possible consequences of their actions. Both videos communicate powerfully the basic message that misconduct on school buses can cost lives.

Supervision

2.25 We consider that it is unreasonable to expect the driver to control pupil behaviour. The driver's principal role is to drive the bus safely, but they are often distracted by the unruly behaviour of some

pupils. CCTV can help in identifying culprits after the event, but **we consider that adult escorts may be required on some routes and for all contracts involving children under 8-years old.**

2.26 The Committee considers that more use should be made of adult escorts on buses carrying secondary school pupils. Combined with the use of CCTV, it is possible that pupils would be less likely to challenge their authority. Escorts would need appropriate training and would have to undergo security checks. We feel that various approaches should be tried; for example, using adult recruits, teachers or senior pupils. The effectiveness of these trials could then be evaluated, as part of the pilot schemes under the School Transport Bill. We agree with the Children’s Commissioner when he states in his report that “Having trained, vetted and well supported adult escorts is likely to reduce inappropriate behaviour, including bullying.”

2.27 In addition, we consider that schools should provide supervision of areas within the school grounds, or in the immediate vicinity, where pupils congregate before embarking for the journey home in the afternoon, or after disembarking in the morning. Such congregation areas should be clearly marked and kept clear of obstructions, including parked vehicles.

Codes of Conduct

2.28 The legal position regarding who is responsible for safety and security through all aspects of the school journey is unclear. Apart from relevant statutory regulations, the various responsibilities of schools, LEAs, bus operators, parents, and pupils have been determined over the years by case law. But each case is unique and so the legal position is somewhat hazy. Due to this uncertainty, and the risk of litigation, some teachers are reluctant to supervise children embarking, or disembarking, outside the school gates. This is reinforced by advice from some teaching unions. We recommend that the Assembly Government should issue guidance to clarify current legal responsibilities and liabilities.

2.29 Codes of practice-conduct seek to clarify the day-to-day responsibilities of pupils, their parents, contractors and their staff, and schools, to ensure the smooth operation of school transport services. The WLGA/NFER study reported that such codes of practice were being more widely introduced and were generally successful in raising awareness in pupils and drivers of the standards of behaviour accepted. We consider that such guidelines should be issued by all LEAs.

2.30 We do not wish to be unduly prescriptive, but consider that the codes of conduct should contain some common features. A good example is the booklet entitled ‘Guidelines for School Transport Services’ issued by the Vale of Glamorgan Council. This is divided into sections for pupils, parents/guardians, schools, contractors, drivers and escorts. It sets out the general behaviour expected of the pupils and the penalties for misconduct. It defines responsibilities for all involved and includes school policies for liaison with operators, monitoring of transport and misconduct/disciplinary procedures.

2.31 Typical requirements for pupils:

- To be punctual;
- Not to play on roads;
- Not to approach the bus or disembark until it had stopped;
- Not to push other pupils;
- To behave properly;
- Not to eat or drink;

- Not to smoke
- To wear seatbelts when provided;
- To take appropriate safety precautions.

2.32 Typical responsibilities for parents and guardians:

- Make appropriate arrangements for their children to arrive and leave the collection points safely and punctually;
- Ensure that children have their travel passes with them;
- Ensure that their children understand the basics of road safety;
- Notify the local authority of any changes in their circumstances which might affect eligibility.

2.33 Parents and guardians were also given information about whom to contact in the event of an incident, or if they had any concerns about the transport provision.

2.34 We consider that schools should produce a clear policy for dealing with misconduct on school buses, with a graduated series of penalties proportionate to the incident. This policy should be set out in the code of conduct. Disciplinary procedures should be implemented swiftly and consistently and should form part of a contract between school, pupil, parent and bus company.

2.35 The Committee considers that the Assembly Government, in consultation with LEAs and schools, should issue guidance on preparing codes of conduct for school transport to include pupil consultation.

Quality of Service

2.36 As well as being safe, the journey to and from school should be comfortable. We recommend that more thought should be given to practical issues, such as storage space for school bags, sports bags and musical instruments. Buses could be fitted with entertainment systems, at relatively little cost. We feel that playing music might help to calm pupils and reduce misbehaviour. We would not presume to recommend a particular type of music; pupils should be consulted on what they would prefer.

2.37 We feel that if the daily journey to and from school were made a more enjoyable experience, then pupils would be less likely to misbehave. There could also be longer term benefits in improving the perception of travelling by public transport, which might be carried forward into adulthood.

Security

2.38 We learnt that Criminal Records Bureau (CRB) checks are carried out on drivers and escorts but that this is a process somewhat ad hoc at present. There is inconsistency between LEAs on the criteria to be adopted if the check reveals some past misdemeanour. Therefore, a driver could be approved to drive to schools in one local authority area but not in an adjacent authority. There is sometimes duplication of checks on the same driver, with needless extra cost and bureaucracy.

2.39 We support the recommendations of the CPT/ATCO report regarding security. CRB checks should be carried out on all staff employed on school transport services, including those working on buses carrying fare paying pupils. Checks should be carried out at the enhanced level and repeated every three years. ~~The costs of the checks should be met by the staff concerned.~~ Identity badges should be issued to all staff approved for employment

on school transport services, with expiry to coincide with the three year validity of the CRB checks.

2.40 There should be closer liaison between departments within individual local authorities with regards to CRB checks, to avoid duplication. National standard criteria need to be developed for assessing information revealed in the CRB checks on school transport staff, to ensure consistency. We recommend that local authorities should collaborate on a regional basis to agree consistent standards and to establish and maintain a database of approved staff.

One Stop Shop

2.41 In many local authorities, responsibility for the procurement and management of school transport is divided between more than one department. This can lead to frustrating delays or misunderstandings when bus operators, schools or parents are trying to resolve specific problems, or are simply seeking information.

2.42 The Committee considers that each local authority should set up a 'one stop shop' with a single telephone number and staff trained to deal sympathetically with such queries. This service should be widely publicised to schools, bus operators and the general public.

2.43 Some local authorities may wish to collaborate, with one authority taking the lead in providing a 'one stop shop' for neighbouring councils. A number of local authorities have resolved this problem by putting public transport, education transport and social services transport under one department.

2.44 Schools should also nominate a senior member of staff to be the main contact point for transport queries. A deputy should also be nominated to cover for periods of leave or sickness. Relevant contact details should be given to bus operators, the local authority 'one stop shop' and parents. These contact lists should be reviewed regularly, at least once a term, and kept up to date.

Risk Assessments

2.45 We know that that many bus operators already carry out risk assessments of the routes travelled by school buses. These identify potential hazards such as low bridges, pinch points, unusual junctions, overhanging trees and poor road conditions. **We consider that LEAs should specify that such risk assessments are carried out by all operators, prior to operating school transport contracts. These assessments should be updated regularly, at least every three years. Operators should keep a record to show what action has been taken to minimise the risks identified, which might entail amending the route; either temporarily or permanently.**

2.46 Schools should carry out a risk assessment of the areas where vehicles park or manoeuvre and pupils congregate before embarkation or after disembarkation. These assessments should be documented and reviewed regularly. They should be subject to inspection on request by parents or pupils, and inspected by Estyn as part of their routine school inspection cycle.

2.47 Risk assessments should also be used in situations where the pupil lives within statutory walking distance of the school, but there are doubts as to its safety, to determine whether the pupil is entitled to free school transport. Consistent methodology and criteria

should be established by LEAs to assist in making these decisions, **which we would recommend bearing in mind the huge increase in traffic since the statutory walking distance was first laid down**. This methodology should describe means of estimating the relative safety of alternative walking routes, taking account of the age of children using them, the proximity and volume of vehicular traffic and any specific hazards; such as reduced visibility at bends and the availability of safe pedestrian crossing points on busy roads **and other circumstances that could put children at risk**.

2.48 The Committee considers that the Assembly Government should review current practice on risk assessment, together with any relevant academic research, and issue guidance to schools and LEAs.

School Transport Contracts

2.49 This matter is well covered in both the CPT/ATCO and WLGA/NFER reports referred to earlier, and the Committee broadly endorses the recommendations in these reports. We consider that local authorities, when drawing up and managing school transport contracts, should keep three key themes in mind; safety, consistency and value for money.

2.50 The WLGA/NFER study found that half the local authorities let transport contracts purely on the basis of cost. The remainder took other factors into consideration, such as the quality of vehicles and safety record. The length of contracts varied from three to six years. The longer the contract period, the more likely were operators to invest in their vehicles and staff training to improve the service.

2.51 The Committee considers that local authorities should adopt standard conditions of contract and endorse the model set out in Annex A of the CPT/ATCO report. The items previously discussed should be incorporated as standard; such as age **and condition of vehicle, CCTV, seatbelts and suitable storage space **and statutory testing and certification of vehicles**. Other items could be specified for particular routes; for example, escorts and audio/visual equipment for entertainment.**

2.52 The Committee considers that the period for school transport contracts should be between five to seven years, to allow operators to make a reasonable return on their investment in modern vehicles, maintenance, staff training and management. In the case of new vehicles, we consider that up to ten years would be appropriate.

2.53 Local authorities should collaborate to agree common evaluation criteria and recognise that the lowest tender does not necessarily represent the best value for money. Other factors such as the quality of vehicles, maintenance, staff training and accident records should be taken into account. There should also be an agreed method for adjusting contract costs annually, applied consistently by all local authorities in Wales.

2.54 These conditions apply to contracted school or college services only. We appreciate that many children use commercial bus services, or local bus services operated under contract to local authorities, for journeys from home to school. **We agree with the CPT/ATCO and WLGA/NFER reports that, in the longer term, local authorities should aim to eliminate differences between conditions of contract for school services, and local services. We also agree that the regional transport consortia should be asked to investigate the best means of implementing this reform.**

Specialist School Vehicles

2.55 We were very interested to learn of successful pilot projects in Wrexham, Denbighshire and Newport involving the use of specialist school vehicles.

2.56 They also incorporate many of the safety and comfort features mentioned earlier, including CCTV and seatbelts. However, due to the requirements of the Disability Discrimination Act, if new buses are built in the future and used to carry fare-paying passengers, they will need to be adapted to carry wheelchairs and fitted with a hydraulic ramp. This would add to the cost and reduce the capacity, thereby increasing operating costs.

2.57 Committee Members had an opportunity to examine a new purpose-built single deck yellow coach operated for Newport Borough Council by Newport Transport. This is currently providing fare-paying services for school pupils, although it could be used under contract to the LEA to provide home to school transport. This was constructed to a high specification, in collaboration with the manufacturers and BUSK. These specialist vehicles are expensive, typically over £100,000 each. Before operators decide to make such a significant investment, they will need to be confident that they will obtain a reasonable return on their money.

2.58 As part of a pilot project involving a number of authorities in the United Kingdom, Wrexham County Borough Council operated 16 school transport contracts using North American style yellow buses. Yellow buses have been commonplace in the United States of America and Canada for many years. In these countries there are laws prohibiting vehicles from overtaking yellow buses, in either direction, when they are stationary - to allow children to embark or disembark safely.

2.59 The yellow buses used in Wrexham for dedicated home to school transport are designed and constructed to a higher standard than those used in North America. They have a high floor and a capacity to carry some 70 passengers. The Wrexham buses serve routes to two primary schools and eight secondary schools. The authority carried out a 'before and after' survey, which showed that the yellow buses produced a saving of some £25,000 per year. This was mainly due to the fact that these buses could be used on two contracts each day, known as double-tripping.

2.60 Both Newport and Wrexham Councils operate a system of travel permits and dedicated seats for each pupil on the specialist buses. They have found that vandalism to the interior of the bus has been reduced, but there has been no noticeable improvement in pupils' behaviour.

2.61 Denbighshire County Council introduced a pilot initiative in September 2003, operating a new 68-seat single deck yellow coach to provide education transport services, employing a dedicated driver. The coach was built to a high specification, including three-point seat belts and a passenger surveillance system.. The coach provided improved vehicle quality, comfort, safety and general ambience. The initiative was deemed to have been successful and the Council intends to expand this service.

2.62 The Committee considers that specialist school vehicles should be used more widely throughout Wales. Operators should be given incentives to invest in such vehicles, including longer contracts, the opportunity to use the vehicles in the off-peak period (for school trips to sports or educational facilities) and possibly 'double-tripping' in the peak periods.

Staggering School Hours

2.63 We consider that more schools should collaborate in staggering start and finish times, to facilitate more efficient use of school buses. We feel that LEAs should take the lead in identifying clusters of schools where such collaboration would be effective. It would then be a matter for school governing bodies to agree, in consultation with teachers and parents. In some cases, adjusting the start and finish times by as little as 15 minutes would allow operators to use the same vehicle for two trips in both the morning and evening peak periods, with significant cost savings.

2.64 Typically this could involve an outer circuit delivering pupils to a cluster of schools, followed by a shorter inner circuit serving another group of schools. We appreciate that such partnerships would be easier to arrange in urban areas, but there might be circumstances where rural schools could make similar provision.

2.65 In order to provide an incentive for schools to collaborate, we consider that LEAs should be prepared to pass on some, or all, of the cost savings to the schools.

Training

2.66 Assuming codes of conduct become more widely used by schools, the Committee considers that local authorities should arrange professional training courses for drivers and escorts, prior to the start of each school year. Operators have indicated that they would be willing to release drivers for one day a year, with pay, provided that local authorities meet the cost of the training.

Assembly Government Initiatives

2.67 The Assembly Minister for Economic Development and Transport is responsible for ~~taking forward specific transport initiatives affecting children and young people~~ transport issues in relation to children, including safer routes to school.

2.68 The Assembly Minister for Education and Lifelong Learning is responsible for dedicated home to school transport arrangements, and for the 'Extending Entitlement' initiative for all young people aged 11 to 25, ~~which. Amongst other things, this strategy~~ aims to provide a basic entitlement to "accessible services and facilities". The Minister is also responsible for healthy schools and the Assembly Government's interface with the Children's Commissioner.

2.69 The Assembly Minister for Health and Social Services is responsible for ~~the health and well being of children and young people~~ children's health, including the food and fitness programme and children's social services.

2.70 The recent 'Well Being in Wales' consultation exercise found that some children had difficulty in participating in after school clubs and other extra curricular activities, due to transport problems.

2.71 The wider issue of transport has been highlighted in young people's forums as a major obstacle in accessing education establishments, training, work, leisure and recreation facilities; thereby inhibiting their participation in the daily lives of their communities. Transport is therefore a truly cross-cutting issue, and school transport is an important component.

2.72 Some specific initiatives currently underway, overseen by the Assembly Government's Transport Policy Division are:

- **Safe Routes to School**

Local authorities bid for money each year from the National Assembly to invest in small projects to improve the safety of routes to school. These projects include upgrading existing paths and footbridges, providing signage, installing cycle routes and general traffic management measures in the vicinity of schools. Every local authority in Wales has benefited from this initiative.

- **School Travel Plans**

A school travel plan is a document or statement that sets out a programme of measures, or initiatives, for reducing the number of vehicle journeys made by children, parents and staff to and from school; thereby, improving personal safety on the journey to and from school. All schools are being encouraged to develop and implement school travel plans, which aim to:

- Reduce traffic congestion around schools;
- Reduce the risk of accidents;
- Identify and tackle problems faced by pupils on the school journey;
- Improve health and fitness;
- Promoting walking and cycling;
- Develop pupil independence and self-esteem;
- Reduce dependence on car travel.

- **Child Pedestrian Training Co-ordinators**

Funding is provided to each local authority to support road safety officers. This initiative will continue to be provided for the next three years from April 2005.

- **Road Safety Strategy**

A Road Safety Forum has been established, with a sub-group set up to examine road safety issues related to children. These include, causes of child casualties; specific road safety needs of children in different age groups; encouragement of much greater walking and cycling activity by children, as part of their personal and social development; and engagement with children as partners in the improvement of road safety.

- **Walking and Cycling Strategy**

This strategy complements the road safety strategy and examines ways in which walking and cycling, as well as being means of transport, can help to improve the health and well being of the people of Wales.

- **Half-price travel for those aged 16 to 18**

This initiative is at an early stage. The Assembly's Transport Department is carrying out an assessment of the opportunities for expanding existing reduced fare provision already being made by bus operators on a commercial basis. The WLGA and bus operators have indicated their willingness to participate in the further work required, once the initial assessment is available. Experience of introducing free bus travel for those aged over 60, and for people with disabilities, has shown that detailed planning is essential. There are a number of practical policy issues that need to be considered, including; funding, implications for rail travel, possibility of introducing trial projects in selected urban and rural areas, and the desirability of rolling this out initiative to a wider age range. **The current all Wales free bus travel scheme for pensioners is partially 'smart card' based. We feel it would be advantageous to base any scheme for 16 to 18-year olds on similar technology. This would provide an opportunity, at some**

future date, to introduce a 'smart card' based scheme for all secondary school pupils. This could initially be used to establish entitlement to free school transport, but could be extended to provide free, or subsidised, access to various education related activities or facilities.

- **Personalised Travel**

Transport Wales funds five travel plan co-ordinators within local authority transport consortia. Their role is to work with transport operators, employers, local authorities and voluntary bodies to promote greater uptake of public transport. In addition, this year funding has been provided for a personalised travel project, which has targeted specific groups of people in a particular area; with a view to identifying travel patterns and encouraging use of public transport. One project related specifically to young people.

2.73 The Committee welcomes these initiatives but we feel there is scope for better co-ordination by LEAs to systematically review safety and school transport on an area basis.

2.74 We welcome collaboration between local authorities, schools and operators to try innovative solutions to the provision of school transport. The School Transport Bill, assuming it receives Royal Assent, will provide the opportunity for imaginative projects to be tried and evaluated in a limited number of areas in Wales.

2.75 The School Transport Bill, as amended in the House of Commons, will require the Assembly Government to issue guidance to local authorities, to help them prepare bids for pilot schemes. We recommend that this should take account of the Committee's suggestions on the draft Bill, set out in Annex 2.

Views of Children and Young People

2.76 The Committee sought the views of children and young people by various means, including a public 'Question Time' session with Assembly Members at the Urdd Eisteddfod in Anglesey.

2.77 Visitors to the National Assembly's stand at the International Eisteddfod and the Royal Welsh Show were invited to 'Have their say' on the subject of school transport, with particular emphasis on issues of security and safety. Comments received generally focussed on issues around seat belts, the provision of escorts on buses, CCTV and the behaviour of pupils. Other suggestions included the playing of classical music on buses, as this was claimed to have a calming effect on children.

2.78 The Children's Commissioner, in his report on school buses, gives prominence to the views of children and young people. Their comments reflect the range of issues already mentioned in this report; including safety, the condition of vehicles, overcrowding, comfort, standards of cleanliness, supervision, security and surveillance, bullying and the behaviour of fellow pupils.

2.79 The WLGA report also includes a section on issues raised by pupils. The most common complaint concerned the punctuality of buses. Other issues included; concerns over standards of driving, the attitude of the driver and drivers smoking and using mobile phones.

2.80 In October 2004, the Assembly's South West Wales Regional Committee gathered evidence for this review. They heard representations from school children from Pembrokeshire and also officials from Carmarthenshire County Council and from First Cymru, a bus operator. The minutes of

this meeting are available on the National Assembly website. All the matters raised have been considered in this review. The Education and Lifelong Learning Committee is grateful to the South West Wales Regional Committee for its contribution to this inquiry.

Costs

2.81 Some of the Committee's recommendations, particularly those relating to increased use of escorts, CCTV, removal of the 'three for two' concession and use of higher specification vehicles, will entail increased costs for bus operators and/or local authorities. These have not been quantified. Some of the Committee's recommendations, for example staggering school hours, could result in cost savings. The Assembly Government, when responding to this report, will need to consider the financial implications of those recommendations it accepts.

Section 3 - Recommendations

	Recommendation	Action
Key	WAG = Welsh Assembly Government LEA = Local Education Authority [Numbers] refer to relevant paragraphs in Section 2.	
	Contracts for school buses should generally specify an age limit of 15 years. [2.12]	LEAs
	All children on a contract school bus should be provided with a safety belt. [2.13]	LEAs
	The 'three for two' concession should be withdrawn. [2.14]	UK Government
	Full size buses used on school contracts should be fitted with closed circuit television cameras. [2.19]	LEAs
	The use of double deck buses on school contracts should gradually be phased out and replaced with single deck coaches, or specialist school vehicles. This should be achieved by 2010. We realise that this policy would entail additional costs for operators and LEAs. However, we consider this extra cost could be mitigated by more effective use of vehicles. [2.22]	LEAs
	Adult escorts may required on some routes and for all contracts involving children under 8-years old. [2.25]	LEAs
	More use should be made of adult escorts on buses carrying secondary school pupils. [2.26]	LEAs
	Schools should provide supervision of areas within the school grounds, or in the immediate vicinity, where pupils congregate before embarking for the journey home in the afternoon, or after disembarking in the morning. Such congregation areas should be clearly marked and kept clear of obstructions, including parked vehicles. [2.27]	Schools
	The legal position regarding who is responsible for safety and security through all aspects of the school journey is unclear. Apart from relevant statutory regulations, the various responsibilities of schools, LEAs, bus operators, parents, and pupils have been determined over the years by case law. But each case is unique and so the legal position is somewhat hazy. We recommend that the Assembly Government should issue guidance to clarify current legal responsibilities and liabilities. [2.28]	WAG

	Recommendation	Action
	Codes of practice- <u>conduct</u> seek to clarify the day-to-day responsibilities of pupils, their parents, contractors and their staff, and schools, to ensure the smooth operation of school transport services. The WLGA/NFER study reported that such codes of practice were generally successful in raising awareness in pupils and drivers of the standards of behaviour accepted. We consider that such guidelines should be issued by all LEAs. [2.29]	LEAs
	Schools should produce a clear policy for dealing with misconduct on school buses, with a graduated series of penalties proportionate to the incident. This policy should be set out in the code of conduct. Disciplinary procedures should be implemented swiftly and consistently <u>and should form part of a contract between school, pupil, parent and bus company</u> . [2.34]	Schools
	The Assembly Government, in consultation with LEAs and schools, should issue guidance on preparing codes of conduct for school transport <u>to include pupil consultation</u> . [2.35]	WAG
	As well as being safe, the journey to and from school should be comfortable. We recommend that more thought should be given to practical issues, such as storage space for school bags, sports bags and musical instruments. Buses could be fitted with entertainment systems, at relatively little cost. We feel that playing music might help to calm pupils and reduce misbehaviour. We would not presume to recommend a particular type of music; pupils should be consulted on what they would prefer. [2.36]	LEAs and schools
	We support the recommendations of the CPT/ATCO report regarding security. CRB checks should be carried out on all staff employed on school transport services, including those working on buses carrying fare paying pupils. Checks should be carried out at the enhanced level and repeated every three years. The costs of the checks should be met by the staff concerned. Identity badges should be issued to all staff approved for employment on school transport services, with expiry to coincide with the three year validity of the CRB checks. [2.39]	LEAs
	There should be closer liaison between departments within individual local authorities with regards to CRB checks, to avoid duplication. National standard criteria need to be developed for assessing information revealed in the CRB checks on school transport staff, to ensure consistency. We recommend that local authorities should collaborate on a regional basis to agree consistent standards and to establish and maintain a database of approved staff. [2.40]	LEAs

	Recommendation	Action
	Each local authority should set up a 'one stop shop' with a single telephone number and staff trained to deal sympathetically with such queries. This service should be widely publicised to schools, bus operators and the general public. [2.42]	LEAs
	We consider that LEAs should specify that such risk assessments are carried out by all operators, prior to operating school transport contracts. These assessments should be updated regularly, at least every three years. Operators should keep a record to show what action has been taken to minimise the risks identified, which might entail amending the route; either temporarily or permanently. [2.45]	LEAs
	Schools should carry out a risk assessment of the areas where vehicles park or manoeuvre and pupils congregate before embarkation or after disembarkation. These assessments should be documented and reviewed regularly. They should be subject to inspection on request by parents or pupils, and inspected by Estyn as part of their routine school inspection cycle. [2.46]	Schools
	Risk assessments should also be used in situations where the pupil lives within statutory walking distance of the school, but there are doubts as to its safety, to determine whether the pupil is entitled to free school transport. Consistent methodology and criteria should be established by LEAs to assist in making these decisions, <u>which we would recommend bearing in mind the huge increase in traffic since the statutory walking distance was first laid down</u> . This methodology should describe means of estimating the relative safety of alternative walking routes, taking account of the age of children using them, the proximity and volume of vehicular traffic and any specific hazards; such as reduced visibility at bends and the availability of safe pedestrian crossing points on busy roads <u>and other circumstances that could put children at risk</u> . [2.47]	LEAs
	The Assembly Government should review current practice on risk assessment, together with any relevant academic research, and issue guidance to schools and LEAs. [2.48]	WAG
	Local authorities should adopt standard conditions of contract and endorse the model set out in Annex A of the CPT/ATCO report. The items previously discussed should be incorporated as standard; such as age <u>and condition</u> of vehicle, CCTV, seatbelts and suitable storage space <u>and statutory testing and certification of vehicles</u> . Other items could be specified for particular routes; for example, escorts and audio/visual equipment for entertainment. [2.51]	LEAs

	Recommendation	Action
	The period for school transport contracts should be between five to seven years, to allow operators to make a reasonable return on their investment in modern vehicles, maintenance, staff training and management. In the case of new vehicles, we consider that up to ten years would be appropriate. [2.52]	LEAs
	Local authorities should collaborate to agree common evaluation criteria and recognise that the lowest tender does not necessarily represent the best value for money. Other factors such as the quality of vehicles, maintenance, staff training and accident records should be taken into account. There should also be an agreed method for adjusting contract costs annually, applied consistently by all local authorities in Wales. [2.53]	LEAs
	We agree with the CPT/ATCO and WLGA/NFER reports that, in the longer term, local authorities should aim to eliminate differences between conditions of contract for school services, and local services. We also agree that the regional transport consortia should be asked to investigate the best means of implementing this reform. [2.54]	LEAs and Regional Transport Consortia
	Specialist school vehicles should be used more widely throughout Wales. Operators should be given incentives to invest in such vehicles, including longer contracts, the opportunity to use the vehicles in the off-peak period (for school trips to sports or educational facilities) and possibly 'double-tripping' in the peak periods. [2.62]	LEAs
	More schools should collaborate in staggering start and finish times, to facilitate more efficient use of school buses. We feel that LEAs should take the lead in identifying clusters of schools where such collaboration would be effective. It would then be a matter for school governing bodies to agree, in consultation with teachers and parents. In some cases, adjusting the start and finish times by as little as 15 minutes would allow operators to use the same vehicle for two trips in both the morning and evening peak periods, with significant cost savings. [2.63]	LEAs and schools
	Assuming codes of conduct become more widely used by schools, the Committee considers that local authorities should arrange professional training courses for drivers and escorts, prior to the start of each school year. [2.66]	LEAs

	Recommendation	Action
	<p>Passes should be issued annually to all children entitled to statutory school transport, possibly linked to the proposed Assembly Government half-fare bus pass scheme for 16 to 18-year olds. The current all Wales free bus travel scheme for pensioners is partially 'smart card' based. We feel it would be advantageous to base any scheme for 16 to 18-year olds on similar technology. This would provide an opportunity, at some future date, to introduce a 'smart card' based scheme for all secondary school pupils. [2.72]</p>	WAG
	<p>There is scope for better co-ordination of existing transport and safety initiatives by LEAs to systematically review safety and school transport on an area basis. [2.73]</p>	LEAs
	<p>The School Transport Bill, as amended in the House of Commons, will require the Assembly Government to issue guidance to local authorities, to help them prepare bids for pilot schemes. We recommend that this should take account of the Committee's suggestions on the draft Bill, set out in Annex 2. [2.75]</p>	WAG