

Shetland Islands Council



**Children's
Services**

School Transport Policy

2016

School Transport Policy

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School Transport Policy

1 Introduction

- 1.1 Local Authorities have legal responsibilities to enable the attendance of children living beyond specified maximum walking distance from their school.
- 1.2 This Policy sets out the Shetland Islands Council's approach to fulfilling its responsibilities along with responsibilities and expectations of other parties involved in the safe transportation of pupils from home to school.

2 Aims

- 2.1 In relation to home to school transport, this Policy aims to:
 - Clarify entitlement to home to school transport provision.
 - Describe the options available to Local Authorities to fulfil their responsibilities.
 - Describe the responsibilities of contractors, operators, drivers, parents, pupils and school staff.
 - Set out the standard of service expected from school transport operators.

3 Objectives

- For Shetland Islands Council to fulfil its responsibilities for home to school transport.
- For Shetland Islands Council to do its utmost in providing safe and reliable transport.
- To provide flexibility for Shetland Islands Council, transport operators, parents, pupils and communities to find the most appropriate, sustainable solutions.
- To encourage active travel to school compatible with the Schools (Health Promotion and Nutrition) (Scotland) Act 2007 and the Health and Wellbeing outcomes in the Curriculum for Excellence.
- Engage in consultation with parents, pupils, transport operators and communities when there is a proposed significant change to transport arrangements.

4 Entitlement

- 4.1 The Education (Scotland) Act 1980 places a legal responsibility on Local Education Authorities to enable the attendance at school of children living beyond specified maximum walking distance from their school. Shetland Islands Council's Children's Services facilitates this by using these limits to determine the provision of school transport. 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.

- 4.2 In Shetland, this is extended during the winter months (October break to Easter break) to provide transport for all pupils who live more than a mile-and-a-half from their school.
- 4.3 Shetland Islands Council has given a commitment that, as far as possible, the maximum single journey time will be 40 minutes for a primary pupil and 65 minutes for a secondary pupil.
- 4.4 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.
- 4.5 Shetland Islands Council has identified catchment areas for all its primary schools and secondary schools. These are clearly laid out in the Council's Admissions Policy. Parents who choose to send their child, through a placing request, to a school other than their designated school will be responsible for their child's transport. The exception to that is for any pupil in Secondary 4, who will qualify for school transport as a result of a placing request.

When enrolling a pupil within a primary or secondary school, only one address can be used to identify the appropriate catchment area and entitlement to school transport. School transport will only be provided from one address and will not be provided from multiple addresses.

- 4.6 Education Authorities are also required to offer any vacant seats on school transport to pupils who live on a route but within walking distance of their school. The Authority can charge for the use of a vacant place or they have the discretion for a vacant place to be used without charge. However, they can only charge for the use of a vacant place if the charges can be met without undue hardship on the parent(s) /carers(s). 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 the number of pupils entitled to places increases then those who are not entitled will need to relinquish their place. Placing request pupils will not be taken into account when specifying the number of seats required for any future contracts.
- 4.7 Vacant seats must be re-applied for each school year. In the event that more applications are received than the number of vacant seats on any given route then priority shall be given as follows:
 - To those children referred by Social Work or Health professionals;
 - To those attending their catchment area school over those attending an alternative school by parental choice;
 - Amongst those attending their catchment area school, to those who live furthest away;
 - Amongst those attending an alternative school by parental choice, to those who live furthest away.
- 4.8 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.

4.9 To assess whether transport should be provided for safety reasons, a safety audit is carried out by the Infrastructure Services Department – Roads Services, sometimes in consultation with the Police. The method of assessing safety factors was approved by the Council in July 1996; this method was recently revisited and found to continue to be appropriate. 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.

4.10 If parents/carers/transport operators consider that the route has been assessed incorrectly they can make a written submission to the Executive Manager, Schools giving reason(s) why they feel it should be changed. The Road Safety Audit information will then be assessed by the Executive Manager – Schools, in conjunction with the Executive Manager – Roads.

If those complainants remain dissatisfied with the outcome of any review, then their recourse would be to engage with Stage 2 of the Council's Complaints Procedure.

4.11 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.

4.12 Transport provision will not be diverted from an existing route 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.

4.13 In cases where alterations to school transport arrangements are necessary, pupils and parents/carers will be given as much notice as possible and unless there are safety reasons, changes take effect as soon as practicable, or when the contract becomes due for renewal.

If the change is significant pupils, parents, transport operators and communities will be consulted in line with the objectives of this Policy. The Council will try, where practicable, to give a term's notice of any change.

5 Options available

5.1 Local authorities are required to make arrangements as necessary for the provision of school transport and have to pay all or part of reasonable travelling expenses for school pupils. This legal responsibility could be fulfilled by providing either a means to get to school, such as a bicycle, an allowance for parents/carers to make their own arrangements, or the use of any form of public transport.

- 5.2 Local Authorities are not required to provide “door-to-door” transport. Children may be expected to walk anything up to the legally specified maximum walking distance to/from the transport pick-up and drop-off (PUDO) point. Parents/carers are responsible for this part of the journey.

6 Responsibilities

- 6.1 Contractors, transport operators, school staff, parents/carers and pupils will all be expected to adhere to the guidance set out in Appendix A.

6.2 Local Authority

The Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990 place a general duty on Local Authorities to secure, as far as is practicable, the safety of pupils under their charge. Pupils travelling on dedicated school transport arranged by the local authority are under the charge of the authority. Therefore the authority will keep school transport provision under review to ensure the safety of pupils when travelling on school transport (see section 7 - Review).

The Local Authority is responsible for undertaking risk assessments on designated PUDO points. Parents should be aware that any other PUDO points which have been agreed directly with the transport operator are classed as undesignated and as such the responsibility for risk assessment lies with the transport operator, not the Local Authority. The Transport Operator must be able to produce such risk assessments when required.

6.3 Contractors/Transport Operators

Contractors provide home to school transport using cars, mini-buses, buses and/or coaches. It is the responsibility of those who are awarded school transport contracts to take all reasonable steps to ensure the security, safety, dignity and comfort of pupils in their care. The vehicles used must be suitable for the purpose and drivers must be PVG checked, adequately trained and qualified.

Since 1 October 2001, all new coaches and mini-buses have had to be fitted with seat belts. A forward facing seat fitted with a minimum of a lap belt must be available to every child. New regulations introduced in September 2006, requires all seated passengers aged 14 years and above to use seatbelts where they are fitted in all buses and coaches.

This new legislation also means that all children under 135cm (4foot 5inches) in height use a suitable restraint when travelling by car, e.g. a booster cushion with an adult seat belt. The legislation explicitly excludes journeys made in taxis and private hire cars. However Shetland Islands Council has adopted a policy which will require appropriate child restraints to be provided for all primary aged children below 135cm in height. The Council’s Road Safety Officer can advise if required.

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 all drivers must have PVG clearance prior to driving any vehicle used for school transport provision. Contractors must provide the Authority with details of all persons who may drive their vehicles or be employed as attendants or supervisors.

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. The Authority can specify alternative and/or additional PUDO 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 or for any other reason, they must inform the Executive Manager Transport Planning immediately in order that new arrangements can be put in place.

6.4 Vehicle operators

All passengers must be notified that seat belt wearing is compulsory.

The driver is responsible for ensuring that passengers aged 3 to 13 years wear a seat belt.

Passengers aged 14 years or over are responsible for wearing a seat belt where they are fitted.

Drivers of home to school transport bear much of the responsibility for the safety of pupils. However, parents/carers remain responsible for the behaviour of their children and they should encourage their children to follow the instructions of the driver. Failure to act responsibly will compromise pupils' own safety and the safety of other pupils.

There is no statutory requirement for the Education Authority to provide supervisors on school transport.

6.5 Additional Support Needs

Parents/carers of pupils with additional support needs are responsible for requesting transport arrangements to and from school. The relevant

Policy and ASN Transport Request form are available on the Council website or can be requested from the Council's Children's Services Department.

Information on ASN transport can be found at this link to the Enquire website:

<http://enquire.org.uk/20100622/wp-content/uploads/2010/11/transport-to-school.pdf>

6.6 Parents

Parents/carers have a legal duty to provide for the education of their children, either by causing them to attend school regularly, or by other means. Parents/carers 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/carers and it requires parents/carers working along with the Local 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 make their own way anything up to the maximum walking distance to access school transport. Parents/carers are responsible for this part of the journey. Parents/carers are also responsible for the behaviour of their children whilst on the vehicle and when waiting at the pick-up point. Persistent behaviour which is of concern can lead to a pupil being removed from school transport. Parents/carers should be aware that the Local Authority must still provide the pupil with the means of getting to school, but this may not be in a way which is particularly convenient.

6.7 Pupils

Pupils should adhere to the guidance as laid out in Appendix A.

7 **Review**

7.1 The Schools Management Team will arrange for a review of this policy in five years or when required by legislation or local circumstance.

7.2 Performance of school transport will be monitored via the Development Services' Transport Planning team, and reported on annually to the Schools Management Team. This report will detail information on service costs and performance on the objectives of this policy. This may then lead to recommendations regarding strategies, policies or procedures.

Appendix A: Home to School Transport Guidance

Listed below are key guidelines which drivers must follow to support the safe transport of pupils between home and school and/or on school trips/outings.

Pupils

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.

Parents/Carers

- Young children should be accompanied by an adult while walking.
- Young children should be met at the bus stop.
- 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.
- Passengers aged 14 years or over are responsible for wearing a seatbelt where they are fitted.
- 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.
- Ensure children do as the driver says and not to misbehave. Parents / carers can be held responsible for any vandalism caused by their children.
- When they return from school, 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/carers are concerned about the behaviour of pupils on school transport they should contact the Head Teacher.
- If the service is unreliable, or parents/carers are concerned about the vehicles being used or the attitude of the driver, they should contact the Quality Improvement Officer for the school, 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.
- All behavioural issues which are of concern to the driver must be dealt with. Concerns over the conduct of pupils must not be ignored as this only encourages situations / patterns to develop and escalate. If it becomes apparent that a particular pupil cannot continue to be allowed to travel on school transport, the Head Teacher must inform Children's Services immediately by contacting the relevant Quality Improvement Officer. As the Local Authority is required by law to provide school transport, an appropriate way forward must be found. In achieving this, the Quality Improvement Officer should work together with relevant school staff, the pupil, their parents/carers and Executive Manager – Transport Planning where necessary to find an appropriate way forward. Some possible solutions may be:
 - Provision of bus fares to facilitate the use of public transport.
 - Return to school transport on the same or a suitable alternative route with agreed conditions.
 - Provision of bus fares with parents/carers transporting their children.
- Report any discipline or behaviour concerns to the Head Teacher of the relevant school. This should be done even if the driver feels they have dealt with a particular issue effectively.

- 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.
- Understand their responsibilities as defined in the Shetland Islands Council School Transport Policy.

Drivers

- 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 relevant Head Teacher.
- 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.
- 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.
- Never eject a pupil from the vehicle under any circumstances. Report any discipline or behaviour concerns to the head teacher of the relevant school. This should be done even if the driver feels they have dealt with a particular issue effectively. 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/carers.
- Understand their responsibilities as defined in the Shetland Islands Council School Transport Policy.

Schools

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