



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

**POLICY ON THE PROVISION OF
SCHOOL TRANSPORT**

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NORTH AYRSHIRE COUNCIL: EDUCATION YOUTH AND EMPLOYMENT

NORTH AYRSHIRE COUNCIL POLICY ON THE PROVISION OF SCHOOL TRANSPORT

1. FOREWARD

North Ayrshire Council has a pupil population of approximately 22,000 pupils and has a responsibility for:

- 53 Primary schools
- 9 Secondary schools
- 4 Special schools
- 44 Early Years facilities

Approximately 2250 mainstream secondary pupils, 325 mainstream primary pupils and 310 pupils with Additional Support Needs are transported to school.

Arranging school transport is more than simply organising the transport itself as the care, safety and welfare of pupils is also considered when making transport arrangements. The detail of North Ayrshire Council's School Transport Policy is contained within this guidance and includes details of the Council's statutory obligations.

2. AIMS

Where school transport is provided, North Ayrshire Council aims to assist parents and carers in their responsibility for ensuring that their child attends school safely and on time.

The Council, through the Corporate Transport Hub, will strive to ensure, with the services of the Strathclyde Partnership for Transport (SPT), the most effective, safe and economical use of resources by close monitoring of contracts. The Council also aims to be responsive to the concerns of parents and carers in the provision of appropriate transport to meet the needs of each child.

3. LEGISLATION

3.1 Education (Scotland) Act 1980

Section 51 (1) of the Education (Scotland) Act places a statutory obligation on Education Authorities to make such arrangements, as they consider necessary for the provision in respect of pupils attending schools or other educational establishments:

“for their conveyance without charge for the whole or part of the journey between their homes and the schools or other educational establishments which they are attending”

and that where

“the particular or named school is more than walking distance from the pupil's home measured by the nearest available routehe would not require to walk more than the walking distance...

Section 42 (4) of the Act defines the walking distance as:

“in the case of a child who has not attained the age of eight years , two miles and in the case of any other child, three miles.....”

The provision of transport for pupils attending special schools is arranged by the Education Authority on the basis of individual needs.

3.2 Local Government etc. (Scotland) Act 1994

Section 32 of Local Government etc. (Scotland) Act 1994 places the responsibility for school transport on the Education Authority in which the pupil resides.

3.3 Education (Scotland) Act 1996

The Education (Scotland) Act 1996 places a responsibility on the Education Authority to have regard to the safety of pupils when making arrangements for the provision of school transport.

3.4 Standards in Scotland’s Schools etc. Act 2000

The Standards in Scotland’s Schools etc. Act 2000 gives discretionary powers to the Director of Education, in relation to the provision of school transport for children attending pre-5 establishments.

4. NORTH AYRSHIRE COUNCIL POLICY

4.1 Mainstream Transport

All mainstream school transport contracts are managed on behalf of North Ayrshire Council by Strathclyde Partnership for Transport which is based in Glasgow.

4.2 Entitlement

The Council will provide free school transport for the whole or part of the journey between a pupil’s home and school or other educational establishment which they are attending in any of the following circumstances:

- Transport will be provided to all primary pupils who attend and reside more than 2 miles safe walking distance from their catchment primary school; or
- to all secondary school pupils who reside more than 3 miles safe walking distance from their catchment secondary school.

(Note – the measurement of distance is taken from the house gate or pavement heel and then by the shortest safe walking route to the school gate. Some pupils may require to walk a reasonable distance from home to transport pick-up point but this should not exceed 2 miles for primary school pupils and 3 miles for secondary school pupils.)

- Consideration will be given to applications for free school transport on health/medical grounds, which may prevent the child walking to and from school safely. In all cases the

application must be supported by a letter from the pupil's own doctor/consultant. This will be reviewed on an annual basis.

- Transport will be provided to pupils with additional support needs and will normally be in accordance with the recommendations made by Education and Skills Psychological Team. Escorts will be provided where it is recommended by Psychological Services.
- The Disability Discrimination Act provides for disability by association where the disability of a pupil's parent/s may cause them difficulties in getting to school. This circumstance should be considered for free school transport where a recommendation has been received from a designated medical officer or the request is supported the claim of a disability living allowance.
- A pupil who is considered to be 'Looked After and Accommodated' is entitled to free school transport for an initial 8 weeks period. Where transport is recommended to continue beyond the initial 8 weeks, consideration is then given at the Resource Allocation and Management Group (RAMG) and authorised by the Head of Service (Education 3 – 18). Transport in these circumstances is considered annually or subject to any significant changes or terminated when the pupil is no longer considered to be 'Looked After and Accommodated'.
- Where a pupil is placed in temporary accommodation by Barnardos (8 weeks only), school transport will be arranged.
- A pupil has to walk a route which, after seeking advice from the Road Safety Officer, is considered by the Council to be unsuitable in terms of road safety.

Note: North Ayrshire Council will consider all issues of safety when assessing walking routes and will either alter the route where appropriate or provide transport if an alternative is not available. All routes will be assessed on the basis that the child/ren is accompanied by a responsible person.

- A pupil who has been placed in a school nominated by the authority for any reason will be provided with free transport if the criteria for walking distances are applicable.
- Pupils attending P7 induction days at secondary school may be entitled to free school transport if the criteria for walking distances are applicable.
- Secondary pupils who require to attend school to sit an exam on a day outwith term time, will be entitled to transport at the beginning and end of the normal school day.
- If a pupil cannot be accommodated in their catchment school and has to be redirected to another school until such times as a place becomes available at the original school. This arrangement will continue until the end of the pupils' primary education if they are unable to be placed in their catchment school.
- A child attending nursery school will not normally be provided with free transport except in the following circumstances:

➤ **either**

a child with additional support needs who will benefit from attendance;
or

where in rural areas privileged seats are available.

(A privileged seat is where spare capacity exists on a vehicle and can be allocated without incurring the authority any additional costs.)

- The child lives more than 5 miles away from the nearest local nursery;
- certain nursery children who require to access nursery through referral and have been identified by the head of centre as requiring support during holiday periods will receive transport.

Free transport would normally cover a return journey each school day. Some pupils may wish to return home for lunch and parents/carers will require to make their own arrangements.

4.3 Additional Support Needs

Transport will be provided to pupils with additional support needs and will normally be in accordance with the recommendations made by Education Youth and Employment Managers or Health and Social Care Partnership Managers which may prevent a pupil walking to and from school safely.

4.4 Privilege Passes

Education authorities have a statutory obligation to allocate a privilege seat when required. Where there are vacant seats on a dedicated school contract, such seats are referred to as privilege seats.

Children living in the catchment area who do not qualify for free school transport can apply for consideration of a privilege pass if spare seats exist on dedicated school transport vehicles and there is no additional cost to the Council.

If more applications are received than the number of seats available, any remaining seats will be prioritised to pupils in the following order:

1. Offered to pupils living in the catchment furthest from the school
2. If there are 2 or more children residing at the same address and only 1 space is available; parents will be offered the seat and asked to accept or decline that space. If refused the seat will be offered to the pupil at the next address furthest from the school.
3. Offer made to pupils in the catchment area who live less than 2 miles from their catchment primary school or less than 3 miles from their catchment secondary school.
4. Offer made to pupils travelling to and from an address within the catchment area that is not their designated home address e.g. grandparents, child minders house.
5. Offer to pupils living outside the catchment area who attend a school as a result of a successful placing request.

Applications for a privilege seat must be made annually before the 20 September and if a seat is available this will be allocated by mid-October.

Parents and carers must apply for the privilege seat each year even if they have been successful previously.

A privilege seat can be taken away at any time if it is needed for a pupil entitled to free school transport, in which case the above criteria will be reversed to decide which pupil will lose their privilege seat.

No additional pick up points or diversions from the contracted route will be provided for the privilege pass holder

If the contracted school bus breaks down, the contractor only has to provide a replacement bus that can accommodate those pupils entitled to free school transport.

5. CODE OF CONDUCT FOR PUPILS

The responsibility for ensuring the safe and acceptable behaviour of pupils remains with the parents/carers of pupils travelling on a school transport vehicle. Misbehaviour or inappropriate conduct may result in the provision of free school transport being temporarily or permanently withdrawn.

In such circumstances, the parents/carers will be responsible for making their own arrangements for ensuring that their child/ren gets to and from school.

Where a pupil's behaviour has been deemed as 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 will be sent to the Head Teacher of the school who will invite the parents/carers to a meeting to discuss the issue and seek assurances on their child's future good conduct prior to returning the school transport travel pass.

6. TRANSPORT ARRANGEMENTS

6.1 Mainstream Transport

In line with EU tendering regulations, the Council, through the Corporate Transport Hub, adopts the following procedures in arranging home to school transport contracts in relation to mainstream pupils.

The Council, in consultation with the SPT, will draw up the specification for each transport contract and invite tenders from transport operators.

On receipt of all tenders by the stated cut-off point, the authority will accept in all but the most exceptional circumstances the lowest tender.

The successful contractor will be notified and after the appropriate checks have been made, parents/carers will be notified of the detailed arrangements for the transportation of pupils who qualify for free school transport

The Council and SPT will decide the precise mode of transport where appropriate, taking all circumstances into account. Transport will be provided by any, or a combination, of the following:-

- Dedicated school contract bus. This is a service provided solely for use by pupils.
- Bus passes on local public service bus. This can either be a commercial service or subsidised local service, also carrying members of the public.
- Train pas on service train.
- Taxi or private hired cars, mini-buses and ferry.

6.2 Additional Support Needs Transport

In the case of children with additional support needs, the above procedures will be followed but the responsibility for drawing up the specification will be undertaken by the Corporate Transport Hub in consultation with Corporate Procurement. Confirmation of the arrangements will be communicated to parents by the Corporate Transport Hub

7. **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 Council. These conditions state clearly the contractor’s and North Ayrshire Council’s rights and responsibilities. The main aspects covered detail:-

- Arrangements for the operation of the contract;
- Administrative and financial arrangements;
- Transport safety;
- Vehicle specifications, modifications, manoeuvres;
- Registration documents, insurance policies , MOT certificates;
- Drivers and escorts are checked under the PVG Scheme;
- Cancellation of contracts (breach of contractual conditions);
- Entitlement to termination of contracts;
- Emergency procedures;
- Drivers and escorts on additional support needs contract vehicles carry NAC contract signs and photographic identification badges.

8. CODES OF CONDUCT FOR DRIVERS, ATTENDANTS, ESCORTS

8.1 Mainstream School Transport

All transport operators involved in school contracts must ensure that drivers and attendants are suitably briefed in relation to the safety of passengers in normal operation and in emergency / unforeseen circumstances. All drivers on mainstream contracts should be issued with the appropriate code of conduct - "Code of Conduct for Drivers of School Transport" produced by SPT.

All attendants on mainstream contacts should be issued with the appropriate code on conduct - "Code of Conduct for Attendants of School Transport Vehicles" produced by SPT.

8.2 Additional Support Needs Transport

All operators must ensure that drivers and escorts are suitably briefed in normal operations and in emergency / unforeseen circumstances. However, the authority expects that particular care will be exercised by drivers and this type of contracts due to the nature of the pupil's needs.

9. CONTRACT MONITORING

Strathclyde Passenger Transport is responsible for administering primary and secondary school contracts and for their day-to-day operation. They will actively monitor the performance of mainstream school contracts through the deployment of a team of specialist inspectors.

Regular meetings are scheduled by SPT involving members of staff from the Corporate Transport Hub to discuss the operation and monitoring of school contracts.

9.1 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.

9.2 Failure to Meet Requirements

Failure to meet contractual requirements is likely to result in the contractor being issued with 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. This 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.

9.3 Vehicle Timetable

Tender specifications normally allow a 10-minute time band within which pupils must be picked up or set down. No action is generally taken against a contractor who operates within 2 or 3 minutes of the 10-minute band.

In the case of additional support needs contracts, SPT's team of specialist inspectors will be responsible for monitoring contracts as per the Service Level Agreement.

10. COMPLAINTS PROCEDURES

Parents who have concerns or complaints about any aspect of the provision of mainstream school transport may contact their child's school; the details of the enquiry will be recorded and passed the SPT for a response.

Parents may also complain directly to SPT in writing to express their concerns. SPT will respond directly to the parent and advise the school on the outcome of their investigations.

In the case of additional support needs contracts, enquiries and complaints by parents should be directed, in the first instance, to the school. The school will liaise with the Corporate Transport Hub to seek advice and/or resolution.

11. SAFETY

North Ayrshire Council will continuously monitor and review all school transport provision. This will be undertaken by the Council's Corporate Transport Hub.

12. CONTACTS

Further information regarding North Ayrshire Council's School Transport Policy and arrangements can be obtained from:

Corporate Transport Hub
Kilwinning Transport Garage
Commercial Services
Unit 1D Byrehill Drive
West Byrehill Industrial Estate
Kilwinning
KA13 6HN

Tel: 01294 541613

Fax: 01294 541604

Email: transporthub@north-ayrshire.gov.uk