

Date: Wednesday 28 April 2004
Title: School Transport – An Issues Paper

Purpose

1. The ELL Committee has resolved to undertake a review of school transport. The Terms of Reference for the policy review are:

“To examine the arrangements made by local authorities in Wales for transport of pupils by bus to and from school. To examine the type of buses used and measures taken to ensure the safety of pupils during their journey. The Committee shall take account of the School Transport Bill, due to be published in draft later this year. The Committee shall submit a report to the Assembly Minister and the Cabinet Sub-Committee on Children and Young People.”

2. The Committee requested an initial paper to identify the main issues for this policy review and to assist in deciding what evidence needs to be taken.

Summary

3. The main issues identified in the paper are:

- Concerns about the safety of pupils on their way to and from school, whether on LEA provided school transport or travelling by other means
- The appropriateness of the current statutory walking distances as the means of determining entitlement to free transport (regardless of parental income)
- Inconsistency between LEAs in their policies towards the provision of home-school transport
- Escalating costs for LEAs in providing school transport and consequent possible withdrawal of discretionary transport provision (e.g. to denominational schools)
- Access to denominational and Welsh medium schools
- The range of organisations reviewing school transport, making recommendations or taking action on a variety of fronts
- The School Transport Bill

Background

The legal position

4. Local Education Authorities (LEAs) are responsible for providing home to school transport where they consider it necessary to facilitate pupils' attendance at school. As a minimum LEAs must provide free home to school transport for statutory school age children (aged 5-16) who live beyond walking distance from school, regardless of parental income. Walking distances are defined as 2 miles for pupils under the age of 8 and 3 miles for children over the age of 8, measured along the

shortest available walking route. The route must be reasonably safe for a child, accompanied as necessary by a parent. Case law has established that this may mean along footpaths, including across 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 S444 of the Education Act 1996.

4. A pupil will not normally be entitled to free transport if he/she attends a school other than the nearest suitable school (unless a place was not available at the nearest school). Many LEAs however provide transport to the designated catchment area school, even if this is not the nearest.

5. Although the 1996 Act requires LEAs, when making school transport provision, to have regard to parents' preferences for a denominational education, there is no statutory entitlement to free transport to church schools. Similarly there is no entitlement to transport to a Welsh medium (or English medium) school which is not the nearest.

6. In practice, many LEAs offer more generous transport policies than the statutory minimum (see table at Annex A) which enables a larger number of children to benefit from their home to school transport arrangements. The types of discretionary additional provision commonly include free transport to the nearest school offering the language medium of the parents choice; to the nearest denominational school (often subject to an upper distance limit); the use of lower walking distances than the statutory distances particularly for primary pupils aged over 8; provision for sixth formers; and provision for pupils living 2.5 miles from school on a means tested basis. Less commonly provision is made for pre school children. Some authorities also offer spare seats on the school bus at a concessionary fare to pupils who are not entitled to free transport.

7. In providing home to school transport, LEAs can either provide or contract for dedicated home to school transport or they can make arrangements for children to travel free on public transport (for example by providing free bus passes).

Use of home-school transport

8. A recent audit of school transport arrangements (see Annex B) indicated that approximately 20% of school children in Wales receive free transport from their local authority. This compares to the 10% of children who receive free school transport in England. The remaining 80% of children in Wales do not receive free transport, either because they live within walking distance of school, attend a school which is not their nearest, or are not of statutory school age. Travel survey statistics suggest that about half of these pupils walk to school, and about equal proportions of the remainder travel by public transport (including bus or train) or by car.

The main issues

(i) Safety

9. There have been concerns for some years about the safety of school transport, with pressures for changes in the legislation and in LEA practice. The fatal accident which occurred in Ystradowen, Vale of Glamorgan in December 2002 and the subsequent inquest has added to these pressures and led to a focus on the issue of pupil behaviour on school buses.

10. All buses must comply with stringent vehicle safety standards and are subject to inspection. Both LEAs and bus contractors have a duty of care to children travelling to school. Where pupils do not receive free transport, the responsibility for ensuring that pupils travel safely to school rests with parents. Many children use public transport and in doing so, their parents rely on the bus or train company to ensure that their children are taken safely to their destination.

11. Specific concerns about the safety of school transport include:

Vehicle standards

Parents and others have expressed concerns about the standards of vehicles used for school transport. They have questioned the condition of vehicles, which are often older than the average PSV fleet; the use of double-deckers; and overcrowding, including the use of the "3 for 2" concession which allows three children under the age of 14 to sit in a seat designed for two. (This concession applies to all public service buses, not just LEA provided school buses. In practice only two or three LEAs ever use the concession on school buses).

All school transport operators are required to run their services in accordance with the requirements of road safety legislation. The Vehicle Operator Services Agency (formerly the Vehicle Inspectorate) carries out regular checks on vehicles, and carries out spot checks at the roadside to assess compliance. Operation Coachman is an annual exercise run by the Police and VOSA to conduct spot checks on vehicles used for school transport. The recent operation conducted in Wales checked 157 vehicles and found a range of offences. We are awaiting further detail of how this compares with similar checks on public transport services. Bus transport generally tends to have a good safety record and bus journeys are statistically seven times safer than car journeys.

Abolition of the 3 for 2 concession would require DfT to amend the legislation.

Seat belts

Legislation requires safely anchored seat belts to be fitted in all coaches and minibuses carrying children on school trips or on dedicated home-school transport. Since October 2001 seat belts have also been required on *new* buses of certain types, whether used for school children or other passengers. However these regulations do not apply to 'urban' buses, which are defined as buses designed to

carry standing passengers. They are considered to generally travel at slower speeds and with frequent stops which make the use of seat belts less practicable.

In contracting for bus services, LEAs have to make judgements as to whether a coach with seat belts or an urban bus is most suitable for the route, bearing in mind their duty of care to pupils.

The pressure group BUSK (Belt Up School Kids) has been pressing for some years for seatbelts to be compulsory on school buses. The responsibility for legislation governing seat belts rests with the Department for Transport rather than the Assembly.

Pupil behaviour

The inquest into the death of Stuart Cunningham-Jones found that misbehaviour of other pupils on the bus and interference with the driver was the main cause of the tragic accident. Disruptive behaviour had occurred on that and other routes on previous occasions and been reported by the drivers but the system for onward reporting to the school had broken down. The coroner suggested a number of issues for the LEA to consider, including providing escorts so the driver was not responsible for behaviour whilst driving the bus, better liaison arrangements between bus operators and schools, the use of seatbelts, single deckers only and no standing.

There is no requirement on LEAs to provide supervision or escorts on school buses, however, they should do so where they consider it necessary. At present LEAs most commonly provide escorts for pupils with special educational needs and for younger children, but increasingly are reviewing the need for supervision in other situations, for example, where there are problems with the pupils' behaviour. A number of authorities have introduced CCTV on some routes and found it effective. The Assembly does not have the power to require LEAs to use such measures.

Dedicated school transport/ yellow buses

LEAs can contract for dedicated home to school transport to carry children who are entitled to free transport. However, in some instances children are given bus passes to travel on public transport. This is in addition to the large number of children who regularly use public transport on a fare-paying basis. Where such public transport is used by children receiving free bus passes or by fare-paying pupils, other passengers can quite legitimately travel on the bus. It is not clear whether pupils are safer on children only buses or buses with more adults.

We are aware that a number of LEAs already use dedicated home to school transport and others such as Wrexham and Denbighshire have been piloting the use of American-style yellow buses. One advantage of these is perceived to be that they are readily recognised by other road users and treated with extra caution. However the initial evaluation of the pilots did not generally support this view. A number of positive features of the schemes were identified but these were not vehicle specific: they included aspects such as convenient pick up points, a regular, trained driver,

one seat per pupil and no standing, CCTV and the services being dedicated only to students.

In Newport, a local bus operator has recently purchased a 70-seater single-decker coach which will be used by school pupils only. This has been driven forward by the commercial operator rather than the LEA.

(ii) Walking distances – the School Transport Bill

12. There is a perception that the statutory walking distances of 2 and 3 miles are out of date, given that they were first defined in 1944 when car ownership was much less commonplace and it was not unusual for adults and children to walk considerable distances daily. Many feel that the distances are unrealistic in today's environment and with increased traffic on all roads and that LEAs do not apply common standards for assessing the safety of designated walking routes. The expectation that parents will, if necessary, accompany their children on foot to and from school each day is also perceived as outdated.

13. There is a further concern that determining eligibility for free transport solely on the distance between home and school without reference to parental income is unfair to lower income families who live just within the walking distance. There can also be anomalies where children who are relatively close neighbours and catch the bus from the same stop have different eligibility because their homes are just one side or the other of the set distance limit.

14. The School Transport Bill (to be considered as a separate Agenda item) aims to enable a small number of pilot LEAs to relax the statutory walking distances and to test innovative school transport schemes. To cover the costs of providing enhanced school transport arrangements, pilot LEAs would be able to charge pupils, except for those from low-income families.

(iii) Inconsistency in policies

15. The results of the Assembly's survey of school transport arrangements confirmed that there was considerable variation in the provision of school transport by LEAs. None of the 22 authorities provide only the statutory minimum. Seven adhere to the statutory walking distances of 2 miles for 5-8 year olds and 3 miles for 8-16 year olds; a further five use these distances but with more generous age criteria; the remaining 10 authorities have adopted lower walking distances. There is also variation in the policies adopted for children travelling to Welsh medium schools, denominational schools and for children of non-compulsory school age (nursery age and post-16 learners), none of whom have a statutory entitlement to free school transport. In addition the availability of concessionary fares on school buses varies from LEA to LEA. Transport policies should be set out clearly in the school admissions documents issued annually for parents, but the table at Annex A which is drawn from these documents illustrates that they are not always entirely clear.

(iv) Escalating costs

16. In 2003/2004, the total budget for local authority expenditure on home to school transport in Wales was £70.9 million. Investment in additional safety features such as universal provision of escorts, seat belts or CCTV would clearly impact on education budgets. Public transport operators also face increasing costs, particularly in response to issues surrounding vandalism and damage to buses driving up fares for passengers including school pupils.

(v) Initiatives being undertaken on School Transport

Welsh Assembly Government

A paper was presented to the Cabinet Sub Committee on Children and Young People in January (CYP(03-04) 20) which set out where the various responsibilities for school transport safety lay and detailed a number of related road safety initiatives.

One of these was a survey of the existing school transport provision made by LEAs. An analysis of the results is at Annex B.

Officials will be reviewing the guidance which is issued to LEAs and schools on school transport, to update it and give it a stronger focus on safety issues.

Officials have also convened a co-ordinating group involving education and transport interests within the Assembly Government, the Welsh Local Government Association, the Association of Directors of Education in Wales, the Association of Local Authority Travel co-ordinators and the Confederation of Passenger Transport. The intention is to share information on the various initiatives being taken and to promote the sharing of good practice.

In addition, the draft School Transport Bill was issued for consultation on 8 March and copies have been sent to members of ELL. When enacted this Bill should allow a number of LEAs to pilot alternative and more comprehensive school travel schemes which will not be constrained by the existing statutory walking distances, but will permit authorities to charge modest fares to cover the costs of increased and improved provision. If these schemes prove successful and have demonstrable benefits in terms of reducing the number of car journeys to school, increasing the availability and take up of school transport and facilitating improvements in the quality of provision, then more LEAs will be invited to establish schemes.

LEAs will soon be required to produce post-16 transport policy statements. Guidance on these is on the Agenda as an item to note.

Vale of Glamorgan follow-up to Ystradowen accident

Following the inquest in January, the Vale of Glamorgan Council has established a consultative group involving parents, school representatives, transport operators and Vale officers to look at the Coroner's recommendations. The group has been

working to identify actions that the authority could take forward as well as action needed at a national level, given that many of the issues raised are not confined to the Vale. The consultative group, which first met on 16 March, decided to work to identify a model of good practice; to review the statutory framework; and to co-ordinate the work of others to make use of expertise. Most of this work should be completed by summer 2004.

The Authority also issued a questionnaire to authorities to seek information about their school transport arrangements.

WLGA / National Foundation for Education Research

The WLGA has commissioned the NFER to undertake research in the area of school transport. It is envisaged that the research will incorporate examples of European and North American good practice; surveys of a structured sample of schools, pupils and parents across 12 LEAs; and testing of policies for consistency and fairness. The research may also involve focus group work to test the market sensitivity of charging for school transport, which would help in evaluating the draft School Transport Bill.

Association of Transport Co-ordinators (ATCO) and Confederation of Passenger Transport (CPT)

ATCO and CPT have agreed to establish 4 Task and Finish Groups to take forward various strands of work in relation to school transport. The groups will consider:

- i) Conditions of contract, code of conduct (for pupils and drivers), quality of vehicles;
- ii) ID cards, concessionary fare scheme for pupils aged 16+, citizen cards, smartcards;
- iii) CCTV and supervision;
- iv) Checks on drivers undertaken by the Criminal Records Bureau.

The CPT has also produced a discussion paper entitled "The Future of School Transport Wales".

Children's Commissioner

The Children's Commissioner has taken evidence from pupils, parents and carers and indicated his intention to publish a report on school transport. He has endorsed the Stuart's Campaign groups aims of seeking improvements to school transport arrangements and included some concerns about school transport in his second annual report.

BUSK

The pressure group BUSK ("Belt Up School Kids") lobbies for improved safety on school transport. In recent months the organisation has produced a recommendations paper to highlight the respective responsibilities of parents, LEAs, schools, pupils, transport operators and drivers. The document also recommends

various sanctions for unacceptable behaviour on school transport. Committee Secretariat has previously circulated this paper to ELL members.

Individual Local Authorities

A number of individual authorities are taking forward initiatives to improve safety and pupil behaviour on school transport. We are aware of the following:

- *Bridgend* - leading a consortium of 12 authorities in producing a video to educate pupils on the importance of good behaviour on school buses
- *Vale of Glamorgan* - reviewing their transport policies in light of the inquest
- *Rhondda Cynon Taff* - working with the police and bus companies to improve pupil behaviour
- *Wrexham* – piloting the American style yellow buses
- *Carmarthenshire* - CCTV introduced on buses to one secondary school in Llanelli
- *Monmouthshire* - escorts/supervision increased
- *Neath Port Talbot* - pass card scheme for pupils at Dwr-y-Felin Comprehensive school in Neath; pupil guidelines on the use of school transport services
- *Denbighshire* – purpose built school bus purchased
- *Newport and Pembrokeshire* – tightening of school transport tender conditions.
- *Pembrokeshire* –two buses purchased with seatbelts and CCTV for use at two secondary schools; several vehicles fitted with CCTV cameras
- *Merthyr* – reviewing use of CCTV, linked to realtime.

Financial Implications

17. There are no immediate financial implications arising from this paper.

Cross Cutting Themes

19. Although home to school transport falls within the portfolio of the Education and Lifelong Learning Committee, there is considerable overlap with the Economic Development and Transport portfolio and also some implications for Finance and Local Government.

Action for Subject Committee

19. To note the issues raised; and
To consider what further evidence they wish to take, in the light of the suggested lines of enquiry at Annex C.

Supplementary Information

20. A list of relevant background documents is at Annex D.

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LEA School Transport Policies – Discretionary Provision beyond the Statutory Minimum

LEA	Catchment Area School	Cut Off at Age 11, not 8	16+ Provision	Nursery Age Provision	Welsh Medium	Denominational	Shorter Walking Distance
Anglesey	✓	✓	✓	x	x	✓	✓
Blaenau Gwent	✓	x	✓	x	✓	✓	✓
Bridgend	✓	✓	✓	x	✓	✓	✓
Caerphilly	✓	✓	✓	x	✓	✓	✓
Cardiff	x	x	x	x	✓	✓	x
Carmarthenshire	✓	x	x	x	✓	✓	x
Ceredigion	✓	x	x	x	✓	✓	x
Conwy	x	✓	✓	x	✓	✓	x
Denbighshire	x	x	✓	x	✓	✓	x
Flintshire	✓	x	✓	?	✓	✓	x
Gwynedd	✓	✓	✓	x	x	✓	✓
Merthyr Tydfil	✓	✓	✓	✓	✓	✓	✓
Monmouthshire	✓	✓	x	x	✓	✓	✓
Neath Port Talbot	x	✓	✓	x	✓	✓	x
Newport	✓	✓	✓	x	✓	?	x

Pembrokeshire	x	x	✓	x	✓	✓	x
Powys	x	✓	✓	x	✓	✓	x
Rhondda Cynon Taff	x	✓	✓	x	✓	✓	✓
Swansea	✓	✓	✓	x	✓	✓	x
Torfaen	✓	x	✓	x	✓	✓	x
Vale of Glamorgan	x	x	✓	x	✓	✓	x
Wrexham	x	x	x	x	✓	✓	x

Analysis of Welsh Local Authorities responses to school transport questionnaire

March 2004

Method of data collection

1. A questionnaire was designed and issued by Transport Policy Division in November 2003 to all local authorities in Wales. The questionnaire was split into ten parts:
 - Part 1 - Organisational and general policy
 - Part 2 - Regulations
 - Part 3 – In-house or contract buses/coaches
 - Part 4 - Public bus and/ or train services
 - Part 5 - Contractual
 - Part 6 - Vehicles
 - Part 7 - Financial
 - Part 8 - School travel plans
 - Part 9 - Safety initiatives
 - Part 10 - Over 16s school/college transport
2. The questionnaire and covering letter was sent to the Director of Education, Chief Technical Officer and Transport Co-ordinator contact for each authority with a request for a composite reply from each authority. All authorities responded by February 2004 though not all questions were replied to in every case.
3. In addition to the 22 Welsh local authorities the Children's Commissioner for Wales and the Welsh Local Government Association were sent a copy of the questionnaire for comment. The Children's Commissioner responded with some general concerns that had been raised with him from a variety of sources about the safety of school transport. He is finalising a report on school transport for publication.

Questionnaire analysis

4. Composite replies and supporting statements were received from local authorities. However, caution must be exercised in interpreting the information as some figures are estimates. Not all local authorities, provided answers for each question or were able to provide a complete breakdown of information when one was requested. Replies were predominately about contract services rather than public services.

5. Detailed in the following paragraphs are conclusions drawn from the answers given in these returns. We have concentrated on five areas:

- distance criteria; (questions 9 and 10)
- number of pupils carried by LA provided bus or coach (questions 8 and 20)
- contracts; (question 16)
- recent changes in provision; (question 17 and 18) and
- safety (questions 32 - 43 and parts of questions 7, 19, 20, 21).

Distance criteria

6. All 22 local authorities answered question 9 and 10. Question 9 sought to identify if local authorities adhered strictly to the statutory walking distances for provision of school transport or used more generous distance criteria.

7. The follow seven authorities apply the statutory distance limits – that is they provide free transport for pupils under 8 living 2 miles or more from their nearest suitable school and for pupils aged 8-16 living 3 miles away or more:

- Cardiff;
- Carmarthenshire;
- Ceredigion;
- Flintshire;
- Pembrokeshire;
- Vale of Glamorgan and
- Wrexham.

8. Question 10 asked local authorities for details of their more generous qualifying distances, where applicable. The fourteen authorities that operate more generous policies are detailed, with distances, in Table 1 below.

Table 1 distance criteria applied by local authorities not utilising statutory minimum

Local Authority	Distances
Anglesey	1.5 miles Primary (age 5-11) 3.0 miles Secondary (age 11-18)
Blaenau Gwent	1.5 miles Under 8 years old 2.0 miles 8 – 18 years old
Bridgend	1.5 miles Primary 2.0 miles Secondary
Caerphilly	1.5 miles Primary 2.0 miles Secondary
Conwy	2.0 miles Primary 3.0 miles Secondary

Table 1 distance criteria applied by local authorities not utilising statutory minimum

Local Authority	Distances
Gwynedd	1.5 miles Primary 3.0 miles Secondary
Merthyr Tydfil CBC	1.5 miles Primary 2.0 miles Secondary
Monmouthshire	1.5 miles Primary 2.0 miles 11 - 16 years old
Neath-Port Talbot	2.0 miles Primary 3.0 miles Secondary (11-16)
Newport	2.0 miles Primary 3.0 miles Secondary
Powys	2.0 miles Primary 3.0 miles Secondary
Rhondda-Cynon Taff	1.5 miles Primary 2.0 miles Secondary
Swansea	2.0 miles Primary 3.0 miles Secondary
Torfaen	1.5 miles Under 8 years old 2.0 miles Over 8 years old

Number of pupils using local authority provided transport

9. In question 8 local authorities were asked to identify the number of children currently using school transport that is either contracted for or provided by the authority. Totals appear below.

Table 2 the number of children receiving school transport

	Number of children			
	Primary	Secondary	Special school	Total
within regulation (i.e. free transport provided for compulsory school age children who live over the statutory walking distances)	14,628	59,866	7,715	82,209
outside regulation but still in receipt of free transport (i.e. free transport for children who live within more generous walking distances set by authorities or are over or under compulsory school age)	3,073	10,850	1,889	15,812

Table 2 the number of children receiving school transport

	Number of children			
	Primary	Secondary	Special school	Total
outside regulation and not in receipt of free transport (i.e. children who pay to travel on dedicated school transport but do not receive free travel, for example the concessionary seat schemes)	1,426	3,670	10	5,106
Number that LAs could not apportion to above categories (1 authority)				6,120
Total	19,127	74,386	9,614	103,127
Total of all children receiving transport				109,247

10. 109,247 pupils equates to 22% of the total number of children (January 2003 school census data) in maintained primary, secondary and special schools within Wales. They are transported in a range of vehicles i.e. buses, coaches, minibuses, taxis, hired car, trains and other.
11. Although all local authorities were able to state the number of children currently receiving local authority provided or subsidised school transport, as above – question 8 - not all authorities could provide a breakdown of how these pupils were carried – question 20. Where breaking down figures to buses and coaches, some local authorities could not separate minibuses from the total for buses and coaches whilst others could not separate taxis from minibuses.
12. Table 3 (January 2003 Schools census data) details for each local authority its pupil population, the number of pupils it provides transport for and the numbers transported on buses or coaches. This table shows that while 22% of pupils are in receipt of local authorities contract or provide school transport 17.3% are carried by bus or coach. Care should be used in interpreting the results as some of the figures may be estimated
13. The two graphs following Table 3 express its data, as percentages of each local authority pupil population, to illustrate the percentage of children currently receiving home-school transport of all types contracted or provided by local authorities, and the percentage of pupils using local authority organised buses or coaches and minibuses to travel to school. Again, care should be taken in analysing the individual results
14. We do not have details of how the remaining nearly 80% of pupils not in receipt of LEA provided or contracted home-school transport travel to school. At paragraphs and we have included details of National Travel Surveys published by Department of Transport and National Statistics and

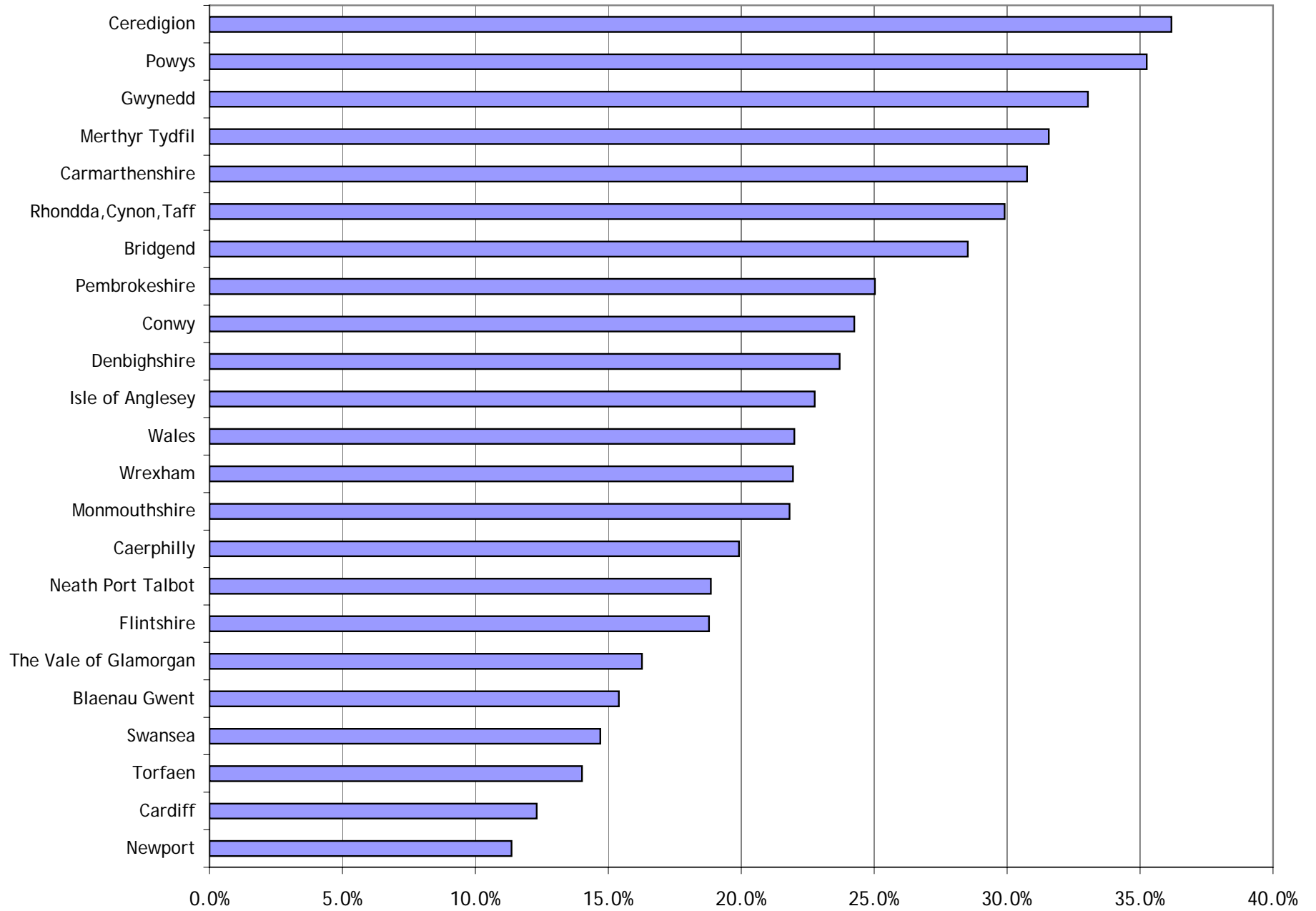
the Welsh Assembly Government for mode of travel to school. These indicate that about 45% of children walk to school and 25% travel by car. However these National Travel Surveys should be used with caution, as regional sample sizes are small.

Table 3 Use of local authority contracted or provided school transport and bus and coaches usage

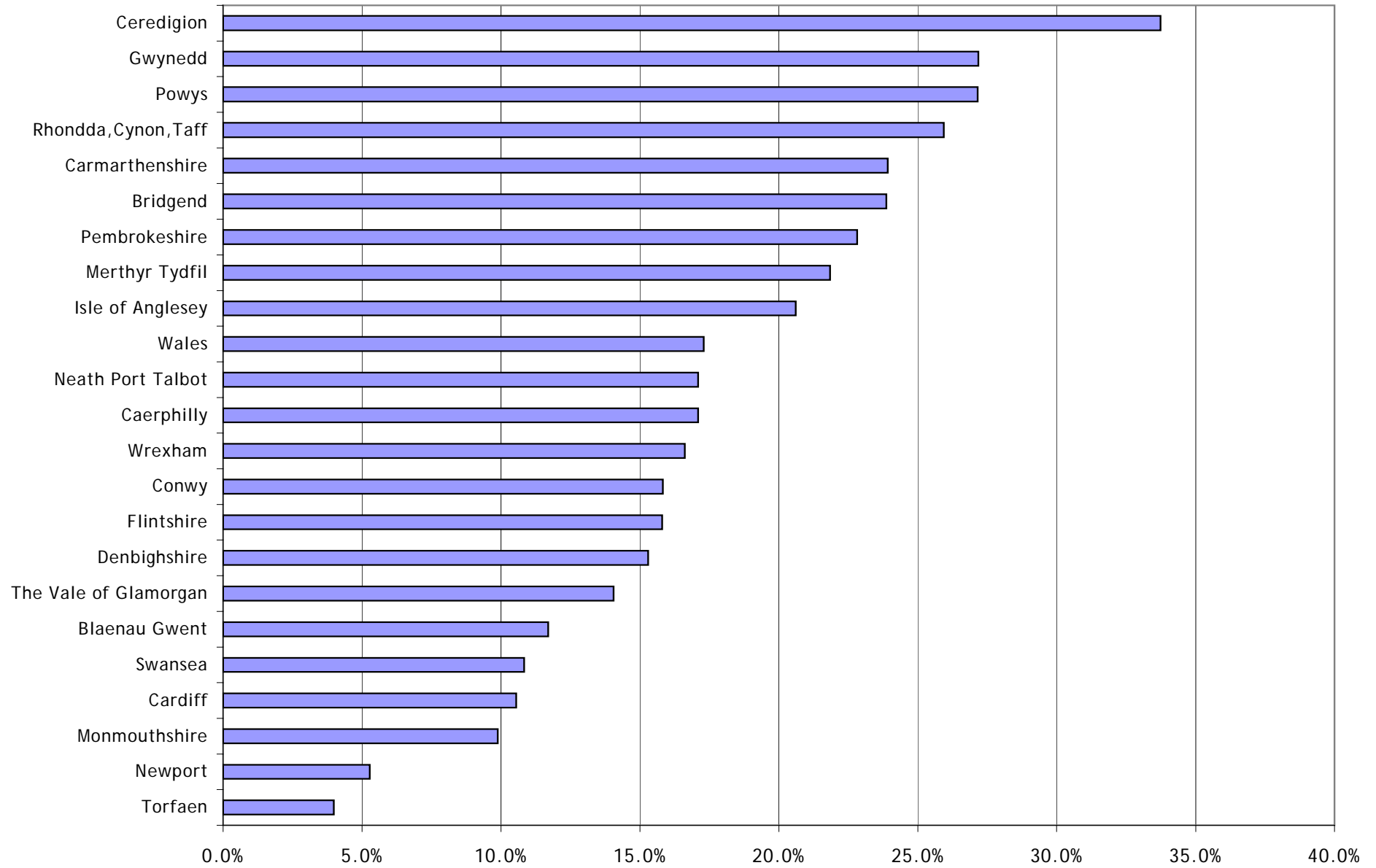
Local Educational Authority	Number of maintained nursery, primary, secondary and special schools	Number of pupils attending maintained primary, secondary and special schools (a)	Numbers of children currently using LEA contracted home - school transport	Number of pupils using LEA contracted buses or coaches
Isle of Anglesey	58	10,694	2,434	2,204
Gwynedd	123	18,524	6,120	5,035
Conwy	71	17,695	4,292	2,800
Denbighshire	62	16,919	4,010	2,587
Flintshire	90	25,745	4,836	4,063
Wrexham	83	19,306	4,238	3,209
Powys	125	20,753	7,315	5,635
Ceredigion	83	10,664	3,858	3,597
Pembrokeshire	87	19,714	4,934	4,500
Carmarthenshire	149	28,096	8,640	6,720
Swansea	108	36,743	5,415	3,982
Neath Port Talbot	86	22,866	4,313	3,914
Bridgend	71	22,742	6,487	5,428
The Vale of Glamorgan	59	21,993	3,577	3,091
Rhondda, Cynon, Taff	155	42,800	12,800	11,100
Merthyr Tydfil	35	10,517	3,320	2,297
Caerphilly	97	31,564	6,284	5,397
Blaenau Gwent	40	11,887	1,830	1,385
Torfaen	49	17,312	2,426	690
Monmouthshire	48	13,279	2,897	1,312
Newport	62	25,058	2,846	1,323
Cardiff	134	51,811	6,375	5,465
Total	1,875	496,682	109,247	85,734

(a) January 2003 Schools census data

Graph 1: % of LA pupil population currently using LEA contracted home-school transport



Graph 2: % of LA pupil population using LEA contracted buses or coaches for home-school transport



Contracts

15. All 22 local authorities answered question 16 that asked for 'the number of current school transport contracts operated by your local authority and the total length of time covered by these contracts'. Table 4 summarises their responses.

Table 4: Timespan and number of contracts

Timespan	Number of contracts	Number of authorities with such contract terms
Less than 1 year	598	10
1 year to less than 2 years	692	8
2 years to less than 3 years	475	7
3 years to less than 4 years	2,337	14
4 years and over	1,855	13
Total	5,957	

16. The longest contract time span quoted was for eight years. The justification was put forward that longer contracts enabled LEAs to negotiate to reduce the age of vehicles used.
17. Question 19 sought to identify what criteria local authorities currently specify in their tender documents in terms of vehicle type, age of vehicle, and safety features. Table 6 and Table 7 below indicate the number of authorities imposing the listed criteria, and provide where given, supporting information.

Table 6 responses to question 19

Specification in contract	Number of authorities
age of vehicles	10
Seatbelts	15
vetting of drivers with the Criminal Records Bureau (one authority did not answer this question)	21
allocation of regular driver	8
Security eg CCTV	11
Escorts	21
Type of vehicle (bus/coach) and specification (eg specifications similar to those found on the American style Yellow School Buses)	15

Table 7 Comments on criteria used in contracts

<p>age of vehicles</p>	<ul style="list-style-type: none"> • Generally no age restriction for education transport services, but some contracts have a max age of 20 years. • 8 seater minibus & taxis under 10 years • Contractors providing older vehicles are subject to additional annual checks by the authority's vehicles maintenance unit • Maximum of 20 years but moving to 15 years
<p>seatbelts</p>	<ul style="list-style-type: none"> • seatbelts must be fitted in every taxi & minibus • specific individual requirements for carrying special needs pupils • Required for primary school transport • primary pupils - special seats, harness as required • not requirement but preference given to vehicles with them
<p>vetting of drivers with the Criminal Records Bureau</p>	<ul style="list-style-type: none"> • All drivers/escorts have CRB checks (no such requirement for Local Bus Contracts) • Specified for contracts introduced Feb 2004. Vetting done for hackney/private hire drivers • Drivers & escorts on 8 seater minibuses & taxis • Enhanced clearance required • Enhanced check necessary - authority processes and pays
<p>allocation of regular driver</p>	<ul style="list-style-type: none"> • Not specified, other than for transport for pupils with specific special needs conditions • some routes • Specified within tenders for contracts of 9 year duration • Requested <p>Recommend that regular drivers are used</p>

Table 7 Comments on criteria used in contracts

<p>Security eg CCTV</p>	<ul style="list-style-type: none"> • On certain runs • Being introduced on a trial basis • Under consideration • On 9 year contracts. Provided on internal operated coach and on one other contract. One operator fits voluntarily • Council will pay for CCTV by agreement • Yes in selected mainstream contracts
<p>Escorts</p>	<ul style="list-style-type: none"> • For taxis & minibuses which provide transport for special needs pupils • Provided on all primary & SEN contracts- Some mainstream comprehensive school routes if behaviour is a problem • As & when required for primary & special needs- must be CRB cleared • Yes - as required - to ensure good behaviour and well being/safety of pupils
<p>Type of vehicle (bus/coach) and specification</p>	<ul style="list-style-type: none"> • Specify minimum seating capacity for each contract • Not specified other than specific SEN requirements e.g. tail-lift vehicle • required capacity specified • Under consideration • DIPTAC/Low Floor for local bus services • Ask what type will be used • Specified for special needs pupils • No double deckers, must be fitted with radios/mobile phones for emergency contact

Recent changes in local authority provision

18. Two questions asked local authorities to identify if any changes had been made in the last three years in their school transport provision. Question 17 listed three areas while question 18 asked for details of any other changes. All 22 authorities answered question 17 and 14 authorities answered question 18.

<p>Table 8 Local authorities changes to school transport provision</p>	
<p>Q17 changes to walking distances</p>	<p>1 authority had reduced the qualifying distance</p>
<p>Q17 Introduced/changed charges for non-eligible pupils</p>	<p>5 authorities had changed fees structures</p>
<p>Q17 Use of spare seats:</p>	<p>2 authorities had offered spare seats on contract buses to pupils.</p>

Table 8 Local authorities changes to school transport provision

Q18 Other changes	<ul style="list-style-type: none">• Agreed provision of some surveillance cameras.• All primary pupils carried on vehicles with seatbelts,• Colour coded bus pass according to contracted routes• Council withdrew the schoolchild fare concession for pupils up to 16 years old from September 2003.• escorts on coaches for primary pupils• Introduced refurbished yellow school coach with 70 seats including seatbelts and CCTV.• Introduction of authority owned home to school large capacity vehicles• Local bus – deregistration by commercial operators of school services (paying passengers) has meant they have to be replaced as part of the Council’s Supported Services Network.• Increased number of hazardous routes agreed by Elected Members thereby resulting in more ‘free’ transport.• More vehicles with seat belts• New/replacement travel concession for 16 – 18 years old introduced September 2003 to allow them to access the commercial child fare.• only using licensed PCV’s, taxis and private hire vehicles,• Phasing out double deckers,• Policy is under review and research on arrangements used by other Welsh and non-Welsh authorities has been undertaken.• Provision of escorts on primary coach contracts.• Removal of use of 3 for 2 seating for under 14 year old pupils.• Seat belts compulsory on all new contracts• total review of all coach contacts in 2003• vehicle age profile requirements – 20 year max now moving to 15 year max
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Safety

19. The questionnaire included a section on Safety Initiatives – questions 32 to 43 and within other questions such as 3 for 2 seating (question 7),

seatbelts (question 19, 20 and 21), escorts and security such as CCTV (question 19).

20. Under current legislation transport providers can utilise what is known as the 3 for 2 rule, that is 3 pupils can use seating designed for 2 people. In question 7 we asked authorities to confirm what seating arrangements had been adopted for school transport provision. Replies are below.

Table 9 3 for 2 rule responses

One child per seat (secondary school up to 14 years)		22
One child per seat (primary school)		22
Three children per two seats (secondary school up to 14 years)	*	2
Three children per two seats (primary school)	*	3

* Those authorities that reported using the 3 for 2 – said they did so in extreme circumstances only.

21. Questions 33 and 34 asked about improvements in the safety of places where pupils board and alight from school transport either along the route or at schools. Seventeen authorities indicated that they had made such changes while 5 reported they had not. Brief details as given by the authorities, appear below.

Table 10 improvements in the safety of places where pupils board and alight from school transport

Public highways	<ul style="list-style-type: none"> • drop kerbs for easier access • enforcement of traffic orders in liaison with police/ traffic wardens • Marking of bus boxes • New and improved bus shelters • Infrastructure improvements for all bus users (not just school children) i.e. level access borders, central refuges outside certain schools • supervision by school staff • traffic orders • Slower speed initiatives • bus banking facilities improved at some bus stops • safety rails at bus stops outside school at certain locations. • better lighting, barriers
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Table 10 improvements in the safety of places where pupils board and alight from school transport

	<ul style="list-style-type: none"> Barrier bus bay and extra walkways New controlled bus parking areas
Schools	<ul style="list-style-type: none"> improved facilities for buses at some schools Formalised vehicle/pedestrian movement at schools Improved segregation of pedestrian and vehicle activity Improvements at schools e.g. bus parks, bus bay new bus area, turning area supervision by school staff school by school assessments changes to bus boarding arrangements
Other improvements	<ul style="list-style-type: none"> changes to routes to accommodate safer boarding points Provision of guard rails

22. Questions 35, 36, 37 and 38 centred around the use of supervision and escorts. Seventeen authorities confirmed in response to question 35 that they do have such requirements and operate some services with supervision/ escorts to control behaviour or to enforce smoking bans etc on vehicles. Question 36 sought to identify the circumstances in which escorts were used, as shown below. One authority did not answer this question.

Table 11 types of schools where supervision or escorts used

Mainstream primary schools	14	Special schools - primary	*1	21
Mainstream secondary schools	6	Special schools - secondary	*1	19

*1 As required

23. Six authorities reported that the provision of supervision/escorts etc arose in response to incidents on school transport vehicles. All 22 local authorities answered this question – number 37.

24. Question 38 sought to identify the types of supervision / escorts used and all but 1 authority answered this question. Responses shown below.

Table 12 Types of supervision or escorts used

CCTV	13	escorts (paid or voluntary)	21
bus monitors	3	bully buddies	0
Other	* 0		

25. Question 42 sought to identify whether local authorities had altered the speed limit around schools. Eleven authorities reported such changes to the speed limits. A summary table showing the number of schools (by type) where a lower speed limit has been imposed under the appropriate speed limit heading appears below.

Table 13 Schools where lower speed limits have been applied

	Includes advisory and mandatory limits					Other speed limit(s) Please specify	
	10 mph	15 mph	*20 mph	25 mph	30 mph	50 mph	mph
Primary	2		84	65		1	
Secondary			5		11		
Special schools			3				

Published Statistics

26. The Welsh Assembly Government published in Welsh Transport Statistics 2003 a table showing mode of travel to school and average journey length for 5-16 year olds base on replies to the National Travel Survey (Table 6.11). The results should be used with caution, as regional sample sizes are small.

Table 15 Mode of travel to school and average journey length for 5-16 year olds

Percentage of journeys

	1989/93	1993/97	1997/2001
Car	22	26	29
Walk	48	41	41
Bus	27	30	30
Other modes	3	2	0
All modes	100	100	100
Average	2.5	3.0	2.5

journey length (miles)			
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Source: National Travel Survey

- a) Table adapted to show data in 5-year bands. The resulting increase in sample sizes provides more reliable estimates. 2002 data are not yet available.
- b) Figures are subject to fluctuation because of small sample sizes.

27. In addition the National Statistics/Department for Transport published in January 2003 - Personal Travel Fact sheet 2- a table showing percentage of trips to schools and average length by main mode and regions. In looking at bus useage in the 5-10 years olds, 11-16 year olds and 5-16 years old ranges Wales had more pupils travelling by bus than England and Scotland with the exception of Scotland for 5-10 years old where Scotland score 1% more. The figures for Wales have been highlighted in bold in the reproduction of this table below (Table 16). There were quite wide regional variations in travel to school, mainly associated with the urban/rural characteristics of a region. Again the results should be used with caution, as regional sample sizes are small.

Transport Policy Division

April 2004

Table 16 – Department for transport Personal Travel Fact sheet 2 (Table 5)

Table 5: Percentage of trips to school and average length by main mode and region: 1999/2001

	Percentage/miles												
	North East	North West & Mersey	Yorks & Humber	East Midlands	West Midlands	Eastern	London	South East	South West	England	Wales	Scotland	Great Britain
5-10 year olds													
Walk	63	47	68	53	54	48	62	48	43	54	55	59	54
Car	30	44	28	44	38	48	31	47	47	40	33	29	39
Bus	7	8	3	1	8	1	5	2	7	5	11	12	6
Other	-	1	1	2	-	3	3	2	2	2	1	-	1
All modes	100	100	100	100	100	100	100	100	100	100	100	100	100
Average length (miles)	0.8	1.4	1.0	1.4	1.7	1.7	1.1	1.6	1.9	1.4	1.1	1.1	1.4
11-16 year olds													
Walk	44	40	44	41	57	40	38	42	38	42	34	55	43
Bicycle	-	2	3	2	-	8	1	1	5	2	-	1	2
Car	15	21	21	17	17	24	13	27	17	20	17	10	18
Bus	37	34	32	39	26	24	36	24	32	31	49	34	32
Other	4	3	-	2	-	4	13	5	7	5	-	1	4
All modes	100	100	100	100	100	100	100	100	100	100	100	100	100
Average length (miles)	3.0	2.5	2.4	3.0	2.3	3.4	3.2	3.2	3.8	3.0	3.0	2.7	2.9
5-16 year olds													
Walk	53	43	58	45	56	44	50	45	41	48	45	57	49
Bicycle	-	1	1	1	-	5	1	1	3	2	-	-	1
Car	22	31	25	27	36	22	37	34	34	30	25	19	28
Bus	23	22	15	25	17	12	20	13	18	18	30	23	19
Other	2	2	1	2	-	2	7	4	4	3	-	-	2
All modes	100	100	100	100	100	100	100	100	100	100	100	100	100
Average length (miles)	2.0	2.0	1.6	2.4	2.0	2.5	2.1	2.4	2.7	2.2	2.1	1.9	2.2

Possible questions for consideration and on which the Committee might wish to take evidence

- What is the safety record of school buses in Wales, compared with public transport service buses or other forms of transport? (VOSA, SWales Police)

Is there evidence that the vehicles used as school buses are older than buses generally and does this have safety implications?

What was the outcome of Operation Coachman in S Wales?

Does the availability of the “3 for 2 “ seating concession lead to overcrowding in practice?

- What proportion of pupils travelling on school buses are provided with seat belts?(WLGA, all LEAs)

Do pupils use seatbelts when fitted?

Would seat belts on all school buses have safety benefits?

What would be the cost?

- Is bad behaviour on school buses commonplace? (WLGA, Vale of Glamorgan LEA)

Are adequate reporting arrangements in place to enable school and parents to take appropriate disciplinary action?

Do schools' behaviour and discipline policies clearly cover the issue of behaviour on buses and on the journey to school generally?

- What proportion of pupils currently travel on school buses with escorts or with CCTV? (WLGA, Pembrokeshire LEA)

Do authorities find these measures an effective means of improving pupil behaviour?

Which is more cost-effective - CCTV or escorts?

Is there a need for such measures on all school buses or only on certain problem routes?

Is there an equivalent need on commercial service buses when used regularly by school children?

- Would improved safety features be affordable if LEAs provided free transport only to the statutory minimum? (WLGA)

Why do some authorities use more generous distance criteria for the provision of free transport?

How many pupils benefit from discretionary transport provision beyond the statutory minimum?

- Should all authorities be encouraged to make provision beyond the statutory minimum (e.g. for sixth formers, to Welsh medium and denominational schools, to lower income families who live within the statutory walking distance but over 2 miles from school).

Is this a higher spending priority than additional safety features?

- How are authorities assessing what constitutes a suitable walking route (and hence eligibility for free transport)?

Is guidance needed e.g. on whether roads without pavements or street lighting are inherently unsafe?

List of supplementary information to be circulated separately by Committee Clerk

- Letter from the Chief Executive of the Vale of Glamorgan Council to the Coroner, confirming issues arising from the inquest into the death of Stuart Cunningham-Jones
- WLGA / NFER research proposal on school transport
- Confederation of Passenger Transport paper entitled 'The Future of School Transport in Wales'
- BUSK recommendations paper 'Unruly Behaviour and Driver Distraction on School Transport' (this paper has already been circulated to ELL Committee members)
- Article entitled 'Transport to School: First or Second Class' by David Benyon, Bridgend County Borough Council
- School Transport Bill consultative package entitled 'School Travel Schemes – Draft Bill and Prospectus' (this paper has already been circulated to ELL Committee members)
- Cabinet Sub-Committee for Children and Young People paper CYP (03-04)20 entitled 'Responsibilities for Making School Transport Safer'
- Assembly survey of local authority transport arrangements – questionnaire with composite replies