

# **NEWPORT TRANSPORT LTD**

## **Paper to National Assembly for Wales**

### **Education and Lifelong Learning Committee**

**Wednesday 19<sup>th</sup> May 2004 on**

#### **SCHOOL TRANSPORT**

##### **INTRODUCTION**

###### Background

Newport Transport is a private limited company providing public transport in mainly the Newport City Council area. The sole shareholder is Newport City Council.

Bus services in Wales are the safest form of transport for scholars to and from school, but the standards of provision of school transport throughout Wales are highly variable involving unitary authorities generally working independently.

Historically local authorities have acquiesced to standard start and finishing times for the majority of their schools. This maximises the requirements for school buses and maximises both cost and consequential road traffic congestion, particularly in the morning rush hour.

The legal basis of school transport provision is being reviewed as part of the School Transport Bill. This represents a major opportunity to rethink the entire basis of the provision of school transport, which is currently provided free to scholars (by the local education authority) living further than 2 miles (aged under 8) or 3 miles (aged over 8) from their local school.

Given the serious behavioural, quality and other issues surrounding scholars' transport, now is a good opportunity for all parties involved to undertake this comprehensive review of the school working day, scholars' transport arrangements and charging policies, for the benefit of scholars, their families and the community at large.

###### Newport Transport situation

Newport Transport operates double and single deck vehicles commercially on a number of its own

school services (not directly contracted to the Local Authority, in fact Newport Transport does not have any local education authority vehicle contracts). Journeys operate commercially under and over the three-mile limits and vehicles are normal service buses (no seat belts and with standing passengers allowed).

Those services operate under Local Bus Service registration regulations through the Traffic Commissioners under section 6 of the 1985 Transport Act.

Passengers on these services are either school children paying cash on the day or who have bought a commercial season ticket or schoolchildren with a local authority bought commercial season ticket. There can also be other fare paying customers on board although in general other customers avoid journeys with predominately school children on board.

Many of these services suffer from behavioural problems including vandalism and the driving staff are becoming increasingly concerned for their own and the pupils' safety. Types of vandalism include seats thrown out, windows pushed out, food and drink fights, damage to seats and the interior of the vehicle, fires being lit and the throwing objects around the bus: All of which distract the driver and other road users. In fact in some cases so much so that the drivers are considering not driving certain journeys on safety grounds. Newport Transport would then have to deregister those journeys leaving the children to find their own way to school. (Children travelling under three miles are not generally eligible for local education authority provision). Drivers find it difficult to respond due to politically correct laws ("touch me and I'll sue").

Because the services are operated commercially we find difficulty in resolving behavioural problems.

- Some schools are very helpful and are concerned about the potential safety and image effects, but some schools don't see it as their problem outside of school hours or grounds.
- The local authority has little involvement because they see the buses as a commercial bus operator problem and where they have bought a pass that child must be carried whatever their behaviour and consequences.
- Generally parents are oblivious to the problems unless an incident occurs or we impose sanctions and the children have difficulties getting to/from school.

## **NEWPORT TRANSPORT APPROACH**

Therefore Newport Transport has had to look at how it deals with behavioural problems.

### **Schools**

Any behavioural problems on the bus are reported to the relevant schools either that same afternoon or first thing the following morning.

School authority reaction can be varied from:

- Deal fully with the incident taking punitive action including exclusion where appropriate.
- Take the details and speak to the children.
- Take the details, say they will do something and then forget about it.
- Say that they will get someone to contact the Company and then never do.
- Say that the problem is not theirs and it's up to the bus company or parents.

Where damage has been caused some schools are very good at identifying the culprit, which mean we can charge the repairs to individuals (although many parents state it wasn't their child involved). In some cases of graffiti the children who get caught come to the bus depot and under supervision clean up their own mess.

Some schools allocate bus monitors to report behavioural problems straight back to the teachers but don't get involved at the time of the incident.

There is also the nasty "grey" area when the bus leaves the school grounds and the onus of responsibility passes onto the bus driver (usually not highly trained in child psychology like teachers).

Police - Generally not interested.

Local education authority - Generally not interested.

Parents - If their child has been identified generally not interested.

Company - Some drivers are better than others at handling children and some can impose control better than others. On some buses control is impossible and it is "get them on and off as quick as possible".

## **RESULT**

Newport Transport feels it has to act to either curb the problems or be forced to deregister certain journeys.

## **THE WAY FOWARD**

### **Options**

Therefore we looked at the options open to us.

Introduce an additional member of staff on the vehicle. This is neither commercially viable nor practical,

as those individuals still have no authority over the children. We would still be left with putting a child physically off the bus or reporting it to the school – so no improvement.

Deregister problem journeys. Might hurt the company financially and might only transfer the problem to other local service buses affecting even more innocent customers. However the Company is not legally obliged to provide a service. The actual responsibility under the Education Acts rests with the LEA or parents.

Introduce CCTV on all vehicles. This in itself wouldn't stop bad behaviour and retro fitting the fleet would be more expensive than fitting new vehicles. We have and do use CCTV cameras but with limited success.

Importantly Newport Transport cannot make a commercial business case to replace the ageing double deck fleet with new compliant double deck buses solely for providing dedicated local school bus services.

This would mean that in future where Newport Transport withdrew a double deck bus operating a school journey and replaced it with a single deck type vehicle, instead of eighty pupils being seated and up to eight standing, forty eight would be seated with up to twenty four standing (as allowed under current legislation). Also there would be a residue number of about sixteen who could not therefore be carried. The alternatives would be for those individuals to catch a regular service bus or for the local transport authority (rather than local education authority) to provide subsidised transport, which they might not do for ineligible children. Whichever way creates a problem.

## **Who's problem?**

The big issue is whose problem is school transport – who is legally responsible? Parents? Local education authorities? Nobody seems to want to take control.

As a commercial bus operator Newport Transport believes it can make a commercial living out of transporting some schoolchildren, but it doesn't want to spend it's time acting as a "police force" or repairing vandalism.

The opportunity to introduce a dedicated school coach with seventy seats all seat belted appeared to be an appropriate commercial way forward. However as the pilot trials elsewhere in the United Kingdom show unless there is full commitment from the bus operator, the school, the parents and the pupils there is no real prospect of the commercial project succeeding.

## **ACTUAL ACTION**

We believe safety in transporting pupils to and from school should be paramount and Newport Transport, Scania Bus and Coach UK Ltd and Irizar (coach manufacturers) have teamed up in

partnership to produce a purpose designed dedicated school coach. Based on the Scania Irizar Inter Century Coach the vehicle meets all the latest European and UK safety legislation and is endorsed by BUSK.

Newport Transport were keen to work in partnership with initially two local schools - Duffryn High School and St Joseph's R.C. High School - to introduce the trial in the Newport area. As an added bonus the project partners are working closely with BUSK (Belt Up School Kids) the National School Transport Safety Organisation.

Newport Transport, Scania and Irizar have designed and built a coach for the project. This is now in service and already has appeared on Newsround the BBC's national children's programme.

Newport Transport approached the schools of Duffryn and St Joseph's to assess the school management team's support for the project. In both schools it was pleasing to find that support was overwhelming. The success of the project is dependent on the involvement and commitment of the bus operator, the school authorities and teachers, pupils, parents and governors.

Both schools were keen to take part in the project and to involve pupils in the organisation and design of the scheme. Each pupil has a designated numbered seat (their seat) and each pupil signed up to be responsible for that seat and their behaviour on the coach. This is backed up by parent approval.

There are no standing passengers with each pupil having their own seat belted seat, the whole vehicle is covered by CCTV recording continuously, there is luggage space available for bags etc and the coach is driven by the same dedicated driver.

There are no opening windows for items to be thrown out of (the vehicle is air conditioned). The vehicle has many dedicated emergency exits etc. Narrow entrance and seat allocation prevents pushing at bus stops to get a better seat.

The pupils have been issued with a boarding pass indicating their individual seat and any behavioural problems whilst on the coach will be dealt with by a code of conduct administered by the school coach committee (made up of school authorities, pupils, teachers, parents and bus operator). The boarding pass (showing a photo of the child and their seat number) is shown to the driver when boarding. Behavioural problems at the bus stop or whilst waiting for the coach will also be dealt with by the code of conduct and misbehaviour will result in eventual exclusion.

Pupils must wear their seatbelt at all times and it is their responsibility to do so. There will be no smoking, eating, drinking, litter, bullying, fighting or moving about on the coach.

The benefit of providing a purpose built quality coach for the pupils is that it will create a different perception than that of the aged double deck vehicle and may even convince pupils that when they leave school they should continue to use public transport particularly with the modern high tech vehicles now

being operated.

## **HOWEVER**

This arrangement and similar ones are threatened already

Newport Transport operates the new yellow school coach service under local bus service registration arrangements. It has been so successful and well received that the Company has ordered another six coaches so that more of its commercial school runs can be converted from double deck operation and afford the added safety and comfort to the scholars (and peace of mind to the parents).

However from 1<sup>st</sup> January 2005 any more of this type of vehicle on commercial local bus service operation will in effect be barred under the provisions of the Public Service Vehicles Accessibility Regulations 2000.

This seems to make a mockery of the situation. Here is a recognised safe and modern solution to school transport but legislation means local bus service operators cannot implement it. What is the alternative ..... double deck vehicles! – just what we were moving away from!

Ironically a local education awarded contract might/would be exempt and could use this type of vehicle. The difference? The local authority pays for all the operation, whereas if commercial bus operators could also use the vehicle on local bus services (and take fares) then the costs fall to the bus operator not the local authority.

## **CONCLUSION**

Someone has to take the lead and many have to work in genuine partnership if we wish the current situation to improve on health, safety, staff, customer and road safety grounds. Our children deserve the best we can deliver.

We have to build into the system measures that scholars have to abide by and willingly do so because they too recognise the importance. Newport Transport believes it has and is proactively tackling the problem with any of the agencies that show an interest in getting involved and making progress. Newport Transport is taking a commercial risk, but is not prepared to risk safety.

If Newport Transport can make it commercially viable to transport children on local bus services based on yellow school coaches (and we have every confidence) then there is no reason why Local Authorities cannot contract for similar vehicles to fulfil their obligations under the various legislation. However longer terms of contract and specific vehicle conditions have to be included.

If we are all going to make a real difference we all have to act and act soon before further tragedies occur.

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Newport Transport is a member of the Confederation of Passenger Transport (CPT) (the national bus and coach industry trade body). Also attached is a copy of CPT Wales "The future of school transport in Wales" document issued in February 2004.