

# School Transport Guidance and Code of Conduct

## PURPOSE OF GUIDANCE

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This document comprises the Authority's process and guidance on the provision of mainstream school transportation to primary and secondary schools. In line with that prescribed by statute the guidance aims to:

- Clarify entitlement to, and the extent of, home to school transport provision
- Transport Section with principal guidance in the management of school transportation
- Set out standard of service expected from school transport providers in providing safe reliable home to school transport
- Outline responsibilities of Scottish Borders Council, schools, parents, pupils and operators schools in ensuring safe home to school transport

## INTRODUCTION

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This guidance provides schools, parents and transport operators with information about transport arrangements for school pupils in the Scottish Borders. The Council attaches a very high priority to getting pupil safely to and from school and this guidance will assist in achieving that aim.

The Authority's legal duty in respect of the provision of school transport can be summarised as:

Section 51 of the Education (Scotland) Act 1980, as amended, places a statutory obligation on education authorities to make such arrangements as they consider necessary to enable the attendance of pupils living beyond specified maximum walking distance from their school and in so to have regard for the safety of those pupils.

Pupils will automatically be entitled to free school transportation where they:

- Attend their nearest catchment school, and the school is further away than the 'statutory walking distance'.
- Pupils at primary school who live more than two miles from their catchment school.
- Pupils at secondary school who live more than three miles from their catchment school.

## PRIVILEGE LIFTS

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Before setting out the details of the Privilege Lift Scheme it is important to make clear that a privilege lift is **not** an entitlement to school transport, it is only offered to a pupil who does not qualify for free home to school transport, where space is available on an existing school contract vehicle. It is a condition that no expense is incurred by the Council in acceding to a privilege lift and that no amendments or changes to a route will be made.

The Council will operate a paid privilege lift scheme and if you live near a school transport route and where there are spaces available you may be able to apply. Privilege lifts will automatically be removed at the end of each school session and parents/guardians will have to re-apply for the following school session.

### **How Privilege Lift Seats are Allocated**

Pupils who have an entitlement to school transport will always take precedence.

Privilege transport will only be granted providing there is a spare place on an existing school contract at designated pick-up and drop off points and will not deviate from the current transport route. A privilege lift cannot be provided where a service bus is used on the school run.

A privilege lift is not an entitlement to school transportation and will only be offered upon receipt of a fully completed application form. They will **only** be in line with the following:

- Where there are vacant seats available on a dedicated school contract at the time of request.
- If there is no additional expense which falls upon the Council in acceding to a privilege seat request (Education Scotland Act 1980 section 51).
- The Council will not provide a larger vehicle than is necessary to meet the requirements of those who are entitled to free school transport, nor deviate from the specified route, solely to meet the requirements of pupils who seek "privilege lifts".

Where the number of privilege lift requests is greater than the number of spare seats available, the following priority criteria shall be applied by the Transport Section:

- Those attending their catchment school over those attending an alternative school by parental choice.
- Amongst those attending their catchment school, to those who live furthest away.
- Amongst those equidistant from the school, to the youngest.
- Amongst those attending an alternative school by parental choice, to those who have attended longest at the school concerned.

Privilege lifts are not processed until after the start of the new term when all entitled pupil allocations are processed and finalised. Seats may not be available until mid-September.

**It is important to note that until you are notified that a seat is available it is your responsibility to make alternative transport arrangements for the beginning of the new term.**

Critically, privilege lift transport is not guaranteed for any period of time and will be withdrawn at a week's notice if space is required by an entitled pupil.

### **Applying for a Privilege Lift**

All privilege lift passes will be allocated each year after all entitled pupils have been provided with a seat.

Please complete the form on the Scottish Borders Website:

[www.scotborders.gov.uk/privilegelift](http://www.scotborders.gov.uk/privilegelift)

Successful applicants will be notified but will only be approved and passes released once payment is received. If your application is unsuccessful you will be advised and no payment will be required.

Applications should be received **no later than** 15<sup>th</sup> July each year to allow for processing.

### **Charges**

Payment will be required in advance on a term by term basis. If your application is successful the privilege lift pass will only be issued once payment is received.

Charges are based on a standard fixed rate as below:

£1 daily return fare for pupils who attend their catchment school.

£2 daily return fare for pupils who do not attend their catchment school.

The cost will be worked out per term dependent upon the number of school days by local area. The cost for any approved privilege lift seats will be notified to you at the time of approval but will be based on the following periods:

September – December

January – March

April – June

## **APPEALS PROCESS**

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Parents/guardians will be given an opportunity to appeal against any decision made by the Council in relation to school transport where a child **attends their catchment school**. There is no requirement to provide transport for pupils who have been granted a placing request to attend a school other than the school in whose catchment area they reside.

The Council will consider special circumstances and may grant exceptional school transportation, where:-

### **Safety**

There is a significant element of danger for an accompanied child. A road safety assessment will be undertaken to determine whether the route would be considered unsafe for an accompanied child in line with Council Guidelines.

### **Health**

Where the grounds of the appeal cite a medical condition of the pupil then written confirmation substantiating that the child cannot walk to school is required from a medical specialist.

Appeals should, be submitted in writing using the appeals process form available online or by request from Passenger Transport. It should clearly state the grounds

for appeal and be returned to **The Network Manager, Environment & Infrastructure, Scottish Borders Council, Council HQ, Newtown St Boswells, MELROSE.** Written notification of the outcome of the appeal will be provided by an Education Manager within four weeks of receipt of the appeal.

Appeals will not be considered for pupils who do not attend their catchment school.

## **SCHOOL TRANSPORT SECTION RESPONSIBILITIES**

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There is a rigid framework in place for the awarding of school transport contracts which is implemented by Procurement and Passenger Transport to ensure that every operator and driver has been rigorously checked for licences, insurances and disclosures. In addition, vehicles have also been checked and each operator scored on the overall quality of the service they provide.

The primary objective of this process is to ensure the safety of children being transported on school transport and the secondary objective is establishing a pricing framework to ensure best possible value.

### **Allocation of Transport**

At the beginning of the year usually in January, schools are contacted requesting the following information to allow pupils to be input onto the system, routes determined and vehicle capacities confirmed:

- Each P1 pupil enrolling who qualifies for free transport.
- Each P7 pupil transferring to high school who qualifies for free transport, with the name of the chosen high school.
- Each P5 pupil transferring from one school to another e.g. Ancrum to Parkside.

Tendering of contracts normally takes place in April and after contracts are awarded bus passes and information for schools is sent out during June. New Primary one pupils and pupils allocated to First Bus services are posted to home addresses during the summer holidays.

### **Service Provision**

The Passenger Transport section is responsible for determining the optimum network of routes, the best form of contract for every area and for the allocation of individual pupils to those routes. Routes can be arranged to serve more than one school if this is possible.

The Council **does not** undertake to provide door to door transportation. In many cases pupils will have to walk to transport pick-up points observing statutory walking distances.

There are various services used for taking pupils to and from school:

- Public Bus Services
- Dedicated School Buses
- Contracted (including in-house fleet) minibuses
- Private Hire Cars/Licensed Taxis

- Parental Transport - where a family is living away from other children and any established route, a parental mileage allowance may be offered.
- Primary pupils will normally share transportation with their associated secondary schools.

All school transport contracts for buses, minibuses and hire cars are awarded by competitive tender in line with EU Procurement Regulations. A list of operators wishing to tender is maintained.

In the event of any complaint concerning the condition of a school transport vehicle or the operation of a school service the PTU will endeavour to ascertain the facts from all relevant parties. Should an operator be in breach of contract, a system of financial penalties can be applied. After a final written warning a contract may be terminated by the Council.

In the event of a serious offence (e.g. operation without appropriate licence or insurance) a contract may be terminated immediately upon issue of a notice. The Passenger Transport section will undertake random checks of vehicles employed on school transport contracts or in response to issues raised from schools, parents and other operators to discover breaches in contract conditions. The performance of operators who provide school transport services is monitored and financial penalties awarded for contract failures. Failures can result in a penalties being imposed or formal warning letter being issued under the terms of the contract.

## **SCHOOL RESPONSIBILITIES**

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### **New Session Transport**

Each year in February schools are sent a transport pro forma to complete and include details of all new P1 starters and P7 pupils who will be moving onto high schools.

Transport is then allocated and contracts for the start of the new session tendered from April. Bus passes are distributed to each school in June to be issued to pupils before they break for the summer. The only exception to this are new primary 1 pupil bus passes and pupils allocated to First Bus services where these are sent to their home addresses during the summer.

### **Transport Requests during the year**

Where a pupil moves address and is entitled to transport school must inform Passenger Transport providing;

- The start date for school transport
- The pupils name, address and date of birth

Passenger Transport will then allocate the pupil to the appropriate school contract and communicate with the operator to confirm that a new pupil will be travelling and

the effective date. A bus pass and information detailing the pick-up/drop off points, with corresponding times and operator name will be sent to the school.

Schools are responsible for informing parents of the journey and ensuring that times and pick-up drop off points are clear. It is suggested that schools introduce a buddy system for pupils using school transport for the first time until they are comfortable with the arrangements. To support younger pupils on school transport it also beneficial that have an older pupil who can support them whilst travelling on school transport.

### **Communication**

Schools are responsible for nominating a contact person within the school for issues relating to pupil transport and that they are be familiar with this guidance and any other relevant procedures and guidelines.

Schools should make the bus companies, parents, pupils and other staff know the name of the nominated contact person. This is important to allow Passenger Transport, the transport operators and parents to know who they can report problems or liaise with for school transport.

### **Supervision**

- Provide supervision at the beginning and end of the day to escort pupils to and from school transport.
- Ensure that they liaise with drivers at the end of the day if pupils are not travelling or to alert the driver of any changes or issues.
- Arrange a buddy system for pupils using school transport for the first time until they are comfortable with the arrangements.

### **Complaints & Issues**

- Any complaints regarding the behaviour of pupils using school transport should be directed to the Headteacher or nominated member of staff with responsibility for school transport and any actions communicated as necessary to the Transport Section.
- Pupils using school transport should be made aware of how they are expected to behave at the beginning of each school session and inform parents that any behavioural problems will be dealt with quickly, fairly and consistently.
- Any complaints concerning the condition of a school transport vehicle or the operation of a school service including unreliability and timekeeping must be reported promptly so that the facts can be determined and the identity of the vehicle or driver established. Complaints are also received directly to the Transport section from parents who will contact the school to ensure that they are aware of any issues raised.

## **PARENTAL RESPONSIBILITIES**

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Parents are responsible for making sure their child gets to/from their school transport pick-up point safely and on time. It is assumed that children will be accompanied by

an adult until parents decide their child is able to walk on their own or with a group of friends.

Parents are ultimately responsible for the behaviour of their child(ren) when travelling on school transport. A pupil's ability to interact with the driver, escort and other passengers is essential.

Parental responsibilities are outlined in the 'School Transport – a Guide for Parents and Pupils' which are provided to pupils using transportation for the first time. Responsibilities concerning arrangements in bad weather and emergencies are also highlighted in an annual letter.

Parents are responsible for getting their children to and from designated pick-up and drop-off points at the start and end of the school day, and remain responsible until they are accepted onto the vehicle and off the vehicle.

If a parent is not at a pick up point at the end of the school day, the drivers are advised to take the following action:

- Check that they have not arrived early.
- Drop the child if they think that it is safe and appropriate to do so.
- Take the child to the next stop and then return, when they are able, to see if the parent has arrived. Then gently remind the parent about the drop off time.
- If the parent is still not at the drop of point, the bus driver can take the child to an accessible school and hand them into the care of the school staff for their safety.

We expect all children to behave properly and safely when boarding, travelling and alighting from school transport. As parents/carers you are responsible for ensuring that your child arrives at the pick-up point on time and for their behaviours during the journey to and from school. Misbehaviour could result in your child losing the right to free transport.

## **PARENTAL RESPONSIBILITIES**

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### **Pupil Behaviour**

Children who have been granted free school transport are expected to behave in an appropriate way during their journey to and from school, and the school is responsible for implementing discipline procedures when necessary in relation to any misbehaviour which occurs whilst they are on school transport which has been provided for them.

The booklet sent home to parents covers the expectations of pupil behaviour. Parents are ultimately responsible for the behaviour of their children at all times, including whilst on school transport

### **Bus Rules**

The journey to and from school should go smoothly and pupils can help achieve this by:

- standing well away from the kerb when waiting for the bus

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- giving a clear signal to the driver for the bus to stop
- getting on one at a time without pushing or shoving
- showing their school travel pass to the driver or paying a fare
- finding a seat and staying in it until the bus reaches their destination
- always wearing a seatbelt if one is fitted
- only speaking to the driver if it's an emergency
- not playing with the emergency doors or bells
- not distracting the driver by throwing anything in the bus as it could cause an accident
- following the advice of the driver if the bus breaks down with pupils aboard
- taking litter off the bus and putting it in the nearest bin
- getting off the bus carefully and calmly
- moving away from the bus and kerb once they have alighted
- waiting until the bus has moved away before crossing the road.

## **TRANSPORT OPERATOR RESPONSIBILITIES**

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Are responsible for the safe provision of transport in accordance with the Conditions of Contract for the provision of school transport or any requests made by Passenger Transport.

- Contractors are required to keep in force any necessary Operator's Licence, bus permit, private hire or hackney carriage licence and shall produce the licence at any time for inspection by an authorised officer of the Council. Contractors are required to ensure that all relevant operational, financial and employment legislation is complied with.
- valid Enhanced Disclosure Scotland which contains\*
  - No serious conviction or offence which would mean inclusion on the sex-offenders register ever
  - No conviction with a custodial sentence or motoring offence leading to disqualification in the last 10 years
  - No motoring offence (with exception of speeding) or conviction in the past 5 years
  - No contravention of licencing laws or minor conviction in the past 3 years.
- have passed a Group Two Medical either with the DVLA with advanced licences or a completed form from the drivers own GP
- vehicle is fitted to the specifications made out in the invitation to tender
- vehicle is safe to drive and has valid:
  - vehicle tax
  - insurance
  - M.O.T. – safety testing certificates as required for that class of vehicle

- To ensure drivers appropriately trained and supported in understanding the requirements of the Council

## **Bus Drivers**

Bus drivers have a very important responsibility of driving the bus in a safe manner, as well as ensuring the safety and security of passengers. As drivers are also required to issue directions to ensure the safety of passengers, it is important that pupils respect the authority of drivers while they are in control of the vehicle.

Maintain the highest possible standards of operation

- Drive professionally and safely at all times
- To communicate in a clear and respectful manner

## **EMERGENCY GUIDANCE** **SCHOOL TRANSPORT EMERGENCY PLAN**

Attached is a copy of the Responsibilities in Emergency Conditions letter which should be given to the parents of all children. I would therefore be grateful if you could make arrangements to duplicate and distribute this information as soon as possible.

The general principles of emergency action are no different from those of previous years and detailed below are some of the main issues:

- a) Pupils of primary school age should not be sent home unless school staff are satisfied that there is someone at home to receive them.
- b) When a decision is made to call transport early, it is helpful to try and stagger the telephone calls to 'bus operators so that 'buses do not all arrive at the school at the same time'.
- c) The use of Groupcall text messaging service should be used to communicate with parents or groups of parents to send updated information regarding sending pupils home early. In addition when there are school closures Radio Borders should also be used to relay information to parents of any early school closure, this should be co-ordinated in conjunction with the Communications Section within the Education department.
- d) The general principles set out in the annual letter apply throughout the year and not simply during the winter period. They also apply in the case of other emergencies, e.g. power failure etc.

However it should be remembered that children who live within a short walking distance of school should be retained throughout the school day except in the most extreme of emergencies.

This guidance outlines roles and responsibilities and instructions in emergency situations.

It is split into 2 sections. Section 1 includes information on resilient schools and severe weather and Section 2 covers information on isolated school or transport incidents:

### **Section 1**

1. Resilient school transport procedure
2. Closure of school(s) – severe weather

### **Section 2**

1. Single school closure (non-weather related)
2. Specific/Individual school transport Incident

## **Section 1**

### **1. Resilient Schools**

Where the decision is taken to evoke resilient schools then **all** transport operators will be informed that **no** school transport will operate on those days.

### **2. Closure of School(s) – Severe Weather**

Situations which apply to a number of schools in your area or all schools:

- Severe weather conditions – snow, ice, flooding
- Significantly deteriorating weather – specific routes

It is important to note that actions and plans for transport in these situations are different from resilient school procedures. This plan is designed to be put into operation by **schools** themselves in accordance with local conditions.

It provides guidance for each school on how to call out transport in the face of a significant deterioration in road and weather conditions or where it is necessary to close a school early.

## **Responsibility for Organising School Transportation**

It is the **schools** responsibility to organise transportation directly with the operator in accordance with individual Transport Emergency Plans that are issued annually by Passenger Transport. It is important that decisions are made in a timely manner to ensure transport is available and able to undertake the journey safely.

**Remember** This plan requires each school to co-operate with the other schools in the area as they will also require pupils to be sent home on school transport.

It is not possible to organise simultaneous transport to all schools as there are simply not enough vehicles available. In addition Passenger Transport cannot co-ordinate transport arrangements for a number of schools at the same time – they do not have enough resources available and would lead to major delays in transport arrangements. Passenger Transport should only be used to assist when specific difficulties arise with these arrangements.

1. **Be selective** –pupils should be sent to the worst affected areas first.
2. **Schools should ensure that they co-operate with other schools in the area** – don't forget some vehicles may normally undertake more than one run where schools close at different times or schools may share transport. Your individual **Transport Emergency Plan** provides this information and it is vital that when any decision regarding transport is taken that they communicate with each other to ensure that no-one is left stranded or without transport.
3. **Make use & pass on local knowledge** – parents, schools and residents outside of towns have specific knowledge of conditions which should be used in these situations. Pass on any information received to other schools which may not be aware how bad conditions have become outside their own playground.
4. **Accept Advice from other schools/operators** - this is especially important where schools are passing on information especially in main towns where road conditions may not seem so bad. It is equally important that schools accept advice from operators who can refuse to undertake journeys if they believe the conditions are becoming too severe.
5. **Safety and welfare of children** must be the prime consideration particularly those accessing school transportation. Ensure that pupils are aware of arrangements and what they are expected to do.

In periods of adverse weather drivers will use discretion to decide whether a road is passable or not and may abandon a journey due to adverse weather conditions. If the driver is unable to take the passengers to their normal set down points they will be taken to a school or place of safety as appropriate and handed to the care of a responsible adult. Pupils of primary school age should not be sent home unless school staff are satisfied that there is someone at home to receive them.

If children cannot be taken home because of weather or lack of transport, local boarding arrangements will be made.

### **Communication**

It is the schools responsibility to inform parents if pupils using school transport have to be sent home. Group call text messaging service should be used to communicate with parents or groups of parents. It is advisable to have transport groups set up to speed up group calls for sending transported pupils home early.

**Radio Borders** will broadcast details of school closure upon request.

This should only be used to supplement the usual arrangements for informing parents directly of early closure.

### **Section 2**

## 1. Closure of Single School (applicable only to your school)

If it is considered necessary to close your school because of an emergency which applies **only** to your school as a result of:

- Significant building failure - heating failure, flooding, fire
- Staff absence which makes it impractical/unsafe to continue classes

## Responsibility for Organising School Transportation

In the event that it is necessary to close the school at short notice and transport is required for pupils schools should:

Contact the Passenger Transport Section directly for assistance or advice on **01835 826558** or **01835 825200**. Transport will make contact with the operator(s) and assist schools with arrangements. The school will be responsible for ensuring that pupils are placed onto the arranged transportation.

## Contacting Parents

It is the schools responsibility to inform parents of a school closure. The use of **Groupcall** text messaging service should be used to communicate with parents or groups of parents to send updated information regarding sending pupils home early.

Pupils of primary school age should not be sent home unless school staff are satisfied that there is someone at home to receive them.

## 2. General Incident/Accident Plan

Involving a specific school transport service from your school

- Late or non-arrival of school transportation at the start/end of the school day
- A breakdown of school transportation on the route to/ home from school
- An incident or accident involving a school bus on the route to/home from school

## Transport Breakdown/Non arrival

If the transport has a breakdown on the route home in the afternoon or is late in arriving at the school to collect pupils:

- Driver/operator has a responsibility to inform Passenger Transport & school immediately.
- Schools are required to group call all parents regarding the delay in drop-off time at home. This alerts parents to make safe alternative arrangements to meet school transportation. If transport arrives late at the school for pick-up the school should contact Passenger Transport for information to ensure arrangements are in place for pupils to travel home. Again schools should alert parents of any delays in transportation.

## Accident/incident

In the event of any accident or incident involving school transportation:

- Passenger Transport will be advised immediately by telephone of the circumstances from the operator and be kept informed of developments.

- Passenger Transport will contact the school and Education Department to advise of the situation and provide any information necessary to allow appropriate action and decisions to be made regarding the safe return of pupils either home or to school.
- The operator is responsible for taking reasonable care of passengers and will decide upon the immediate and appropriate action to take.
- In the case of a breakdown or accident the driver will instruct the passengers to stay in the vehicle whilst assistance is summoned.
- Schools should ensure that parents are contacted and that all necessary arrangements are in place for the pupils.