

report



meeting	EDUCATION TRANSPORT POLICY AD HOC SELECT COMMITTEE	
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REPORT OF THE CHAIR OF THE EDUCATION TRANSPORT POLICY AD HOC SELECT COMMITTEE

Review of Education Transport Policy

Purpose of the Report

1. This report introduces the second draft of the final report from the independent consultant, Derek Owen, on the review of home to school transport policy. The report is attached as an **Appendix** to this report.

Information and Advice

2. The draft final report has been amended to incorporate the issues raised in the last meeting and the Committee needs to decide whether it is now ready to pass to the Overview Committee.
3. It is clear from the Committee's deliberations that aspects of education transport policy will need to be reviewed beyond the life of this Committee. This could include areas which require further consideration such as SEN or post-16 transport as well as new issues that may arise. It is suggested that this Committee may wish to recommend to the Overview Committee that a standing working group be established comprising representatives of both Education and Environment Select Committees. This would provide officers with a means of consulting on matters which require a member view as well as providing a mechanism for following up the action plan arising from this review.

Statutory and Policy Implications

4. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and those using the service. Where such implications are material, they have been described in the text of the report.

RECOMMENDATION

5. That:
 - (1) the draft report be agreed and forwarded to the Overview Committee and
 - (2) the covering report to the Overview Committee carries a recommendation that a standing Transport Policy Working Group be established.

COUNCILLOR STELLA SMEDLEY

Chair of the Education Transport Policy Ad Hoc Select Committee

Director of Resources' Financial Comments

To follow

Background Papers Available for Inspection

Nil.

M19C1029

Report
of
The School Transport Policy
Ad Hoc Select Committee

January 2004

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INTRODUCTION

Whilst the education transport policy review stems from the best value review of public transport operations the review itself is not a best value review. Service delivery is subject to best value review but service delivery should be driven by policy not vice versa. That principle is clearly recognised in Best Value Inspection Reports. Variations in policy can drive costs up or down. Whatever the effect it is for those implementing the policy to do so in a way that has regard to best value. The process of policy review embraces some of the techniques used in best value reviews such as consultation and examining what others do. Specific policies will be driven by corporate and service objectives. This is dealt with in the first chapter of the report.

At its first meeting the Committee recommended the adoption of the following overarching policy statement:

The education transport policy of the Nottinghamshire County Council will operate within the aims and objectives of the Council's Strategic Plan and ensure that the Council fulfils its statutory obligations. Within that context the aim of the policy is to provide a high quality transport service as efficiently and economically as possible designed to ensure that pupils get to school within a reasonable time and travel in a safe and stress free environment. The policy will have regard to the school admission arrangements operating within the County.

All policies should have a review date. The Education Act 2002 places a duty on LEAs from the end of May 2003 to publish an annual policy statement covering its transport arrangements for persons of sixth form age. **It is recommended that a policy statement for the provision of transport for pupils of compulsory school age be published annually within the same time scale, and that the policy be reviewed every 4 years, more frequently in the event of significant changes in national or local circumstances.**

The Overview Select Committee identified the following specific issues for consideration:

- a) Transport policy and parental preference
- b) Statutory walking distances and available routes
- c) Post-16 Transport
- d) School Travel Plans
- e) Behaviour on school buses
- f) Standards
- g) Dedicated vs. service buses
- h) Start and finish times
- i) City Council Pupils

The Committee was originally tasked with reporting by the end of March 2003, but it quickly became apparent that the timescale was unrealistic, and the deadline was subsequently extended to January 2004. The Committee has met on seven occasions and members have made 2 visits to schools to talk to pupils, staff and governors and to observe the loading of school buses at the end of the afternoon session. There was also a site visit to look at available routes. Reports on these visits are attached to this report as appendices.

The production of a post-16 transport policy statement, as required by the Education Act 2002, was being examined by the Post-16 Transport Group of the Nottinghamshire Lifelong Learning Partnership. The timescale was such that the draft statement went directly to Cabinet for approval, and was not considered by the Committee. The policy adopted for one year only entitled Post-16 students resident in the county and under the age of 19 on 1st September 2003 to free travel to their school or college. The next policy statement must be published by 31st May 2004, and the policy is presently being reviewed in the light of the current year's experience.

School travel plans have not been considered in detail by the Committee, as during the course of the Committee's deliberations the Department for Education and Skills and the Department for Transport jointly published **Travelling to School: an action plan**. The main thrust of the action plan is to make additional revenue and capital available to LEAs and schools with the aim of raising the number of completed school travel plans nationally from 2000 to 10,000 by March 2006. The underlying objective is to encourage environmentally friendly ways of travelling to school such as walking, cycling and increased use of public transport thereby decreasing the use of cars and helping to address the increasing problem of obesity. The action plan also canvassed the possibility of a number of 3 year pilot projects to examine innovative ways of tackling some of the new and some of the more intractable problems associated with the provision of school transport such as the extended school day, rural schools and supporting pupils travelling to denominational schools. The Committee has included a chapter on the action plan in the report.

Although not identified as a discrete issue for consideration the Committee was mindful of the burgeoning cost of special needs transport, and asked for a report on this. It was clear from that report that this is an area of provision that needs to be reviewed as soon as possible, but the timescale and other critical factors made it impracticable for it to be included in our review. The report includes a brief chapter on this.

The deliberations of the Committee lead to the conclusion that the present policy is robust, and that changes to improve service delivery would have significant resource implications. This report does not therefore recommend any major changes to policy or practice, but both need to be carefully monitored and regularly reviewed in the light of national and local circumstances that are constantly changing. The report highlights a number of

areas that call for further consideration as the national picture becomes clearer.

Stella Smedley
Chair

CHAPTER ONE

Setting the Scene

Overarching Policy The Council's overarching policy is to be found in the County Council's Strategic Plan 2001 – 2005 that includes:

▪ **Public Transport Operations Contribution**

- | | |
|---|--|
| Learning | a) Home to school and curriculum transport provides direct support to learning |
| | b) Local bus services plus publicity and information assist higher/adult education |
| | c) Working within the "Safer Routes to Schools" initiatives teaches parents/teachers/governors the value of public transport for safety and sustainability |
| ▪ <u>Environment</u> Sustaining local services ... reduces the growth in car use, benefiting local air quality and climate change targets | |

Education Transport Policy

The Education Transport Policy was last reviewed in 1996 although it has been amended in a number of respects since then partly as a result of changes to the admission arrangements for maintained schools

The 1996 policy statement contained no overriding aims either corporate or educational. The Ad Hoc Committee recommends the adoption of the following overarching policy statement:

The education transport policy of the Nottinghamshire County Council will operate within the aims and objectives of the Council's Strategic Plan and ensure that the Council fulfils its statutory obligations. Within that context the aim of the policy is to provide a high quality transport service as efficiently and economically as possible designed to ensure that pupils get to school within a reasonable time and travel in a safe and stress free environment. The policy will have regard to the school admission arrangements operating within the County.

Statutory Imperatives

1. At the moment the provision of school transport and a public transport information strategy are the only specific statutory duties within the area of responsibility of the Council's Public Transport Group within the Environment Department.
2. Best value authorities are charged with the provision of continuously improving services through the system of Best Value Reviews by means of comparing, consulting, challenging and competing.

The Constituent Parts

- A. Elected members are responsible for determining policy and need to be as fully informed as possible when fulfilling this duty
- B. The Director of Education who manages the policy
- C. The Public Transport Group who are the budget holder and responsible for organising the provision of home to school/college transport
- D. The Transport Providers who for home to school/college transport are external providers
- E. Special Transport provision, which is a mixture of in-house and external provision, is managed by the Social Services Transport Unit

Resources

The budget for home to school/college transport managed by the Public Transport Group at the time of the best value review was £4.6m. The Government for 2003/2004 allocated in addition £300,632 via the Learning and Skills Council to be ring-fenced for the provision of post-16 transport and this sum could not be used as a replacement for any existing funding. For the reasons set out in the introduction post-16 transport has not been considered by the Ad Hoc Committee.

Best Value

A best value service review of public transport operations has been conducted. The self-assessment matrix completed as part of this exercise concludes that school transport is a good service that is unlikely to improve. The reasons for this conclusion are to be found in that part of the review dealing specifically with school transport. The findings are summarised as:

- a) school transport provision in Nottinghamshire is still very cost effective in comparison with other authorities, but recently the rise in costs has been rapidly outstripping inflation; reflecting the national experience
- b) increasing travel benefits to scholars will require additional funding. The only practical way to intervene is to provide additional bus services to schools that are involved in school travel plans on condition that these are largely financed by the parents of pupils involved.
- c) some quality improvement is possible but additional cost is a constraint
- d) bad behaviour is a significant issue that requires to be tackled, though caused by a minority of pupils. This was identified by the Overview Committee as an issue and by the Ad Hoc Committee as an issue requiring priority consideration
- e) a range of issues that are also common to local transport affects school transport. These include shortages of drivers and quality of vehicles

Improvement and Implementation Plan

The conclusions of the best value review have been developed into an Improvement and Implementation Plan. The proposals in that part of the Plan aimed at improving the provision of school transport are:

- a) improve quality of contracted school services by amending contract conditions to introduce CRB checks on drivers, introduce a transport related RPI inflator to minimise early contract termination and encourage investment, and improve the penalty regime for poor performance. Also support the improvement in quality of vehicles by enhanced inspection activity.
- b) prepare for introduction of in-house fleet and monitor control costs to establish if and when this is appropriate – see **Appendix C**
- c) additional provision of school bus transport associated with school travel plans
- d) implement measures to tackle bad behaviour on buses based on partnership with schools and bus operators with a rigorously applied policy of excluding badly behaved pupils from buses
- e) complete roll-out of Smartcard
- f) introduce on-line application for school travel passes

CHAPTER TWO

School Transport Policy Statement

As a result of the Education Act 2002 LEAs are required to have published by the end of May 2003 and annually thereafter a statement of transport policy relating to its travel arrangements for persons of sixth form age. The Committee recommends that **the LEA should aim to publish within the same timescale a corresponding statement of policy relating to its transport arrangements for pupils of compulsory school age.** The LEA is required to publish annually information about its policy and arrangements relating to the provision of transport for primary and secondary age pupils. This information is included in the two admissions to schools booklets produced annually by the LEA alongside information on the annual admission arrangements published by the various admission authorities for maintained schools.

Regulations made under the Education Act 2002 will require admission authorities to co-ordinate admission arrangements for primary and secondary schools using a common application form with the intention being that all offers of school places will be made on the same date each year – in the case of secondary admissions 1st March and in the case of primary admissions on a date determined by the LEA which the Secretary of State recommends should be 14th April. The model timetable for dealing with secondary admissions proposes that parental preferences will have been expressed by 24th October giving the LEA and admission authorities just over 4 months to process and make an offer of a place to all applicants. This means that the secondary booklet needs to be with parents by the first week of the autumn term. Admission authorities are required to have determined their admission arrangements by 14th April, so that the LEA has at best 4 ½ months to compile the booklet, get it printed and circulated. If the review of transport policy is concluded by the end of May it should give sufficient time to incorporate the necessary information in the annual booklet.

For persons of compulsory school age the information published must include the LEA's general arrangements and policies regarding:-

- a) the provision of free transport
- b) the carriage on school buses of pupils for whom free transport is not provided and
- c) the payment in whole or in part of reasonable travelling expenses

CHAPTER THREE

Transport and Parental Preference

Eligibility for free transport and walking distances

1. The prime importance of parental preference has been enshrined in statute since the Education Act 1980. To examine the relationship between parental preference and the provision of transport it is necessary to consider the statutory requirements placed on LEAs and also what the courts and the ombudsman have had to say about them. The current provisions are to be found in the 1996 Education Act and these incorporate the implications of earlier court judgements.
2. LEAs are required to make such arrangements for the provision of transport and otherwise as they consider necessary, or as the Secretary of State may direct, for the purpose of facilitating the attendance of persons receiving education at:
 - a) Schools
 - b) Any institution maintained or assisted by the authority which provides further or higher education (or both) or
 - c) Any institution within the further education sector
3. The underlying principle is to facilitate access to education. Strictly every case should be examined on its merits. The word necessary has been interpreted in a common sense way as meaning really needed. The statutory requirements are considered by most practitioners to be seriously outdated. Although amended from time to time the duty placed on LEAs is essentially the same as that contained in the Butler Education Act of 1944 when the availability of transport, the environment and health and safety issues were very different.
4. It is the duty of parents to ensure their children are properly educated including where a child is a registered pupil that she or he attends school regularly and failure to do so is a criminal offence. However the legislation says that a parent who fails to do this will not be guilty of an offence if they can show that the school at which the child is registered is not within walking distance of the child's home AND no suitable arrangements have been made by the LEA for the pupil's transport to and from school or for enabling the pupil to be registered at a school nearer to the pupil's home and which is either within the walking distance or to which transport is provided. This is referred to in this report as the parental defence. This provision is most important when examining parental preference.
5. The combined effect of the duty to make arrangements for the provision of transport and otherwise and the parental defence is that such provision is really needed for a pupil in those circumstances where the parental defence would be available if no such provision has been made and the LEA is unable to offer a place at a school closer to the pupil's home. The Act provides that any transport provided under these arrangements must be free of charge. In effect therefore if the nearest suitable school to a pupil's home is outside the walking distance the LEA must provide transport free of charge. The statutory walking distance for children under the age of 8 is two miles and for older children 3 miles.

6. The provision of free transport is not confined to such cases. There will always be other cases where a child lives within the walking distance but on the facts the provision of free transport is really needed if the child is to get to school. This can include cases of children with mobility problems, cases of children with medical reasons that may only call for the temporary provision of free transport and perhaps most difficult of all cases where the safety of a child is in issue.
7. Safety arises as an issue because the walking distance is always measured by the nearest available route. A route is not available if the LEA determines that it is unsafe, and the next nearest route may be outside the walking distance. The issue of the availability of a route and the criteria used to determine this are dealt with in **Appendix A**. However the Act requires an LEA, when considering whether the provision of free transport is really needed to have regard to the age of the child and the nature of the route or alternative routes that the child could reasonably be expected to take. Where a route would be safe if an adult accompanies a child the LEA is entitled to consider the route to be safe unless it is not reasonably practicable for the child to be so accompanied.
8. The current policy of Nottinghamshire LEA is to provide free transport when:
 - a) The nearest suitable school is outside the statutory walking distance (this is a minimum requirement)
 - b) A pupil has a special transport need arising inter-alia from a mobility problem, the nature of the route or an inability to use public transport without assistance (assessed by officers in the Education Department)
 - c) There are medical grounds
 - d) There are other exceptional circumstances (assessed by officers of the Education Department in consultation with officers of the Public Transport Group)

In b) – d) above each case is determined on its particular facts as to whether the provision of transport is really needed to facilitate the child's attendance at school.

9. Of 85 LEAs from which information was obtained at the time of the survey only 8 adopted walking distances more favourable to pupils than the statutory walking distances. North Yorkshire, York City, Hillingdon and Sefton used 2 miles for primary age children and 3 miles for secondary age children. These were the distances used by Nottinghamshire LEA until 1998 when the statutory distances were applied. Peterborough used 2 miles for all. Essex and Northamptonshire used 1½ miles for infants, 2 miles for juniors and 3 miles for secondary pupils. Merthyr use 1½ miles for primary and 2 miles for secondary.
10. For demographic reasons the greatest cost of school transport falls on shire counties. Of 30 shire counties and 5 unitary authorities of a rural nature supplying information only 3 adopt walking distances shorter than the statutory walking distances. This picture is also reflected in the report "Home to School and College Transport" published by Education Management Information Exchange in December 2001. In

1999/2000 counties spent 75% of the £270 million cost of mainstream school transport.

11. Paragraph 8 identifies the categories of eligibility for free transport i.e. those cases where the provision of free transport is really needed to facilitate a child's attendance at school. LEAs also have discretionary powers to meet the whole or any part of the reasonable travelling expenses of any person receiving education or training at a school or FE college. This enables an LEA to extend the categories or criteria for eligibility for free transport such as adopting shorter walking distances. It is in this context that consideration is given to the issue of parental preference.
12. At present in common with most LEAs Nottinghamshire only provides free transport to a non-denominational preference school if it is beyond the statutory walking distance but closer to the child's home than the catchment area school. In those circumstances non-attendance at the preference school is not an offence unless the LEA has provided transport because the LEA is not in a position to offer a place at a suitable school closer to the child's home. Recently an ombudsman investigation relating to Lancashire LEA has raised an additional dimension. In that case a parent applied for places at a Roman Catholic school and a community school both within a 3 mile radius of the child's home but neither of which happened to be the school identified by the LEA as the nearest suitable school for the child. Both applications were turned down and the LEA offered a place at a school beyond the walking distance. The LEA refused to meet the whole of the child's travelling expenses on the ground that the parent had not expressed a first preference for the nearest suitable school which would have had a place available at the time of the application. The ombudsman considered the LEA's arguments to be unreasonable, amounting to maladministration. The LEA agreed to meet the full travelling expenses in this case. The ombudsman's conclusion was based on the fact that had either original application been successful it would not have attracted free travel, and the parent never wanted the child to attend a school more than 3 miles from the child's home. It was only the inability of the LEA to offer a place within the walking distance that gave rise to the issue of travelling expenses.
13. In common with most LEAs the admission arrangements in Nottinghamshire are based on a system of catchment areas with the catchment school being treated as the top criterion for deciding admissions when a school is over-subscribed. The courts have ruled that LEAs cannot reserve places in catchment schools and every parent must be given the opportunity to express a preference for a school and give reasons for their preference. Also the LEA must consider all first preferences before it can consider lower preferences and consider all preferences expressed before deciding what to do about pupils whose parents have not bothered to express a preference or all of whose preferences have been turned down. The importance of expressing a preference is impressed on parents, as is the fact that they need to express a preference for their catchment school if they hope to secure a place in that school. What the Lancashire case does is draw attention to the fact that parents cannot be compelled to express a preference for the catchment school or for any school and it may be necessary to provide free transport if the LEA is unable to offer a place at a school within the walking distance. **The likelihood of this becoming a problem may increase if the LEA reduces the walking distance.** At present it is unlikely to be a major problem in the more urban parts of the county, but the consequences for transport have to be borne in mind in the context of the rationalisation of school places and what that can mean for admission arrangements.
14. The current policy of providing free transport to the nearest suitable school when it is beyond walking distance or to the preference school when it is beyond walking distance but closer than the catchment school is not in conflict with the Lancashire case. What isn't entirely

clear from that case is whether the ombudsman would have taken the same view had the two original applications been for schools outside the walking distance. The courts have clearly ruled that an LEA has no obligation to meet travelling expenses to a preference school beyond walking distance if the LEA can offer a place at a nearer suitable school. The problem arises when the preference school is beyond the walking distance and the LEA cannot offer a place at a nearer suitable school. This would not be a problem where the catchment school has sufficient capacity, but where the catchment school is over-subscribed it will be a problem unless there is another school within the walking distance to which the child can be admitted. It is more likely to be a problem in the secondary sector and in the more rural parts of the county. **None of this supports a proposition for reducing the walking distances.**

15. The parental defence applies where the LEA has failed to make suitable arrangements for transport or for a child to be admitted to a nearer school. It is therefore the arrangements that have to be suitable, but there is a line of cases to the effect that the arrangements cannot be suitable unless the school itself is suitable. The courts have made it clear that it is for the LEA to determine whether a school is suitable, and that decision can only be challenged on grounds of irrationality or illegality. In most cases if a school is suitable for a child's age, ability, aptitude and special educational needs it would be very difficult to challenge the suitability of the school, and the fact that another school may be more suitable is irrelevant to the issue of whether transport should be provided. An LEA needs therefore to ensure that its admission arrangements are legal and not discriminatory and that its transport arrangements are suitable. **Those responsible for school transport need to work closely therefore with those responsible for admissions including the new statutory Admission Forum.**

Denominational Transport

1. The 1996 Act requires LEAs when considering whether it is necessary to provide free transport in a particular case to have regard to any wish of the parent for the child to be provided with education at a school or institution in which the religious education provided is that of the religion or denomination to which the parent adheres. Have regard to does not mean must comply with. Most of those LEAs supplying information provide free or assisted transport to denominational schools, but the criteria used within their policies vary significantly. OFSTED data suggests that over 77,000 children in England are given free transport on denominational grounds. Transport policies must guard against being discriminatory. Under human rights legislation a person's right to access to education is safeguarded and if that right is interfered with in a way that is discriminatory an LEA may be vulnerable.
2. Nottinghamshire's current policy is that pupils attending the voluntary aided school for their home address on denominational grounds will be considered to attend the catchment school, and will be eligible for free transport if the school is beyond the walking distance. A request for a place at a different denominational school will be treated on the same basis as other preference requests, as would a request for a place at a

denominational school that is not the child's catchment school on other than denominational grounds.

3. This policy is consistent with the duty to have regard to a parent's wishes in such a case. It does not mean that the LEA has to provide transport in such cases regardless of the resource implications. For example in a case involving Leeds LEA the parents who were Jewish Orthodox argued that the nearest suitable school was in Manchester. The LEA refused to provide free transport. Whilst it provided free transport to denominational schools outside the LEA boundary none were so distant as the Manchester school. The LEA in considering the request also identified two schools that it considered suitable and to which it would provide transport. The court held that the policy was not discriminatory nor was the judgement made by the LEA about the other two schools irrational.
4. Many LEAs limit the provision of free transport or other financial assistance for attendance at denominational schools by reference to distance and/or journey times. These are considered reasonable restrictions because an LEA is duty bound to provide stress-free transport and ensure a child arrives at school in a state fit to receive education. The arrangements with PTG in Nottinghamshire say that wherever possible journeys should not exceed 8 miles/45 minutes. This may not always be possible for demographic or operational reasons. Other LEAs use a variety of distances/times, and those that do often differentiate between primary and secondary. Examples include 5 or 6 miles for primary pupils and 10 or 12 miles for secondary pupils. In terms of time 45 minutes is commonly used, but other examples include 45 minutes for primary and 1 hour 15 minutes for secondary. Judgement about the extent of such restrictions must be influenced by operational considerations and demography. Some LEAs rely heavily on dedicated vehicles, whether in-house or contract, whilst others, particularly unitary authorities make use of public transport by use of passes. Nottinghamshire is a leader in the field of innovative public transport strategy, and integrates school transport with public transport wherever possible. Given this approach there is little point in differentiating between primary and secondary provision. Whatever restrictions are adopted must operate in a non-discriminatory way. TGP has discretion to depart from the recommended restrictions in exceptional circumstances and this is reasonable provided there is consistency of decision.
5. Most of those LEAs providing denominational transport have a similar policy to Nottinghamshire subject to journey distance/times variations. Two LEAs make no special arrangements for voluntary aided Church of England schools on the grounds that religious education in those schools is taught in accordance with the Agreed Syllabus and in that respect such schools are no different from community and voluntary controlled schools. The implication is that if the school is a preference school beyond the walking distance, and there is a nearer community or voluntary controlled school there will be no eligibility for transport assistance. It remains to be seen if challenged whether this policy would stand up. Whilst it has regard to the requirements of the 1996 Act, those matters specifically mentioned in the Act are not the only factors to be considered. A voluntary aided school will have the religious ethos specified in the order made by the Secretary of State under the School Standards and Framework Act 1998. This ethos will permeate teaching throughout the school, and where a place is requested and granted on genuine religious or denominational grounds there has to be the risk that arrangements to offer a place at a nearer non-denominational school will not be regarded as suitable.
6. LEAs have different methods for determining whether a request for a place at a denominational school is made on genuine grounds. Some require a letter from the

parish priest and others rely on a letter from the head teacher. Currently Nottinghamshire requires a certification by the head teacher to be endorsed on the application for travel assistance. The admission arrangements for denominational schools will specify how many places at a school are available to pupils on a denominational basis. The admission authority for the school, which is the governing body, will therefore be able to identify which pupils have been admitted on that basis. From September 2005, the LEA will be responsible for co-ordinating all admissions to maintained schools and all offers of places will be made via the LEA. Admission authorities will be required to notify the LEA of the places it is able to offer and must rank the offers by reference to their admission criteria. **It should therefore be possible for the LEA to identify those pupils in respect of whom an offer has been made on denominational grounds, so that this can be readily verified by PTG when requests for assistance are received.**

Conclusions

Nottinghamshire's policy on eligibility for free transport to both denominational and non-denominational schools is broadly in line with that of most other LEAs. This conclusion is borne out by the findings of the Audit Commission and EMIE. Most shire LEAs spend between £1 and £5 per day per pupil carried. All are confronted by escalating costs. Nottinghamshire is still very cost effective compared with other LEAs. Given this and the minimum requirements of the 1996 Act **there are no obviously overwhelming arguments for amending these aspects of the transport policy at this time. To vary the policy by providing free transport to any preference school that is outside the walking distance would go beyond what is legally required and would have significant financial and logistical implications even with journey length/time restrictions in place. Whilst the provision of free or assisted transport to denominational schools is at the discretion of the LEA there is the requirement to have regard to parental wishes in such cases, and the policy presently adopted by the LEA in this regard is consistent with the policy adopted for provision of free or assisted transport to non-denominational schools. Consistency of policy is important in order to avoid charges of discrimination. At present one LEA is being challenged on its policy. A number of others have decided to modify their policies by significantly reducing entitlement or eligibility in relation to denominational places. The policy needs to be kept under review, and the national picture needs to be monitored particularly in the light of burgeoning costs. Whilst recognising this increasing cost the government is looking to LEAs to examine ways in which support can be given to pupils attending denominational schools. Now is not really the time to be reducing the present level of support, and at the moment the issue that should be rigorously addressed is the proper application of the current policy to ensure that it is not abused and that only those pupils attending their nearest denominational catchment school on denominational grounds are eligible for support, with the exception of those children admitted on non-denominational grounds who live beyond the walking distance and for whom the school is their catchment school. (This is most likely to occur in relation to Church of England VA secondary schools). The Committee therefore recommends that the current policy with regard to walking distances and eligibility for free transport be continued.**

Bluecoat and the Nottingham Emmanuel Schools

1. The Committee has considered a specific problem that has arisen within the conurbation. Both County and City LEAs supported the establishment of the Nottingham Emmanuel School on the former Wilford Meadows School site. The school was established to address the demonstrable under-provision of voluntary aided Church of England secondary places in the south of the City and County. The County LEA also supported it as potentially providing some relief from the pressure on places at community secondary schools in Rushcliffe. The problem arises from the fact that both the Nottingham Emmanuel School and Bluecoat School have the same catchment area for their denominational places – a 10 mile radius of St Mary's Church High Pavement, Nottingham. Under present policy all pupils obtaining a denominational place at either school would be regarded as attending the catchment school and therefore eligible for free transport if they have to travel more than 3 miles, even if they live within walking distance of the other school. This produces an inequitable result compared with those pupils attending other secondary schools. For example a pupil living in West Bridgford who secured a denominational place at Bluecoat would be entitled to free transport despite the fact that The Nottingham Emmanuel School would be within walking distance of the pupil's home. The problem is compounded by the fact that in such a case the LEA could not arrange for the pupil to be admitted to the Nottingham Emmanuel School because it is not the admission authority for that school. This means the LEA could not refuse the request for assistance with travel because the parent would have the benefit of the parental defence unless in these cases the LEA could demonstrate that the offer of a place at a nearer community school was suitable assuming such a place was in any event available.
2. **In the short term the LEA should make specific arrangements for these 2 schools by limiting eligibility for free transport to whichever of the 2 schools is closer to the pupil's home address, and that school should be treated as the catchment school for transport purposes.** Where a parent expresses a preference for the school that is further away and the request is granted that school would be treated in the same way as any other preference school. If the request is turned down and the pupil is offered a place at the nearer of the 2 schools on the basis of second preference the pupil would then be entitled to free transport if the school is beyond 3 miles from the pupils home by the nearest available route. In effect the policy would work in the same way as it does for non-denominational schools. It has to be recognised that the amended policy is not without problem. If a pupil is admitted to the non-catchment school and would have to walk more than 3 miles the parental defence would be available because without the assistance of the governing body the LEA could not arrange to admit the pupil to the other school. At best it might have a place available at a nearer community school. At the moment not only are both schools fully subscribed, but there is the further complication that The Nottingham Emmanuel School will not have five year groups until September 2006. The LEA might find itself having to agree numerous exceptions to the revised policy.
3. In the longer term this dilemma needs to be resolved through the admission arrangements. This is possible but far from easy. It needs the agreement of the 2 governing bodies to vary their admission arrangements, and the foundations might need to vary their trust deeds. There would also be difficult transitional problems particularly for Bluecoat School. This type of problem falls within the terms of reference of the statutory Admission Forum. **The LEA ought therefore to raise the issue with the 2 governing bodies with a view to it being referred to the Admission Forum for consideration.**

Withdrawal of a service bus

When an initial request is received from a parent whose child is entitled to free travel the parent is aware that this will take the form of a free pass when there

is an available route or a grant in lieu of a pass or sometimes a taxi when no public service is available. If there is sufficient entitlement to free travel PTG may commission an additional public service if this can be achieved at reasonable cost. Often only single tenders are received. Where a public service is, or is made, available it can happen that over time it becomes significantly underused making it uneconomic to maintain compared to alternative forms of provision. **The Committee recommends that it be made explicit in the school transport policy that the LEA reserves the right to withdraw a service that is uneconomic, and therefore withdraw the pass, provided that where there is an entitlement to free travel alternative provision is made.**

CHAPTER FOUR

Concessionary Travel

1. Most LEAs exercise their discretionary power to give financial assistance to those not eligible for free travel. Nottinghamshire does this by allowing parents who are not entitled to a free pass to buy a discounted season pass
2. Discounted season passes operate on the basis of a capped daily fare for pupils (at present 50p) in the case of pupils attending the catchment school. In other cases the cap does not apply. PTG calculate the daily fare, add on an administration charge and then negotiate a discount with the bus operator the benefit of which is passed on to the purchaser.
3. At present a parent, who is not entitled to free transport, may purchase a discounted season pass to be used only on a specific service/route, provided that a bus service is available and has the necessary capacity. PTG will not commission additional routes or vehicles in order to provide a service where none exists or to create extra capacity. This option is available, subject to this proviso, to any parent whether their child attends the catchment school or a preference school and whether the school is within or outside the walking distance. Many of those LEAs who rely on contract vehicles operate concessionary rider/spare capacity schemes for those not entitled to free travel. A discounted pass for use on a specific public bus route operates on a similar basis. Such a policy gives parents a benefit they would not otherwise have, and makes the operational cost of the vehicle more economic. Those LEAs that operate concessionary rider/spare capacity schemes invariably make it a condition that the concession will be withdrawn if a seat is required for use by a pupil entitled to free transport. **To safeguard the needs of pupils entitled to free travel and to avoid expense it should be made explicit that the option to continue to purchase a discounted season pass will be withdrawn if the seat occupied by their child should become needed for a pupil entitled to free travel.**
4. The LEA does not have the power to create spare capacity to enable those not entitled to free travel to travel at a concessionary rate. The options available to the LEA regarding concessionary travel are therefore limited. The LEA could modify the current arrangements by introducing criteria for entitlement to a discounted season pass. That would have the effect of reducing entitlement, and would discriminate against those not having the entitlement as compared with current arrangements whereby all fare paying pupils get the benefit of the scheme including those attending preference schools. The disadvantages of doing this are that the saving to the LEA is not as

great as might first appear because it is the operator who absorbs most of the current subsidy, the scheme would be more complex to administer and it would probably have the effect of increasing the number of car journeys.

5. It is open to the LEA to review the daily capped fare either up or down thereby reducing or increasing the amount a parent has to pay. PTG would need to advise on the resource implications should the LEA want to pursue either of these options. The consultation carried out as part of the best value review disclosed that many schools would not welcome any extension of entitlement to travel assistance if this were to mean a diversion of resources at the expense of schools.
6. **Another option that may be more welcome to schools could be supporting school travel plans in the provision of school transport.**
7. The Committee considered a report from PTG indicating that a performance management framework is being developed for buses procured by the County Council to assist with policy choice. At present the authority's discretionary fares scheme costs £1.5 million or 16% of the total budget available for the procurement of bus services.
8. The scheme meets a number of Council objectives. It encourages bus use, thereby decreasing vehicle congestion at peak periods. It increases the ability of pupils to access a wider range of schools and colleges thereby supporting educational choice, and it reduces the financial burden on parents and carers.
9. **The Committee recommends that the current scheme for concessionary education transport be continued, subject to this position being reviewed if necessary in the light of the new framework for support to public transport.**

CHAPTER FIVE

Nottingham City Council Pupils

1. The Committee was asked to look at the LEA's position in relation to pupils attending Nottinghamshire schools, but who live with the Nottingham City boundary. Nottingham City LEA has a similar school transport policy to Nottinghamshire. Historically in excess of 18% of City pupils attend schools outside the City boundary. Apart from a few exceptions such schools will be preference schools and unless they are closer to the pupil's home than the catchment school the City LEA will not provide free transport.
2. The admission authorities for the County LEA schools attended by these pupils cannot refuse admission if a place is available. Applications from parents living in a different LEA area must be treated on the same basis as applications from parents living in the LEA's own area.
3. There has been free trade in mainstream education for many years. Nottinghamshire cannot recover any of its costs for these pupils from the City Council, although the school will have the pupil's registration reflected in the school's budget share made available by the County LEA. The County LEA will however be able to count these pupils as Nottinghamshire pupils in the returns used for the purpose of calculating government grant.
4. The issue is "are these pupils Nottinghamshire pupils for the purpose of entitlement to travel assistance?" The provisions in the 1996 Act dealing with transport do not say that the persons who must/may be assisted have to live in the LEA's area. It must however be implicit that the duty/power relates to those resident in the LEA's own area. Any other interpretation would make a nonsense of the legislation. The 1996 Act imposes general responsibility and responsibility for providing schools on LEAs in relation to their area. Nottinghamshire has no responsibility for providing school places for City pupils, but it cannot prevent the admission of such pupils to Nottinghamshire schools that have the capacity to admit them. Assistance can be drawn from the Regulations that decide the area to which a pupil belongs in those other areas of education where recoupment operates. It is quite clear in such cases that if a child's parents reside in the area of an LEA that LEA is responsible for that child. Logic dictates that the same must be true for the provision of mainstream education. **These pupils remain the responsibility of the City LEA, and the County LEA is not responsible for their transport.** It is likely that any decision by the County LEA to provide transport for these pupils would be ultra vires. Even if the County has a discretionary power to assist these pupils it

would be a dangerous precedent to set as it would be difficult to distinguish these cases from other out of county pupils who might make similar claims.

5. Conversely governing bodies have far reaching powers to spend their budget share for the purposes of the school. It could be argued that the budget belongs to the LEA until it is spent, and therefore a governing body may not use it in a way that would be unlawful if the LEA were to use it in that way. However in a case such as this these pupils are properly pupils of the school and the school should be in a position to offer assistance to any pupil if it serves the purposes of the school.
Arguably therefore the school could assist in the provision of transport for pupils if that benefits the school. Anything that sustains a school's budget share could be said to benefit the school, including protecting the pupil base from erosion because of transport problems.

CHAPTER SIX

Behaviour on School Buses

General

1. Consultation carried out as part of the best value review of public transport operations indicates that there is strong support for action to control bad behaviour on school buses. This is supported by the Audit Commission report "Improving Mainstream Home to School Transport". That report cites various research studies as support for the proposition that nearly 60% of parents who currently take their children to school by car think that measures could be introduced which would give them confidence to let their children travel by other means, particularly public transport. Whilst a number of factors influence parental concern it is clear that the standard of behaviour on school buses figures high in the equation.
2. The problem of bad behaviour on school buses, whether contract vehicles or public service routes, is one that appears to be common to most if not all LEAs and many have specific policies aimed at dealing with the problem.

Current Policy

3. The LEA 1996 policy statement is quite specific on the issue of discipline on school transport services. Guidance notes are issued to parents and guidelines to operators. Operators retain the right to refuse travel to any pupil who breaches the passenger service vehicle regulations regarding conduct of passengers.
4. Serious incidents of indiscipline are dealt with on an individual basis. The normal procedures are that head teachers will advise parents either direct or by letter of the incident that has occurred and issue a warning. If the problem persists a letter is sent by PTG advising parents that the travel pass or transport may be withdrawn. If the problem still persists parents are told that the travel pass or facility will be withdrawn for a specified period and that they will be responsible for their own transport arrangements during the period of suspension. Boarding passes may be introduced when severe disciplinary problems are experienced on a local bus service that conveys pupils who are not entitled to free travel.

The Policy in operation

5. The LEA has a duty to ensure that any transport arrangements it makes are safe. In terms of behaviour this requires the co-operation of the school and the operator in ensuring that the policy is enforced. School discipline can extend beyond the school gates, and behaviour

on buses is an example. In an extreme case a pupil can be excluded from school for bad behaviour on a school bus. However only a head teacher may exclude a pupil whether for a fixed term or permanently, and parents have the right to appeal to an independent panel. For the policy to operate effectively in such a case the head teacher must investigate the circumstances and have sufficient evidence to justify an exclusion. There needs to be in place a protocol for dealing with such cases. To start with the school's discipline code must make it clear that misconduct on a bus whilst travelling to and from school is in breach of school rules. Drivers must know what to do in such cases both in relation to the school/LEA and the operator. There needs to be a timetable for dealing with these incidents and this should be rigorously followed.

6. At the moment PTG work with schools to address this problem, but this is only likely to lead to the temporary, or in some cases permanent, exclusion from a bus. There is no direct link to a school's discipline code, and the sanction of exclusion from the bus may simply leave the LEA with the problem of finding an alternative means of getting a pupil otherwise entitled to free travel to school. If an incident involves criminal damage or some other offence the police are involved and any investigation is left to them. Greater use of CCTV should make it easier to gather evidence.
7. No comprehensive records of incidents are maintained and monitored to enable trends and patterns of behaviour to be identified at an early stage. Unacceptable behaviour whether at school or on the school bus needs to be nipped in the bud.

What can be done?

8. The best value review Improvement and Implementation plan recommends that a major campaign be mounted based on partnership with schools and bus operators, including a programme of in-school awareness sessions. In addition much wider use will be made of CCTV and a rigorously applied policy of excluding badly behaved pupils from buses will be pursued. This should be made easier by the roll-out of Smartcard.
9. Studies suggest that many factors can contribute to the problem of bad behaviour. These include the quality and cleanliness of vehicles, overcrowding, drivers' behaviour and attitude and lack of adequate supervision. Not only should the LEA ensure regular consultation with schools, parents and operators, but also with pupils. Those who travel on school buses can often give an insight to a problem that may not be readily apparent to others. Nor should the views of pupils who do not travel by bus be overlooked, as their perceptions can be equally important. **The LEA should consider ways of establishing such regular consultation perhaps by a mixture of short questionnaires and in the case of those routes experiencing particular difficulty**

by talking to pupils. Schools that do not already have them could be encouraged to establish school councils, representative of all year groups, and to have school transport as a regular agenda item. Consideration should be given to the establishment of a stakeholder group including representatives of parents, pupils, head teachers, teachers, operators and the LEA.

10. Devon LEA has introduced an “incident recording system” that picks up all comments about services, whether written or verbal, made face-to-face or over the telephone – including those that are not formal complaints. Devon has also developed a protocol that sets out the roles of operators, the LEA and individual schools, with the intention of identifying and investigating vandalism quickly. Pupils can be interviewed at school later in the day where an incident occurs during the morning run or next morning in the case of the afternoon run. **The LEA should consider a similar protocol that links into both the procedure for withdrawing passes and the school’s discipline code. The LEA should examine the extent to which school discipline codes support the mainstream school transport policy in this regard.**

11. In “Going Places” published in November 2001 the Audit Commission comments that increased supervision on vehicles is a possible answer to behaviour problems, but that this remains comparatively rare. Where it is provided it tends to be for primary age pupils only. One county LEA has estimated that it would cost several million pounds a year to provide supervision on all its home-to-school routes. Moreover some transport professionals doubt its effectiveness questioning whether a passenger assistant would be legally entitled to intervene in the event of serious misbehaviour. However there is a duty to provide safe transport and LEAs need to consider whether to provide some form of supervision at least on those routes that regularly experience serious misbehaviour. The standard of care is that of the prudent parent. A history of misbehaviour on a route is therefore an important factor when reaching a judgement. When school transport is integrated with public transport supervision tends to focus on the driver. Also the presence of adults on a vehicle may be an inhibiting factor. Each situation must be considered on its facts. **The LEA’s present policy operates on that basis and there is no compelling reason to change it. The suggestion has been made by the Principal of Dukeries Community College, which has experienced this problem, that consideration be given to inviting school staff who travel by the same route to travel on the school bus in a supervisory capacity in return for a free pass. The suggestion has much to commend it. The staff will already be authority figures for the pupils travelling on the bus, they will already have been subject to CRB checks, and will be in a position to provide valuable evidence of misbehaviour in the context of possible school discipline. The prime purpose will be to inhibit bad behaviour. If this can be negotiated with teachers it may be well worthwhile pursuing on a**

pilot basis. Consideration could also be given, as already happens in some cases, to asking 6th form pupils to report any incidents of bad behaviour they witness whilst travelling on school transport.

12. South Yorkshire operate a scheme called Safemark which involves working with schools, who become involved with training. Schools can be awarded a Safemark. This scheme is also being piloted in two Nottinghamshire schools. This needs to be monitored, but if successful the scheme would need resourcing before it could be rolled out to other schools.
13. **To emphasise the part to be played by school disciplinary codes those schools that have not already done so should be recommended to include a requirement for acceptable standards of conduct while travelling on school buses and other means of transport in home/school agreements.**

CHAPTER SEVEN

Standards

The Committee was asked specifically to consider standards such as maximum journey times, vehicle standards including the use of seat belts and single as opposed to double-decker vehicles, supervision issues and behaviour issues both on bus and when loading/unloading at the school and the provision and capacity of on-site bus parks. At the moment these are regarded as operational issues and not policy issues. Some are addressed in earlier chapters, but are revisited in this chapter as part of an overview of quality issues. This chapter looks at these issues as they apply to both the provision and operation of school transport.

Before considering these issues members asked to visit at least two schools to see for themselves what happens in practice, as well as to hear the experience of pupils, staff and governors. A report on these visits is to be found at Appendix B. As a result of this exercise the Chair of the Committee asked for the issue of after school activities to be added to the agenda.

In considering these matters the Committee was asked to address the difficult issue of balancing student safety with cost.

Safety Issues

Loading and Unloading

1. It was apparent from these visits that there are concerns about safety during the course of embarking on and disembarking from school buses. In particular the concerns relate to the home run when in secondary schools hundreds of pupils can be boarding buses in a relatively short period of time. This process is exacerbated where buses have to load on the public highway and contend with both moving and parked vehicles. The morning run is a little different because buses arrive at different times and the process of unloading tends to be staggered.
2. For this reason a safety audit was conducted over a period of 7 weeks by officers from Social Services Transport, Public Transport Group, Education and Health and Safety. The audit focused on transport loading and movement at the end of the school day. Comments were made at the time regarding safety when this was felt to be necessary. A safety report, written by John Wilson Health and Safety Education Adviser, has now been produced and is being considered initially by officers of the Education Department.
3. The audit covered 9 special schools, 6 primary schools and 8 secondary schools. The schools, listed below, were chosen because they were considered to be a high priority.

Special	Primary	Secondary
Ash Lea	Bagthorpe	Bramcote Hills
Beech Hill	Carnarvon	Elizabethan High
Bracken Hill	Farnsfield C of E	Garibaldi
Digby	King Edward	Matthew Holland
Derrymount	St Edmund Campion	Minster
Fountaindale	Seely	National
Orchard		Ordsall Hall
Redgate		Tuxford
St Giles		

Assessments have already been carried out at Dayncourt and Frank Seeley.

Recommendations have been made, some of which have been implemented.

Dayncourt, where buses have to wait on the highway, remains a fairly intractable problem because of the difficult access. A site survey is being undertaken to ascertain whether it is feasible to provide on-site loading.

4. Special Schools – each site was observed on a single day.
 - a) In most cases there was conflict between school transport and private cars that could be resolved logistically with co-operation from operators and parents.
 - b) In some cases the school transport vehicles were making inappropriate movements that could be resolved by giving explicit instructions.
 - c) In one case there was concern about the speed of cars that could be addressed by the provision of speed restrictors.
 - d) In a number of cases problems were caused by the congestion created by parked vehicles because of insufficient car parking provision for staff and visitors. In these cases the feasibility and cost of providing additional car parking/ambulance spaces need to be examined. In one case this is already in hand.
 - e) In some cases problems were caused because of conflict between vehicles and pedestrians. This can be a particular difficulty in some schools for parents of pupils with a serious mobility problem. Thought needs to be given to resolving the competing parking needs of transport and parents.
 - f) Two sites were identified as high risk requiring priority consideration. In both cases vehicles had to reverse with pupils on board and one case called for supervision.
5. Primary Schools – each site was observed on a single day.
 - a) In three cases no significant problems were observed.
 - b) In the other three cases problems were caused by conflict with parents' cars that could be resolved with parental co-operation, and in one case the introduction of double yellow lines at a road junction.
 - c) In one case only was the desirability of major work identified by suggesting the possibility of additional on-site parking and a coach turning circle. This too was a situation where the coach has to reverse when loaded.
6. Secondary Schools – each site was observed on a single day.
 - a) The audit included both schools visited by the Committee but on different dates. The observations of the audit team were wholly consistent with the observation of the Committee. The only recommendation was that in the case of Bramcote Hills consideration should be given to the introduction of double yellow lines on the school side of Moor Lane to be operational only during school bus times.
 - b) In four cases serious conflict between school buses and parked vehicles was observed exacerbated in one case by the configuration of the public highway.
 - c) In one case problems were caused by the late arrival of a bus.

- d) In four cases serious traffic congestion was caused.
 - e) In most cases the problems can be alleviated by short term measures, but a long term solution in some cases would call for major site works.
7. **The findings of the safety audit need to be evaluated in greater depth with a view to identifying and prioritising the measures that should be taken to address the safety problems identified. Clearly many of the problems can be addressed without incurring significant expenditure of either revenue or capital, and these should be given top priority. At the same time consideration needs to be given to the feasibility and cost of implementing long term solutions, recognising that special schools can face additional problems arising from pupil mobility and the nature of the transport that has to be provided.**
 8. The safety audit also puts the finger on the perennial problem caused for school transport by parked cars, usually belonging to parents collecting their children from school. This problem has always been with us. It is a national problem that should largely disappear if parents were prepared to allow their children to use school/public or more environmentally friendly means of transport. The usual response to this plea is that parents would co-operate if they felt such transport was safe. Given that this issue is not going to be resolved in the foreseeable future **consideration should be given to mounting a major publicity campaign jointly organised by the LEA and the police aimed at preventing the parking of cars in places that obstruct or interfere with the safe loading of school buses.** Whilst most parents respect the zigzag lines outside school entrances it is clear that these lines do not assist the safe loading of school buses in those cases where this operation has to take place on the public highway. Indiscriminate parking at such times presents a danger to pupils, as well as pedestrians and other road users. **Where necessary consideration should be given to the introduction of waiting restrictions to reinforce such a campaign.**
 9. **The Committee recommends that a manual of good practice is produced and circulated to all schools.**

Other Quality Issues

Vehicle Type

1. It is often argued, by parents in particular, that single-decker buses are safer than double-decker buses and that the behaviour of pupils is more restrained on single-deckers because the pupils are more easily observed and where necessary more easily controlled by the driver.
2. Factors that influence the type of vehicle provided include availability, demand and cost. Site constraints and loading facilities can also be a consideration. Appendix B mentions that the plans for the rebuild of Tuxford School will provide an opportunity for the possible provision of more single-decker vehicles. The capacity of existing, and the need for new, on-site bus parks is something that is looked at in a number of contexts. This will be considered where a new school is being built or an existing school rebuilt. It is also an issue that is considered in the context of safety audits. New or modified provision depends on the availability of funding, and safety factors have to be balanced against cost. Risk assessment is something that needs to be done in relation to each school where transport is provided and priority needs to be given to those schools where risk is perceived to be greatest. This is an exercise that has commenced as reported in the previous section.
3. **There are no recorded injury accidents in the county relating to school transport where the use of a double-decker was the cause.** Whilst there are hazards that are more likely to affect a double-decker such as overhanging trees and

low bridges (both of which should be accompanied by warning signs) there are also hazards that are more likely to affect a single-decker because of its length such as tight corners and turns. None of the recorded accidents involving double-deckers were attributable to the size of the vehicle.

4. **The perception that behaviour is more of a problem on double-deckers is not borne out by the available evidence.** There are numerous recorded incidents of bad pupil behaviour on single-decker buses (in one case the operator withdrew a service because of persistent bad behaviour on a coach fitted with seatbelts), and there are cases where there are very few reports of bad behaviour on double-deckers and this is not because some operators accept lower standards than others. There is no obvious correlation between behaviour and bus design, although as suggested by national studies referred to earlier in this report there may be some correlation between behaviour and vehicle condition. It would be dangerous to draw general conclusions about the reason for poor pupil behaviour in any given case without a thorough examination of the facts. Some suggestions were made in Chapter Six about possible approaches to tackling behaviour problems.
5. Tender prices for school buses reflect an opportunity cost. Depending on the circumstances of the operator (e.g. the availability of a particular type of vehicle at a particular time) a double-decker can cost as little as £100 per day and a single-decker more than £200. At present an average daily cost for a double-decker (75 seats) is £155 and a single-decker (50 seats) is £130. When comparing costs account must be taken of the extra capacity (assuming it is available) required to replace all double-deckers with single-deckers. Tender prices would reflect the cost to the operator of providing additional vehicles and drivers. PTG estimates that to use only single-decker vehicles would cost in the region of £175 per vehicle per day. If additional vehicles were not available in the commercial sector the current estimated cost of providing a comparable in-house vehicle would be £230 per day. The higher cost reflects the extra overheads that would be incurred by the LEA that are already built into a commercial operator's costs.
6. What would this mean in practice? The Council presently contracts 80 double-deckers. This equates to 120 single-deckers. Allowing for adjustments for vehicle size and routing PTG estimates that 135 single-deckers would be required to replace double-deckers i.e. an overall increase of 55 vehicles. There is not presently this degree of slack in the industry and it is unlikely that operators would be keen to expand their fleets to accommodate this particular demand. A change of this kind is likely to force up commercial prices. PTG has provided a crude estimate of the extra cost of making such a change. It makes certain assumptions about the availability of additional vehicles from the commercial sector:

80xDD replaced by 80xSD produces a superficial daily saving of £2000

35xSD from commercial sector additional daily cost of £6125

20xSD in-house provision additional daily cost of £4600

Estimated additional average daily cost is £8725

Cost per annum **£1.66m**

7. There are other critical cost and logistical implications flowing from such a change.
 - a) A number of schools would have insufficient safe handling facilities for extra vehicles on-site such as Toot Hill, Ashfield, Minster and at present Tuxford. The present on street parking difficulties at schools such as Hucknall National, Dayncourt and Matthew Holland would be exacerbated.

- b) One possible consequence of in-house provision is likely to be higher customer expectations of both in-house and commercial provision that in turn would drive up overall costs.
- c) Because the Council places many pupils on public service buses in order to achieve best value especially where the pattern is scattered e.g. travel to denominational schools in Greater Nottingham there would still be use of double-deckers for some of these pupils. If all pupils were to be afforded the opportunity of travel on a single-decker it would be necessary to secure alternative non double-decker transport the cost of which it is impossible to estimate, but is likely to be significant.
- d) Swimming transport for the most part involves the use of double-deckers without complaint. This is cost effective and enables two classes to travel on the same vehicle that use of a single-decker would not. Use of single-decker vehicles would have significant implications for school budgets that bear the cost of this provision as part of the curriculum. Continued use of double-deckers for this purpose may be wholly acceptable to schools, but although the issues surrounding safety and behaviour may be different in this context schools would undoubtedly face questions from parents were the LEA to adopt a policy of providing only single-decker vehicles for home to school transport.
- e) Perhaps most difficult of all is the problem of driver recruitment/retention that is presently rife throughout the industry, and would also impact on the Council's ability to recruit drivers for any in-house provision. Drivers are a scarce resource and at their scarcest at the time of day needed for school transport. Drivers are also expensive to train. The Council cannot rely on the emergence of niche operators as appears to be the case at Bramcote Hills

Conclusion

There are no overwhelming reasons either on grounds of safety or pupil behaviour for changing the practice of using double-decker vehicles where appropriate for home to school transport. At present there are compelling reasons related to market forces, cost and logistics for not departing from current practice. Because the factors affecting the provision of transport are subject to frequent change the situation calls for close monitoring. The relationship between PTG and the industry enables this close monitoring to take place. Best value and the procedures the Council is required to follow should ensure that critical changes in the industry/market forces will be detected at an early stage so that steps can be taken to safeguard home to school transport provision.

This leaves open the question of whether or not better use could be made of existing resources. Given that both vehicles and drivers are in scarce supply, and that in-house provision would be very expensive, the question should be asked whether present policy/practice could be beneficially changed in some other way. This perhaps goes beyond the remit of the present exercise save to the extent that the Committee was asked to look at starting and finishing times, and this is done in the next chapter. On the face of it better use could be made of existing provision by staggering school times so that one vehicle could be used for more than one job. This is an example where the impact of policy on practice and therefore on best value is clearly demonstrated. To achieve this through a comprehensive strategy would be a difficult task for reasons discussed below.

Three to a seat

- 8. The law permits three children under the age of 14 to occupy a bench type seat designed for two passengers provided the seats are not belted. Nationally this has been a cause for concern for many parents on grounds of safety. Nottinghamshire's policy quite clearly states that in the interests of safety and comfort it is desirable to provide a seat for each pupil/student. The use of three to a seat under the policy is

confined to cases of marginal overload where the overload is normally absorbed by absenteeism or where a journey may carry varying numbers of fare paying passengers. If a vehicle is fitted with seatbelts each seat may only be allocated to one person.

9. If each seat were allocated to one person in every case then the first application to trigger overload would necessitate an additional resource that in marginal cases would lead to an increase in the demand for taxis even though in practice there may be empty seats on the bus because of absenteeism. It is the unknown demand created by those passengers not entitled to free transport that causes the problem such as it is. To refuse to carry such passengers would have wider policy implications given the Council's approach to integrated transport. To insist that they must buy a pre-purchased pass would cause hardship for many. As most seats are allocated on a one to one basis there would seem little merit in amending the present policy. Particular problems on particular routes should be resolved on an individual basis.
10. **The evidence indicates that the limited application of the three to a seat rule is not the root cause of complaints of overcrowding.** In practice such complaints arise on routes with a known loading of less than seating capacity strange as that may seem. What happens is that because each pupil has a seat available to them some pupils choose to stand knowing that their seat is secure should they want to sit down. Some pupils occupy two seats for their personal use and some pupils refuse to go upstairs or pass down the bus. The three to a seat rule does not affect this situation which is a matter of supervision and control and is the primary responsibility of the driver. Drivers recognise that such problems need handling with sensitivity. In an extreme case a driver is entitled to eject a passenger from the bus, but drivers recognise that ejection is not always an appropriate response particularly on rural and dangerous routes.
11. PTG estimates that to abandon the use of the three to a seat rule entirely would require in the region of £0.25m per annum in order to respond anywhere at any time to an overload situation. Much if not most of this extra cost would be wasted because as has been pointed out in most cases there will still be empty seats on buses caused by absenteeism.
12. **There is no compelling evidence that the present policy needs to be amended on grounds of safety.** In the vast majority of cases pupils whatever their age are able to occupy a seat to themselves.

Seatbelts

13. At the moment there is no requirement for a bus or other vehicle carrying pupils to school to be fitted with seatbelts, although coaches that carry children aged 3 to 16 must have them. There are very few double-deckers fitted with seatbelts and a lot of single-deckers do not have them. Indeed many buses because of their age are not seated or floored for belts making modification impracticable. A policy of requiring all school buses to be fitted with seat belts would only be a viable proposition if the policy called for the exclusive use of single-decker vehicles, the estimated cost of which is contained in paragraph 6 above. Even then there would be further additional costs because not all single-decker buses are fitted with seatbelts, and there would be installation and maintenance costs that operators might not be prepared to bear. Such a policy would also cut across the Council's integrated transport policy because it would not be possible to place pupils on public service buses that would not have seat belts.
14. The financial consequences of introducing such a policy are extremely difficult to estimate because the extent of increased costs caused by declining commercial interest, a reduction in suitable resources (particularly in rural areas), a reduction in integration opportunities and an increase in management and maintenance

requirements is a total unknown. PTG's guesstimate puts the figure between £0.5m and £0.7m per annum.

15. **A policy of using only single-decker vehicles fitted with seatbelts is estimated to cost an additional £2m to £2.5m per annum including the associated costs referred to in paragraph 7 above. Whilst value for money does not mean having to accept the lowest tender the benefits to be derived from such a change of policy, even if feasible, would need to be great to justify such significant additional expenditure. At the moment that does not appear to be the case.**
16. The compelling practical and financial reasons for not changing the present practice do little to dispel the fairly strong parental perception that double-decker vehicles pose more of a safety risk than single-decker vehicles fitted with seatbelts, especially when they see an increasing number of single-decker vehicles being used on bus routes generally. The reasons for this relate mainly to operational and commercial considerations, and it may be with the passage of time that fewer double-decker vehicles become available to the LEA for school transport. **Ideally the ultimate aim should be to phase out double-deckers for school transport and replace them with single-decker vehicles fitted with seat- belts. This would increase the number of vehicles and vehicle movements, but should be more than counter-balanced by increased pupil numbers travelling on school transport with a significant reduction in the use of cars at peak times.**

Journey Times

17. The present policy statement provides that wherever possible journeys to and from school should not exceed 45 minutes including time taken for changes of bus. This may not always be possible in isolated rural areas or where services are required to operate to more than one school site.
18. Whilst on occasion buses will be late arriving to pick pupils up at the end of the school day normally they will be waiting at the designated pick up point in time for the end of the afternoon session. Pupils having to wait to be picked up is not therefore an issue. More of an issue is the problem of buses being late in the morning to pick up pupils and delivering them late to school. It is inevitable that this will happen from time to time given traffic conditions and the fact that on the morning run buses have to pick up from several stops. It is less of a problem on the afternoon run as most buses arrive empty and pick up pupils from the one point at the same time. When there is a problem in the afternoon it is likely to be where pupils are having to travel on a service bus that has been delayed in traffic or for some other reason. If a particular bus is regularly late the problem will be taken up with the operator by the school and by PTG.
19. **Waiting times are not a significant problem and a maximum journey time of 45 minutes is reasonable. Journeys to the catchment school will rarely exceed this time. Parents expressing a preference for a school other than the catchment school whether for denominational or other reasons must expect that it may involve their child in longer journey times.**

CHAPTER EIGHT

Start/Finish Times and After School Activities

Start/Finish Times

1. The provision of school transport is geared to the morning start and afternoon finish times of schools. Any change to these times can have an adverse effect on transport arrangements. On the other hand managed changes to these times as part of a transport strategy could have the effect of improving the efficient use of a scarce resource.
2. Since 1988 schools have been given increasing autonomy to manage their own affairs and resources with LEAs concentrating on the strategic role. The length of the school day is deregulated, but schools are expected to have regard to national guidelines. Having determined the length of their school day governing bodies are empowered to determine the start and finish time of both morning and afternoon sessions. However they do not have a completely free hand and community, voluntary controlled and community special schools must follow a statutory procedure to ensure consistency of practice particularly with regard to consultation. Governing bodies of voluntary aided and foundation schools are exhorted by the DfES to follow the same procedure. Whilst the times of the end of the morning session and start of the afternoon session can be changed at the beginning of any term the morning start and afternoon finish times can only be changed at the beginning of the school year. It is these latter times that impact on school transport. Most schools, particularly primary schools, have been happy with their historical start and finish times. A significant number have sought to change these times, but not always successfully.
3. Schools may have a number of reasons for wishing to change start/finish times. They may wish to shorten the length of the midday break without extending the overall length of the school day or they may want to adjust the length of the school day to facilitate timetabling and more efficient delivery of the curriculum. Rarely if ever will the reason directly relate to school transport issues although any change to start/finish times is likely to impact on cost/logistics of providing such transport. Such changes may be effected by changing either start or finish time or both. The statutory procedure requires:
 - The governing body must first consult the LEA, head teacher and all staff employed at the school and **following consultation the governing body must**
 - Prepare a statement specifying the proposed change including the date from which it is to take effect and, if required to do so by the LEA, annex to it any comments of the LEA to which the governing body may add its response
 - Provide all parents with a free copy of these documents and make copies available for inspection at the school
 - Call a meeting (minimum of 2 weeks notice after circulating documents) at which parents can discuss the proposal
 - Consider any comments made at the meeting and decide whether to implement the proposal with or without modification
 - Inform the LEA and parents of any change to start/finish time of the school day at least 3 months before it takes effect

4. There is therefore a significant lead-in period to such a change with the LEA having to be notified by 31st May at the latest. The governing body is not obliged to comply with any LEA objection to a proposal, and the LEA remains responsible for the provision of free transport to entitled pupils. Whilst the LEA cannot veto the change it is entitled under its scheme of financial management of schools to charge the school budget with any additional LEA costs attributable to the change. That will be made clear to a governing body during consultation. Whilst there is no requirement to consult other schools in the area it is good practice for a governing body to do so and if it does not the LEA will be anxious to ensure that other schools are given a chance to comment. Depending on the length of the consultation period the LEA should be able to advise the governing body of the impact of a proposed change on transport provision and any knock-on effect on other schools before the statutory statement is prepared.
5. Whilst the LEA is protected financially by this procedure it does not ensure that the logistical problems are necessarily resolved. Where it is not possible to marry transport entirely to the new time(s) it may be necessary for pupils to have to wait for buses to arrive at the end of the school day. The change in some cases will also impact on transport arrangements at neighbouring schools. If a majority of parents support the change it is likely to proceed despite opposition from the LEA (particularly as the justification for the change will be for reasons unrelated to school transport) unless the financial implications for the school are prohibitive.
6. Whilst in theory it should be possible to manage this process strategically so as to facilitate a more efficient use of resources, given the present state of the legislation it will be self evident that this would be difficult to achieve as the LEA has no power of direction. It would require the whole-hearted co-operation of schools and operators. There is little incentive for schools that are happy with the present arrangements to support changes that are perceived to have little benefit for their school, unless it is possible to channel at least some of the consequential savings back into the school. The inability of LEAs to stagger school hours was an issue identified at an LGA conference on home to school transport held in June 2003. Since that conference was held the Department for Education and Skills and the Department for Transport have jointly published "Travelling to School: an action plan" that refers to this issue. The implications of this publication are discussed in Chapter Ten although it is likely to be several years before any legislative changes are in place.

After school activities

7. It is clear that the lack of suitable transport inhibits or prevents some pupils from participating in after school activities particularly in rural schools. This impacts adversely on those pupils whose parents cannot arrange to collect them following such activities. It raises a number of issues, specifically the use of bus passes on other buses after normal going home time and the non-availability of transport in some areas.
8. The feasibility and cost implications of permitting passes to be used on other buses should be examined, but it begs the question of whether the LEA should be expected to pay for such transport. There is no case law on this, but the generally held view is that the LEA is only responsible for meeting the cost of transport at the beginning and end of the school day. Vehicles are contracted on this basis, and operators would not expect to give the LEA a refund because on one or two afternoons a week some pupils remain in school for after school activities.
9. In addition operators would expect to charge the LEA for the use of passes on other than the designated vehicle. Even if the LEA were prepared to meet this cost there would remain the problem of no service bus being available at the right time or at all in some areas. The cost of contracting a special vehicle would be hard to justify particularly when numbers are small and the pattern of activity varied.

10. It is almost inevitable that there will be some inequality in this area. Not all schools operate the same clubs and activities so the ability to participate is governed by what is available. Such activities have always formed part of the pastoral role of the school and it is a matter for the school how they are organised. Because of transport problems some schools operate clubs/activities during the midday break. Others such as Bramcote Hills arrange and pay for special transport but only where demand relative to cost justifies it. The problem will be different depending on where a school is located and how the activities are organised. Problems specific to a school are best addressed locally by the school. Whilst PTG can assist with making special arrangements at present the LEA does not assist with the cost of additional transport.
11. **“Travelling to School: an action plan”** also refers to the significant travel problems presented by the extended school day, and the implications are considered in more detail in Chapter Ten.

CHAPTER NINE

Special Educational Needs Transport

1. Although not specifically identified by the scoping document that sets out the Committee's terms of reference it was suggested at an early meeting of the Committee that the transport requirements for pupils/students with special educational needs should be included within the review. Some LEAs publish separate policies dealing with the transport requirements of pupils with special educational needs whilst others deal with them within their mainstream policy document. Not all pupils with special educational needs necessarily have special transport needs and not all pupils with special transport needs necessarily have special educational needs. The mainstream Nottinghamshire policy makes it clear that the admission of pupils with a statement of special educational needs to special schools or mainstream schools is determined by the specialist team within the Education Department. In such a case any associated need for special transport will usually be included in the statement and the LEA then becomes responsible for making the necessary arrangements. Pupils with special educational needs without a statement are dealt with under the mainstream policy. However where a pupil, whether with or without a statement, has a special transport need arrangements will be made and paid for by the Education Department through the Social Services Transport Unit, unlike the provision of mainstream transport where the budget is held by the Environment Department.
2. There are compelling reasons for reviewing the policy and practice relating to SEN transport needs not least of which is the steadily increasing cost of provision. This is a challenge for all LEAs, and the DfES is presently gathering information with a view to launching a review of this area of provision. Some authorities, such as Norfolk, have already embarked on their own reviews. It is a complex area of provision. The catchment areas of special schools can be extensive depending on demography and the specialist provision in particular schools. Sometimes it is necessary to place a pupil in a special school outside the LEA's area. Both of these factors can have significant transport implications. The implications for post-16 pupils have to be considered in the light of the requirement for LEAs to publish an annual transport policy statement for pupils/students of 6th form age.
3. The recently published "**Travelling to School: an action plan**" exhorts schools to "work with children with special educational needs to prepare them for independent travel wherever possible". It also calls on LEAs and Transport Authorities to "develop *inclusive* policies and practices so that children with statements of special educational need use the same transport as unstatemented children wherever possible".
4. This report identifies just a few of the issues where SEN transport provision differs from mainstream transport provision. There are numerous others that call for examination. The government is looking for harmonisation of the various strands that make up education transport wherever possible to secure best value and equity of provision. This is a mammoth task and "**Travelling to School: an action plan**" floats some radical ideas that will necessitate changes in primary legislation if they are to be piloted and transformed into policies and practice. These changes would impact significantly on both mainstream and SEN transport. The government is intending to produce a final report in February that will presumably firm up potential pilot projects and the timetable. It is understood from presentations at regional seminars arranged by the DfES that pilot projects are likely to run for 3 years before being evaluated. Substantive changes affecting all LEAs are likely to be at least 5 years away. A report on the SEN data gathering exercise is also expected within the next few months.

5. **It is clear that an examination of SEN transport requirements, whilst necessary, will be an extensive exercise that cannot be tackled within the present remit and timescale.** The review of the mainstream transport policy within the constraints of the current legislation is a critical starting point. It serves to restate the LEA's position at a time when education transport, following years of agitation, has again become the focus of national consideration. It is generally accepted that the present statutory framework is outdated and does not always fit neatly with current life-styles or with modern legislation. If a national review results in radical changes to the present statutory framework then all LEAs will need to revisit their policies and practices. However as this remains some way off there may be benefit in examining SEN transport needs in the meantime. **It is recommended that a decision on whether or not to conduct a separate review of these needs should be deferred at least until the expected government report(s) has been published as this may give clearer guidance on current government thinking.**

CHAPTER TEN

Travelling to School: an action plan

1. In September 2003 the DfES and DfT published **Travelling to School: an action plan**. The thrust of the document was to announce a government initiative to make revenue grants available to LEAs and capital grants available to schools to encourage and expedite the production of school travel plans. The action plan identifies initiatives that should be taken by schools and LEAs to facilitate this. The principle underlying the plan is to reduce the use of cars on the daily school travel run whilst promoting other safe and more environmentally friendly means of travel such as buses, cycling and walking.
2. The action plan also indicates that the government will be examining the statutory framework for school transport acknowledging that the present framework has been around for a long time with many parents feeling that its operation is now unfair. The action plan suggests a number of possible pilot projects some involving the need to disapply the law. For these pilots to operate it will be necessary to pass legislation allowing the pilot areas to operate in innovative ways outside of the present rules. The DfES is working on a draft bill that should be ready by January 2004, but at the moment no parliamentary slot has been identified. It is understood the DfES is aiming to produce a further report in February 2004 that presumably will offer clearer guidance on timescale and possible pilots.
3. The action plan identifies 8 areas of provision where the DfES and DfT would particularly welcome pilot schemes. The Committee considered these in the context of whether to make any recommendation in this report as to the involvement of the LEA in one or more pilot schemes. The Committee expressed interest in 3 areas and asked for a report on the feasibility of LEA involvement given it seems likely that the government will offer no significant financial support to LEAs for mounting a pilot scheme. The present information is that pilots will run for 3 years before they are evaluated. It is likely to be at least 5 years therefore before any substantive legislative changes and guidance impact generally on LEAs.

Curriculum needs of the 14-19 age group

4. At present the LEA makes some provision through PTG for the 16+age group, but not at every school. This happens when individual numbers are low and there is a need to secure broader access to courses usually by facilitating travel to colleges (or other schools). The present arrangements are not particularly cohesive. There is a budget of approximately the right size for certain schools, whilst in other cases arrangements are made on the basis of a recharge to the school. Curriculum delivery is the responsibility of each school and special arrangements to facilitate wider access is regarded as part of each school's provision payable for by the school. The reasons behind the disparate nature of current provision are therefore historical. At present the arrangements do not address the special curriculum needs of the 14-19 age group. They could be expanded, but PTG makes the point that, based on existing experience, such transport requirements are very customised and given to change at very short notice. This involves intensive use of staff resources requiring urgent action for relatively

little value work. There is scant opportunity for pre-planning. Many administrative problems have been encountered in dealing with schools. Those providing the education tend to overlook inter-site travel times when producing timetables. Whilst this might not be too difficult to tackle when considering only post-16 transport, the implications for inter-site travel for pupils under 16 are likely to be more complex. Even if timetables could be arranged so that students go to different sites on different days there would still be many issues about transport arrangements that will need to be addressed, such as the availability of transport and the process of authorising and paying for it. Would there be a need to secure customised transport from home to school and back?

5. This area of provision is not one specifically identified in the action plan as a possible pilot scheme, but the DfES will be looking at schemes that allow LEAs to trial alternative packages of school transport. The DfES might take the view that this is a practical issue of logistics and funding that LEAs and schools just have to confront from year to year not calling for a pilot, as it can be tackled within the existing legislative framework, particularly as such provision has to be heavily customised to meet the needs of individual schools. It is an area that is further complicated because of different funding streams covering the 14-19 age group. One area where the current legislation does impact is the requirement that transport arrangements must apply equally to all students of 6th form age whether in a college or school. At present the arrangements for post-16 are different from the arrangements for pupils of statutory school age and have been for many years.
6. **This is an area that could be examined outside of any government initiative with a view to the LEA publishing its own guidance and best practice. PTG points out that in many ways this area of provision would be organised best by schools, which are in a position to respond quickly to individual pupil/student needs. Some schools have shown themselves to be quite effective in arranging, often with the help of PTG, their own transport, but most schools have neither the inclination nor expertise to do this. There are also the associated issues of funding and audit. The dilemma is that the staff best placed to produce a manual of guidance and best practice are already hard pressed. If this is to be taken forward it needs a steering group comprising key officers from PTG, Education Department and Schools with specialist input when needed working to an action plan that identifies individual responsibilities and timelines. The size of such a task should not be under-estimated.**

The extended school day and after school activities.

7. The problem of facilitating access to schools at other than traditional times because of inadequate or non-existent transport is a well established problem area confronting all LEAs and many schools,

particularly those with a wholly or partly rural catchment. In Nottinghamshire it is less of a problem within the Nottingham City conurbation because transport is primarily provided by means of purchasing tickets on a commercial or tendered bus service offering a range of journeys across the day. Nevertheless it is limited by service bus capacity at main travel times and lack of any regular service to some parts of school catchments. The Committee has already looked at this issue, and has first hand knowledge of the problems at Tuxford (a rural catchment) and Bramcote Hills (a primarily urban catchment).

8. The integrated transport policy of the Authority means that emphasis is placed on public service provision with this being utilised for home to school transport wherever possible. It is impracticable for the public network to be geared to the day to day variations in school needs so as to allow them to be built into bus timetables. It is probably feasible to "fill out" the school bus timetable so as to provide for inward journeys in the morning and at lunchtime, with return journeys at lunchtime, teatime and the evening. This would throw up capacity/route issues, as well as problems of managing demand. Funding is likely to be a major issue. Should the additional costs be met by the school(s) which is usually the case at present or by the LEA or shared?
9. **This is a very suitable subject for a pilot. Apart from addressing the fundamental issues identified above it embraces innovative ideas such as the creative use of community transport, collaboration between schools both in the provision of extra-curricular activities and the possibility of schools owning their own transport. The thrust of all the pilots will be to reduce the use of cars (which might involve the sponsoring of parent car-sharing schemes) and increase the use of buses or other means of public transport. The expectation is that where pilots are mounted more than one authority will be involved, and that will allow for the sharing of ideas and experiences during the course of the pilot. However all those involved with similar pilots will be expected to commit equivalent levels of budgetary provision. Careful consideration would therefore need to be given to the possible financial implications as well as to the adequacy of staffing resources before committing to a pilot. For the pilot, even though for 3 years, to be manageable it would probably need to be restricted geographically to a couple of areas, one urban and one rural. If the LEA were minded to get involved in such a pilot it ought to reserve its position until further guidance has been published.**

Staggered Hours

10. PTG comments that this is a long-standing vision because of an historic approach of running buses, within reason, to timetables that maximise usage. Many such link-ups have gone leading to a

substantial extra cost of hiring in more buses, and reducing the efficiency of use.

11. With schools having control of their session times and organising them for non-transport reasons, together with the road safety issues associated with children being on the premises, the timetabling constraints now in place make restitution of lost linked timetables increasingly hard to pursue. These constraints, coupled with many longer runs, mean that any stagger would need to be very considerable particularly in the afternoon. In many cases the best option could lie with co-ordinating primary and secondary runs so that a run in one direction links to one in the other. This could push the timetable stagger towards the primary school where greater flexibility might exist.
12. A second or alternative approach could be for a secondary school with a concentrated bulk movement to stagger its year groups so that buses can multi-trip the same route. This should produce significant savings. Some schools would have to increase supervisory support, although this is already happening to an extent for reasons not directly related to transport.
13. Where schools are sharing the curriculum it will be increasingly difficult to stagger session times. Changes such as those in Retford have led to schools standardising their session times.
14. There are clear tensions between the factors that influence the school timetable and those needed to achieve effective staggering. Even if for the purpose of a pilot the power to determine session times were returned to the LEA the tensions would still exist with a potential for friction between the LEA and governing bodies. There are no doubt strong school organisation reasons why the school timetable should take a particular shape. Even if the LEA had more power it would not guarantee greater co-operation from schools, as they would have no particular incentive to co-operate unless one could be provided. It is hard to see that there would be any justification for the LEA deducting the notional loss of transport savings from a school's budget for refusing to co-operate with changes when it is the LEA and not the school seeking those changes. For such a pilot to be successful would call not only for the powers of the LEA to be strengthened in a number of respects but also for maximum co-operation from schools. **Desirable though the aim may be a pilot would be very resource intensive and difficult to manage.**

Conclusion

The most appropriate pilot would appear to be that relating to the extended school day/after school activities. Whilst this would require close co-operation from schools the benefits to be gained by them should provide compelling reasons for such co-operation. Lack of transport in this area of provision is primarily a problem for schools,

whilst mainstream transport is more of a problem for the LEA. Any pilot designed to address this ought to be welcomed by schools. The Committee is mindful of the resource implications of involvement with any pilot, and that the government is unlikely to provide significant additional funds, although it will be looking to pilot LEAs to commit sufficient funding to their pilots for three years at least. The Committee is of the view that Nottinghamshire could embark on its own pilot into ways of addressing transport problems associated with the extended school day and after school activities, outside of any government initiative, within its own resource capabilities, and recommends that that should be done, in the first instance examining an urban area and a rural area as a desk top exercise to test the economic feasibility.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The deliberations of the Committee lead to the conclusion that the present policy is robust, and that changes to improve service delivery would have significant resource implications. This report does not therefore recommend any major changes to policy or practice, but both need to be carefully monitored and regularly reviewed in the light of national and local circumstances that are constantly changing. The report highlights a number of areas that call for further consideration as the national picture becomes clearer.

OVERARCHING POLICY

The Committee recommend the adoption of the following overarching policy statement:

The education transport policy of the Nottinghamshire County Council will operate within the aims and objectives of the Council's Strategic Plan and ensure that the Council fulfils its statutory obligations. Within that context the aim of the policy is to provide a high quality transport service as efficiently and economically as possible designed to ensure that pupils get to school within a reasonable time and travel in a safe and stress free environment. The policy will have regard to the school admission arrangements operating within the County.

PUBLICATION AND REVIEW

It is recommended that a policy statement for the provision of transport for pupils of compulsory school age be published annually by the 31st May, and that the policy be reviewed every 4 years, more frequently in the event of significant changes in national or local circumstances.

CHAPTER THREE

Transport and parental preference

1. Those responsible for school transport need to work closely with those responsible for admissions including the new statutory Admission Forum.
2. For the purpose of verifying claims for assistance with transport to denominational schools it should be possible under the proposed co-ordinated admission arrangements for the LEA to identify those pupils in respect of whom an offer has been made on denominational grounds, so that this can be readily checked by TGP when requests for assistance are received.
3. Nottinghamshire's policy on eligibility for free transport to both denominational and non-denominational schools is broadly in line with that of most other LEAs. This conclusion is borne out by the

findings of the Audit Commission and EMIE. Most shire LEAs spend between £1 and £5 per day per pupil carried. All are confronted by escalating costs. Nottinghamshire is still very cost effective compared with other LEAs. Given this and the minimum requirements of the 1996 Act there are no obviously overwhelming arguments for amending these aspects of the transport policy at this time.

4. To vary the policy by providing free transport to any preference school that is outside the walking distance would go beyond what is legally required and would have significant financial and logistical implications even with journey length/time restrictions in place. Whilst the provision of free or assisted transport to denominational schools is at the discretion of the LEA there is the requirement to have regard to parental wishes in such cases, and the policy presently adopted by the LEA in this regard is consistent with the policy adopted for provision of free or assisted transport to non-denominational schools. Consistency of policy is important in order to avoid charges of discrimination. At present one LEA is being challenged on its policy. A number of others have decided to modify their policies by significantly reducing entitlement or eligibility in relation to denominational places. The policy needs to be kept under review, and the national picture needs to be monitored particularly in the light of burgeoning costs.
5. Whilst recognising this increasing cost the government is looking to LEAs to examine ways in which support can be given to pupils attending denominational schools. Now is not really the time to be reducing the present level of support, and at the moment the issue that should be rigorously addressed is the proper application of the current policy to ensure that it is not abused and that only those pupils attending their nearest denominational catchment school on denominational grounds are eligible for support, with the exception of those children admitted on non-denominational grounds who live beyond the walking distance and for whom the school is their catchment school. (This is most likely to occur in relation to Church of England VA secondary schools).
6. The Committee therefore recommends that the current policy with regard to walking distances and eligibility for free transport be continued.

Bluecoat and Emmanuel Schools

7. In the short term the LEA should make specific arrangements for these 2 schools by limiting eligibility for free transport to whichever of the 2 schools is

closer to the pupil's home address, and that school should be treated as the catchment school for transport purposes.

8. To seek a longer term solution the LEA ought to raise the issue with the 2 governing bodies with a view to it being referred to the Admission Forum for consideration.

Withdrawal of Service

9. The Committee recommends that it be made explicit in the school transport policy that the LEA reserves the right to withdraw a service that is uneconomic, and therefore withdraw the pass, provided that where there is an entitlement to free travel alternative provision is made.

CHAPTER FOUR

Concessionary Travel

1. To safeguard the needs of pupils entitled to free travel and to avoid expense it should be made explicit that the option to continue to purchase a discounted season pass will be withdrawn if the seat occupied by a child should become needed for a pupil entitled to free travel.
2. Rather than extend concessionary travel an option that may be more welcome to schools could be supporting school travel plans in the provision of school transport.
3. The Committee recommends that the current scheme for concessionary education transport be continued, subject to this position being reviewed if necessary in the light of the new framework for support to public transport.

CHAPTER FIVE

Nottingham City Pupils

1. These pupils remain the responsibility of the City LEA and the County LEA is not responsible for their transport.
2. Arguably the school at which the pupil is registered could assist in the provision of transport for pupils if that benefits the school.

CHAPTER SIX

Behaviour on School Buses

1. The LEA should consider ways of establishing regular Consultation with pupils perhaps by a mixture of short questionnaires and in the case of those routes experiencing

particular difficulty by talking to pupils. Schools that do not already have them should be encouraged to establish school councils, representative of all year groups, and to have school transport as a regular agenda item. Consideration should be given to the establishment of a stakeholder group including representatives of parents, pupils, head teachers, teachers, operators and the LEA.

2. The LEA should consider establishing a similar Protocol to that operated by Devon LEA that links into both the procedure for withdrawing passes and the school's discipline code. The LEA should examine the extent to which school discipline codes support the mainstream school transport policy in this regard.
3. The LEA's present policy operates on the basis that the provision of escorts would only be considered where circumstances demanded it. There is no compelling reason to change present practice. The suggestion has been made by the Principal of Dukeries Community College, which has experienced this problem, that consideration be given to inviting school staff who travel by the same route to travel on the school bus in a supervisory capacity in return for a free pass. The suggestion has much to commend it. The staff will already be authority figures for the pupils travelling on the bus, they will already have been subject to CRB checks, and will be in a position to provide valuable evidence of misbehaviour in the context of possible school discipline. The prime purpose will be to inhibit bad behaviour. If this can be negotiated with teachers it may be well worthwhile pursuing on a pilot basis. Consideration could also be given, as already happens in some cases, to asking 6th form pupils to report any incidents of bad behaviour they witness whilst travelling on school transport.
4. To emphasise the part to be played by school disciplinary codes those schools that have not already done so should be recommended to include a requirement for acceptable standards of conduct while travelling on school buses and other means of transport in home/school agreements.

CHAPTER SEVEN

Standards

Safety Issues – loading and unloading

1. The findings of the safety audit need to be evaluated in greater depth with a view to identifying and prioritising the measures that should be taken to

address the safety problems identified. Clearly many of the problems can be addressed without incurring significant expenditure of either revenue or capital, and these should be given top priority. At the same time consideration needs to be given to the feasibility and cost of implementing long term solutions, recognising that special schools can face additional problems arising from pupil mobility and the nature of the transport that has to be provided.

2. Consideration should be given to mounting a major publicity campaign jointly organised by the LEA and the police aimed at preventing the parking of cars in places that obstruct or interfere with the safe loading of school buses. Where necessary consideration should be given to the introduction of waiting restrictions to reinforce such a campaign.
3. The Committee recommends that a manual of good practice is produced and circulated to all schools.

Vehicle Type

4. There are no recorded injury accidents in the county relating to school transport where the use of a double-decker was the cause.
5. The perception that behaviour is more of a problem on double-deckers is not borne out by the available evidence.
6. In conclusion there are no overwhelming reasons either on grounds of safety or pupil behaviour for changing the practice of using double-decker vehicles where appropriate for home to school transport. At present there are compelling reasons related to market forces, cost and logistics for not departing from current practice.

Three to a Seat

7. The evidence indicates that the limited application of the three to a seat rule is not the root cause of complaints of overcrowding.
8. There is no compelling evidence that the present policy needs to be amended on grounds of safety.

Seatbelts

9. A policy of using only single-decker vehicles fitted with seatbelts is estimated to cost an additional £2m to £2.5m per annum including the associated costs referred to in Chapter Seven. Whilst value for money does not mean having to accept the lowest tender the benefits to be derived from such a change of policy, even if feasible, would need to be great to justify such significant additional expenditure. At the moment that does not appear to be the case.

The longer term

10. Ideally when, resources permit, the ultimate aim should be to phase out double-deckers for school transport and replace them with single-decker vehicles fitted with seat-belts. This would increase the number of vehicles and vehicle movements, but should be more than counter-balanced by increased pupil numbers travelling on school transport with a significant reduction in the use of cars at peak times.

Journey Times

11. Waiting times are not a significant problem and a maximum journey time of 45 minutes is reasonable. Journeys to the catchment school will rarely exceed this time. Parents expressing a preference for a school other than the catchment school whether for denominational or other reasons must expect that it may involve their child in longer journey times

CHAPTER NINE

Special Educational Needs Transport

1. It is clear that an examination of SEN transport requirements, whilst necessary, will be an extensive exercise that cannot be tackled within the present remit and timescale. It is recommended that a decision on whether or not to conduct a separate review of these needs should be deferred at least until the expected government report(s) has been published, as this may give clearer guidance on current government thinking.

CHAPTER TEN

Travelling to School: an action plan.

Curriculum needs of 14-19 age group

1. This is an area that could be examined outside of any government initiative with a view to the LEA publishing its own guidance and best practice. PTG points out that in many ways this area of provision would be organised best by schools, which are in a position to respond quickly to individual pupil/student needs. Some schools have shown themselves to be quite effective in arranging, often with the help of PTG, their own transport, but most schools have neither the inclination nor expertise to do this. There are also the associated issues of funding and audit. The dilemma is that the staff best placed to produce a manual of guidance and best practice are already hard pressed. If this is to be taken forward it needs a steering group comprising key officers from PTG, Education Department and Schools with specialist input when needed working to an action plan that identifies individual responsibilities and timelines. The size of such a task should not be under-estimated.

The extended school day and after school activities

2. This is a very suitable subject for a pilot. Apart from addressing the fundamental issues identified in the report it embraces innovative ideas such as the creative use of community transport, collaboration between schools both in the provision of extra-curricular activities and the possibility of schools owning their own transport. The thrust of all the pilots will be to reduce the use of cars (which might involve the sponsoring of parent car-sharing schemes) and increase the use of buses or other means of public transport. The expectation is that where pilots are mounted more than one authority will be involved, and that will allow for the sharing of ideas and experiences during the course of the pilot. However all those involved with similar pilots will be expected to

commit equivalent levels of budgetary provision. Careful consideration would therefore need to be given to the possible financial implications as well as to the adequacy of staffing resources before committing to a pilot. For the pilot, even though for 3 years, to be manageable it would probably need to be restricted geographically to a couple of areas, one urban and one rural. If the LEA were minded to get involved in such a pilot it ought to reserve its position until further guidance has been published.

Staggered Hours

3. Desirable though the aim may be a pilot would be very resource intensive and difficult to manage.

Conclusion

4. The most appropriate pilot would appear to be that relating to the extended school day/after school activities. Whilst this would require close co-operation from schools the benefits to be gained by them should provide compelling reasons for such co-operation. Lack of transport in this area of provision is primarily a problem for schools, whilst mainstream transport is more of a problem for the LEA. Any pilot designed to address this ought to be welcomed by schools. The Committee is mindful of the resource implications of involvement with any pilot, and that the government is unlikely to provide significant additional funds, although it will be looking to pilot LEAs to commit sufficient funding to their pilots for three years at least. The Committee is of the view that Nottinghamshire could embark on its own pilot into ways of addressing transport problems associated with the extended school day and after school activities, outside of any government initiative, within its own resource capabilities, and recommends that that should be done, in the first instance examining an urban area and a rural area as a desk top exercise to test the economic feasibility.

APPENDIX A

Available Walking Routes

1. A pupil is entitled to free transport if the distance from home to school is greater than 2 miles for a child under the age of 8 and 3 miles for all other pupils of compulsory school age. The distance has to be measured by the nearest available route. Case law has determined that a route is available if a child **accompanied as necessary** can walk the route in reasonable safety. The Education Act 1996 requires the LEA when considering the availability of a route to have regard to the age of the pupil and the nature of the route, or alternative routes, which he could reasonably be expected to take. The effect of case law and the 1996 Act makes it necessary to conduct a risk assessment on those routes that are shorter than the appropriate walking distance to ascertain whether they are available. The Local Authority Road Safety Officers Association has produced national guidelines that are followed by the LEA.
2. Administratively officers of the Environment Department undertake consideration of the availability of a route and any review of that decision. If the initial decision is challenged the route will be inspected by road safety officers who will carry out a risk assessment using the following criteria that follow the national guidelines.
3. For a route to be assessed as NON-HAZARDOUS there needs to be:

BOTH

A continuous adequate footway on roads that carry normal to heavy traffic

or Step-offs on roads that have adequate sight lines to provide sufficient advance warning

or On roads with no step-offs of sufficient width a low traffic flow and sufficiently good sight lines to provide adequate advance warning

AND

If there is a need to cross roads there must be:-

- Crossing facilities (Zebra or Pelican crossings)
- Pedestrian phases of traffic lights (including necessary refuges)
- School Crossing Patrols
- Traffic calming (sufficient to enable safe road crossing)
- Pedestrian refuges

or Sufficient gaps in the traffic flow and sight lines to allow enough opportunities to cross safely.

Step-off refers to the facility for pedestrians easily to be able to “step-off” clear of the roadway onto a reasonably even and firm surface

4. Where the assessment is that there is no available route within the statutory walking distance free transport will be provided. Once a route is considered unavailable for a child that route becomes unavailable for all children when travelling to school even if there are parts of the total route that would otherwise be available. However if there is an alternative route that is available and within the statutory walking distance a child will be expected to use the available route even if it is longer than the unavailable route.

5. Available visibility is calculated by allowing for a vehicle to stop given the 85 percentile speed of the flow of traffic and the stopping distances set out in the Highway Code. A traffic count formula is used to calculate traffic volume.
6. Whilst the guidelines enable risk assessments to be carried out consistently they are applied sympathetically recognising the realities of life for parents. For example for a footway or step-off to be regarded as adequate it must be capable of being used by a parent pushing a baby buggy. However a route may not be regarded as unavailable if it can readily be made available by taking appropriate action such as the mowing of grass verges during the growing season, but where that would conflict with the policy relating to verge cutting a decision would have to be taken about which should take priority.
7. On 9th October 2003 Councillor Andy Stewart accompanied by officers from PTG, the Education Department and Derek Owen visited Aslockton to inspect 2 routes, both within 2 miles of the village school, that had been deemed unavailable using the guidelines described above.



8. The above photo shows Cliffhill Lane looking north from the village. At this point there is an adequate footway on one side of the road, but beyond the footway neither verge is adequate to make this route available. Further along the route becomes available again, but for any child living within the walking distance who has to use this route to get to the village school free transport will be provided because for pupils coming from this direction there is no alternative available walking route within the statutory distance.



9. This photo shows Mill Lane leading to Scarrington from its junction with Main Street.



10. This photo shows Mill Lane looking towards Scarrington opposite the entrance to the village school. The route at this point is clearly available. However the junction where Mill Lane enters Scarrington is deemed to be hazardous as is the approach where the step-offs are inadequate. Children who have to use this route therefore get free transport from home to the village school.
11. Children living in the village who have to go to School in Bingham do not get free transport because there is an alternative available route within the statutory walking distance.
12. The fact that a child lives within the statutory walking distance does not mean that the child has to walk to school if a walking route is available. It simply means that the provision of transport is the responsibility of the parent not the LEA. At the moment the law does not allow the LEA

to create spare capacity on contract vehicles to allow for fare paying passengers. However the integrated transport policy pursued by the Council means that it is often possible to commission a public service that parents can use provided they are prepared to pay the fare. It is inevitable that under the present arrangements there will be many anomalies because of where a child lives. For example a 9 year old living 2.9 miles from school who has access to an available walking route would have to pay for transport if there is a service available, but a child of the same age living 1 mile away attending the same school would get free transport provided by the LEA if that child could not access an available walking route that was shorter than 3 miles. Until such time as the law is changed in relation to walking distances and the availability of routes these anomalies will persist. It is an issue that is part of the consultation on school transport presently being carried out jointly by the DfT and the DfES.

NB The procedure described for assessing the availability of a route has regard only to road safety factors. Issues of personal safety are not a consideration in this context, because they do not make a route unavailable. However the LEA has discretion to provide free transport in other exceptional circumstances. These are recognised by the existing policy and embrace things such as special medical circumstances and mobility. If a parent requests free transport on grounds of personal safety the request would be assessed within the Education Department, and if the issue is real and cannot be addressed in some other way the LEA can agree the request.

APPENDIX B

School Visits

1. Arrangements were made to visit two schools to enable the loading of pupils at the end of the school day to be observed. It was not considered practicable to observe unloading at the beginning of the school day. The opportunity was also taken to learn about the experiences and views of the pupils, staff and governors. The two schools chosen were Tuxford Comprehensive School and Bramcote Hills Comprehensive School. The former has a very large rural catchment area and the latter serves a largely urban area, but admits children from outside its catchment including Nottingham City and Derbyshire.
2. The two schools offered a number of contrasts. Tuxford has to work with several operators whereas a single operator provides all the buses serving Bramcote Hills. Pupils at Tuxford disembark and board within the school site, but the buses at Bramcote Hills stop and wait on the public highway.
3. The visits took place on 22nd May (Tuxford) and 2nd July (Bramcote Hills). This meant that members were not able to observe the full extent of end of day loading because in each school a number of year groups were absent because of examinations.
4. **TUXFORD:** At present the school is served by 11 vehicles 8 of which are double-deckers. Whilst the buses unload and load within the school site the present arrangements are not wholly adequate. The segregation of vehicles and pedestrians and buses and cars leaves a lot to be desired and on occasions this leads to one or more of the buses having to wait on the highway at the end of the school day. Tuxford however is in the fortunate position of being rebuilt and the outline planning permission provides for much improved bus access. This in turn will facilitate the provision of more single-decker buses.
5. A meeting was held with a cross-section of pupils who travel on the various buses serving the school including both pupils entitled to free transport and pupils whose parents have to pay either because Tuxford is their preference school or they live within 3 miles of the school. The evidence presented is anecdotal and reflects pupil perceptions.
6. We were told that the East Markham bus is generally badly overcrowded with on one occasion 32 pupils standing upstairs. Because of the distance pupils living in East Markham pay whereas those living in Retford travel free. Pupils felt this to be unfair when often fare payers were unable to secure a seat. Because this is a service bus it is also used quite extensively by the public adding to the problem of overcrowding. Pupils suggested that the best way of solving this problem would be to provide a second bus.
7. Pupils complained that the Elkesley bus was often late but acknowledged that this was due to road works on the A1. Some pupils complained about the length of time they had to queue for this bus and about the stop/start nature of the journey.
8. Pupils said that the Newark bus often broke down necessitating a change of vehicle. On occasions pupils said they were unable to get on this bus.
9. Pupils complained about bad pupil behaviour on the upper deck of the Rampton bus and that some pupils stand and talk to the driver. At one time there had also been a problem of pupils smoking.

10. The Ollerton bus is a service bus. Whilst there is no overcrowding there is apparently a behaviour and smoking problem.
11. Pupils were asked about behaviour problems and how to deal with this. They were asked about the use of CCTV cameras. We were told that some buses have these, but they do not seem to be used. We were also told that 6th formers are meant to report bad behaviour but don't always do so. The general view was that bad behaviour for the most part involved pupils fooling around rather than bullying.
12. Transport related problems are discussed in the School Council but the perception was that not much happened.
13. When asked about after school activities we were told that most pupils only participated if their parents were able to collect them.
14. Members then observed the boarding and departure of the afternoon bus run. This was fairly orderly and pupil behaviour was reasonable whilst waiting for the buses to depart. Members also boarded a number of the buses to inspect their condition.
15. The Head Teacher told us that 91 pupils live along the East Markham route so that there is a lot of pupil movement on and off the bus. He felt that drivers often found it difficult to control bad behaviour, but the school would never turn a blind eye to a complaint about behaviour. The school operates a multi-purpose supervision team of full-time fully trained staff paid for by the school. When asked about the relationship between the school and the bus operators he indicated that the relationship with one contractor was excellent but the school experienced difficulties with some of the larger operators.
16. The representative of the Public Transport Group said that whilst the Council always had to balance standards against cost the health and safety of pupils was the paramount consideration. Complaints raised by pupils are fully investigated.
17. There was then a meeting with representatives of the Governing Body and the school staff. The following concerns were expressed.
 - a) The fact that fare paying pupils could not always secure a seat
 - b) Pupil behaviour during journeys and the issue of supervision
 - c) Safety issues
 - d) Overcrowding
 - e) Bus access and car parking
 - f) Buses arriving late
 - g) The impact on after school activities caused by lack of transport
18. **BRAMCOTE HILLS:** At this time the school is served by 9 buses, all of which are single-decker and all are provided by the same operator. There is no on-site facility for loading and unloading and this has to be done on the public highway adjacent to the school site entrance. Problems are caused by the parking of cars along this road by parents dropping off and collecting pupils. The buses operate a one-way system using estate roads that were not designed for this purpose. This is necessary because, even if turning facilities were available, the buses would only be able to turn left out of Moor Lane on to the A52, so they have to make their way via estate roads to a different access on to the A52 at which they can turn right.
19. Members met a cross-section of pupils using the various routes and heard a lot of anecdotal evidence about their experience of travelling on school buses. Pupils told of recent conflict between Bramcote Hills pupils and Bramcote Park pupils whilst one of the school buses was passing The Park School. This had been addressed by the schools, but had clearly left an impression on the pupils. Reference was also made to the incident involving a service bus driver that has resulted in the operator refusing to pick up any passengers on the A52 at Bramcote after 3.30 pm.

20. Generally however the picture painted was one of reasonable pupil behaviour with most pupils seated and conversing during journeys although the home journeys were usually noisier affairs. Pupils spoke well of the cleanliness and condition of the buses. Smoking was not a problem. Neither was overcrowding. Concern was expressed that one bus was always late arriving at school, but staff were aware of this and allowance was made.
21. When asked about seatbelts pupils said that the buses they used did not have them and were of the view that they would not be used even if they were fitted.
22. Participation in after school activities was a problem for some pupils because transport was not available. We were told that after school clubs and detentions are arranged for Mondays, Wednesdays and Fridays when the School pays for a late bus to take pupils to Beeston and Chilwell. At this time there is insufficient demand to justify paying for a bus to take pupils to Trowell.
23. The impression given was one of a good relationship between pupils and drivers undoubtedly helped by the fact that the school has negotiated with the bus operator for each bus always to be driven by the same driver as far as possible.
24. The arrangements negotiated with the operator are that no bus will arrive at Moor Lane before 3.10 p.m. and a member of staff is always on duty at the roadside and will board buses to make sure everybody is all right. There is no evidence of safety concern.
25. Members then observed the boarding of buses for the home run. Even allowing for the absence of three year groups this was a very smooth and disciplined operation bearing out what members had been told during the earlier discussions.
26. There was then a discussion with members of staff. We were told that because other operators were no longer interested in tendering for the School's bus contracts the School was now in a position of dealing with only one operator. This had occurred purely as a result of the re-tendering exercise and not by design. This had proved very beneficial. The contractor operated a niche market that enabled the company to provide good quality vehicles and to avoid driver recruitment problems because the work did not involve anti-social hours. It was clear that the relationship between the School, the LEA and the operator was excellent. There were few incidents of bad behaviour and when these or any other problem occurred they were quickly resolved.
27. Although the need to load buses off-site and the conflict with cars are matters of concern the School appear to have the situation well under control.

APPENDIX C

Home to School Transport Improvement & Implementation Plan Update: Jan 04

	OBJECTIVE	ACTION	TARGET DATE	OUTCOME/PROGRESS	DELIVERY ISSUES
(A)	Improve quality of contracted services	1. Amend contract conditions 2. Introduce CRB checks 3. Introduce revised RPI factor 4. Enhance service inspections	Spring 04	Revised conditions, CRB and RPI measures in place. Inspection regime revised as an ongoing process	Contract Management Resources
(B)	Consider the provision of an in-house fleet and monitor contract costs	1. Provide costs of operating in-house fleet compared with private sector	Annually	Assessment in August 2003 shows that private sector costs remain competitive. Next due August 2004	Additional costs Volume availability
(C)	Additional services associated with School Travel Plans	1. Set up joint LEA/Env Steering Group 2. Appoint four travel advisors	Spring 04 Summer 04	Both arrangements in preparatory stage	Staff availability Time resource Extra costs
	OBJECTIVE	ACTION	TARGET DATE	OUTCOME/PROGRESS	DELIVERY ISSUES
(D)	Implement measures to tackle bad behaviour	1. Institute pilot CCTV camera schemes 2. Review policy for excluding pupils from transport	Spring 04	Two schemes in place at Kimberley and Rushcliffe. Third scheme in preparation Policy review now complete	Costs Operator and school commitment
(E)	Rollout Smartcard	1. Migrate to ITSO standard	2004/05	Project plan and risk assessment being prepared	Operator support Implementation plan

			Funding secured from DfT and LTP	Risk assessment IT support	
(F)	Introduce on-line applications for travel assistance	1. Prepare on-line forms 2. Assess IT implications	Spring 04	Work in progress	Data protection Form design IT capability

GLOSSARY OF ABBREVIATIONS

CRB	Criminal Records Bureau
DD	Double-decker bus
DfES	Department for Education and Skills
DfT	Department for Transport
EMIE	Education Management Information Exchange
FE	Further Education
LEA	Local Education authority
OFSTED	Office for Standards in Education
PTG	The Council's Public Transport Group
RPI	Retail Price Index
SEN	Special Educational Needs
SD	Single-decker bus
VA	Voluntary Aided School