

Home to School Transport Services – Final Draft Report

Background

1. In August 2006 Cllr Charles Hall registered a Scrutiny Topic which asked members to investigate the contracts for home to school transport and to consider if it would be possible to introduce higher quality buses and also to improve safety. The Topic Registration Form can be seen at Annex A.
2. Local authorities are required by the government to provide transport to enable children to attend school. This transport will be free of charge if the child attends the nearest suitable school which is within two miles walking distance of home for those up to eight years of age and three miles for pupils between the ages of eight and 16. At present City of York also provides transport if a child attends a school for religious reasons provided that the school is the closest school of the preferred denomination and is beyond the appropriate walking distance for the pupil's age.
3. Pupils with special educational needs or disabilities who could not be expected to walk to school may also be provided with free transport, however they are not the subject of this review.
4. The Education and Inspection Bill which is currently before Parliament will require local authorities to provide free transport for pupils from low income families to three suitable secondary schools between two and six miles away from home and to the nearest primary school over two miles from home.
5. Important issues are pupil behaviour whilst on buses, operators have reported increased incidents of vandalism and unruly behaviour. On buses where seatbelts are provided it can be a problem ensuring that pupils wear them.

Corporate Priorities

6. In keeping with Corporate Priority 2 – Increase the use of public and other environmentally friendly modes of transport.

Options

7. Members can support all, some or none of the recommendations proposed as a result of this review, for submission to Scrutiny Management Committee and then to Executive.

Remit

8. Members of the Education Scrutiny Committee met informally on 12 September 2006 to consider their programme of work, and on 31 October 2006 it was formally agreed that members would undertake this topic with the following remit:
- To investigate if improvements can be made to the safety of buses transporting school pupils to primary schools.
 - To consider the contract that is negotiated by the council for the provision of school transport services.
 - To make enquiries as to the school transport that is provided in other local authorities including the use of dedicated “yellow buses”.
 - To investigate the implications of installing seat belts in all buses contracted to carry primary school pupils.

Consultation

9. The following people contributed to this review as a participant or witness:

Members of the Board

Cllr Charles Hall (Chairman)
Cllr Martin Bartlett
Cllr Glen Bradley
Cllr Andy D’Agorne
Cllr Alan Jones
Cllr Viv Kind
Cllr David Livesley

Co-opted Members

John Bailey
Andy Lawton
Dr David Sellick

City of York Council Officers

Barbara Boyce – Scrutiny Services
Mark Ellis – Education Access Team
Terry Walker – Transport Planning

Representatives of Other Organisations and Members of the Public

James Crook-Williamson, Alpha Bus and Coach, Hull
Peter Dew – Top Line Travel, York

Colm Flanagan, Head of St Wildrid's Primary School
Mark Hallett – Cheshire County Council
Cllr Janet Hopton, Rt Hon Lord Mayor of York
Tom James - K and J Travel, York
John Norton – Kendric Ash, Public Sector “corporate transformation partner”
George Peach – Regional Manager of the Confederation of Passenger Transport,
Yorkshire Region
Nigel Rowe – East Riding of Yorkshire Council
Tim Wilkinson, Head Teacher of Poppleton Ousebank Primary School
Parents and Governors from St Mary's, St Wilfrid's, Poppleton Ousebank and
Archbishops of York's schools.

Information Gathered

10. Members undertook the following activities in order to inform their deliberations:

31 October 2006

Members held discussions about the current service provision with officers from the Education Access Team and Transport Planning Services.

27 November 2006

Members visited Top Line Travel of York and held discussions with the Managing Director regarding their views as a provider of home to school transport.

6 December 2006

Members met representatives of other transport providers and heard their views about issues to do with home to school transport contracts.

15 January 2007

Members visited Cheshire County Council who provide a dedicated school bus service with vehicles belonging to the local authority.

23 January 2007

Members met with staff, governors and parents from all the primary schools who use the home to school transport service and heard their concerns about the safety and reliability of the vehicles used for home to school transport.

9 February 2007

Members had further discussions with colleagues from the Education Access Team and Transport Planning Services as well as representative from Kendric Ash. Kendric Ash are a firm of consultants who have undertaken an initial review of passenger transport services across the City of York and East Riding in terms of working in a more collaborative way. They are now working directly for York until the end of March providing a more in-depth analysis and offering potential improvements in procuring external transport and greater utilisation of the internal

fleet. The Council are also considering tendering for a longer term Performance Partner to fully realise cost effective improvements to passenger transport.

Issues

11. Parents, teachers and governors from primary schools using contractors' vehicles

In March 2006 certain parents of pupils at St Mary's Primary School wrote to the CYC's Transport Planning service expressing their concerns that the school bus from Askham Bryan to St Mary's is not equipped with seat belts (see Annex B). They claimed that some parents will not allow their children to use the bus because it has no seatbelts and prefer to take the children to school in their cars, thus adding to the congestion and pollution in Askham Richard. Cllr Janet Hopton has been in contact with parents from this school and informed the Committee of her support for their views.

These views were reiterated at the consultation meeting with the primary schools held on 23 January 2007.

Poppleton Ousebank school's main concern was about the regularity of the service rather than the condition of the buses, which they felt had improved. It was perceived that pupils were often late for school due to the late arrival of the buses. This issue is not pertinent to the remit of this review, but has instead been referred to the Education Access Team to deal with.

The head teacher of St Wilfrid's school informed members that their children travel to school on a service bus which is shared by fare-paying passengers. Some of their parents do not want their children to have to travel on the same bus as members of the public. After investigation members were informed that the pupils from St Wilfrid's were not generally entitled to free transport, but that a free pass for a parent to accompany them had been issued as a goodwill gesture.

Archbishop of York's school are very happy with the bus service to their school. In December 2006 they carried out a review of the service and the parents of all users responded that they were pleased with the service that is given (see Annex C).

Members recognised that these views were somewhat conflicting, although they realised that the schools will have different experiences of school transport as different contractors will operate their services. Also the type of vehicle supplied by the contractor will vary, and may be different from day to day. For example, at Archbishop of York's school there are less than 16 pupils requiring the bus service, so a mini-bus (which has seatbelts) is provided.

12. City of York Council services

There have been significant year on year increases in home to school transport costs above inflation, which have been a cause for concern to members and officers. There are presently 10 contractors supplying this service, the contracts are usually let for three years. Contracts to secondary school are normally re-let one per

year as they come to an end. There are four contracts serving primary schools, these are:

Archbishop of York's C of E Primary, Bishopthorpe
Poppleton Ousebank Primary, Upper Poppleton
St Mary's C of E Primary, Askham Richard
St Wilfrid's RC Primary, Monkgate

The contracts for Poppleton Ousebank, St Wilfrid's and Archbishop of York's are due to end in 2008, and the one for St Mary's ends in 2011.

At present seatbelts are not a requirement of contracts. If a bus with seatbelts is provided on any occasion it will be as a result of the contractor's vehicle availability on that day. CYC officers are aware that operators would be unable to invest in more modern vehicles unless they had the security of a longer contract. It is recognised that newer vehicles are likely to have more and better safety features built into their design.

Contracts can be terminated before their end date if the provider is given six months notice of this. As contracts end they will be re-let under European Union procurement processes, which require a mix of price and quality to be taken into account when offering contracts. In these circumstances the provision of seatbelts on buses could be stipulated under the contract terms or could be a criteria given preference when assessing quality of the service offered.

At present the contracts do not insist that drivers of buses have a Criminal Records Bureau (CRB) check. The drivers are not the employees of City of York Council and officers have expressed doubts over their authority to check the credentials of the employees of other companies (i.e. the contractors). However, officers of East Riding of Yorkshire Council informed members that they had been assured by the CRB that it was reasonable to require contractors' drivers to sign data protection consent to allow information on them to be shared with the Council. They apply guidelines for deciding on eligibility for employment of drivers if the CRB check reveals details of any offence (see Annex D). It is known that four operators running school contracts in York do CRB checks on all their drivers.

Advice from the Department for Education and Skills (DfES) is that drivers' CRBs should be checked periodically. This could be specified as a minimum standard when re-letting contracts.

Kendric Ash are a firm of Public Sector Consultants who are currently examining all transport used by City of York Council as well as aspects of transport that could be collaborative with other organisations. Kendric Ash reported to the Executive Member for Corporate Services Advisory Panel on 12 December 2006 regarding the first phase of their work (a summary of this report can be found at Annex E). This had researched existing transport operations within CYC and made recommendations as to how the quality of services could be made better quality and more efficient as well as reducing costs. The areas covered were Social Services, special educational needs, fleet management and pool cars as well as home to school transport. In total the council spends over £3m per year on these services.

On some home to school routes pupils who are not entitled to free transport are allowed to use the bus if they pay a fare. DfES advice states that if there are any paying passengers then the vehicle is classed as a service bus, and contracts for these cannot be let for any longer than five years. This could create a problem if higher quality vehicles depend on longer contracts being offered to operators.

13. Home to school transport contractors

Members of the Committee met with representatives of bus and coach companies who are contractors to CYC on 6 December 2006. The Managing Director of the Confederation of Passenger Transport, Yorkshire Region also attended to make representations. Representatives of the Committee visited another operator on 27 November 2006, who provided some written answers to members' questions (see Annex F)

Contractors agreed that they tend to use older vehicles on school runs because the competition for contracts keeps prices down to a level where the cost of newer vehicles cannot be justified. If contracts were extended to 5 – 7 years then they felt they would be able to invest in newer vehicles as they would then be more likely to receive a return on their investment.

Newer vehicles would be more likely to be equipped with seat belts. The cost of equipping seatbelts to a single decker bus that does not already have them can be in the region of £5000, which is not economically viable for older vehicles. Speakers were all of the opinion that one of the main problems with seatbelts on buses was ensuring that the passengers wear them. Although this is not normally a problem with primary school pupils, those from secondary schools often have a great reluctance to put them on – the wearing of seatbelts being seen as distinctly “uncool”. Although buses used for school trips are required to be fitted with seatbelts, there are always teachers accompanying pupils to ensure the belts are worn.

One of the big issues for all operators was the behaviour of children on the buses. This is a particular problem on double decker buses where the driver has less visibility. It was generally felt that there had been a deterioration in behaviour, which had previously involved verbal abuse but this had increased to physical abuse in a minority of cases. Vandalism is also a problem, both the expense of repairs, and the temporary loss of a vehicle, which has to be taken off the road, if, for example, a seatbelt is damaged.

Contractors were of the opinion that the fitting of CCTV to school buses greatly improves pupil behaviour as evidence of the perpetrators of vandalism or unruly behaviour can be given to the schools. The bus operators generally have good relationships with the schools they serve, which have varying methods of trying to ensure responsible behaviour. This might mean employing a school transport manager, using sixth-formers as bus-monitors or removing the right to travel on the bus after being warned about behaviour.

CRB checks were generally supported, although it was recognised that different local authorities required different information, so a check might not be acceptable to all clients. It would be useful if there was some standardisation across authorities.

14. Dedicated school buses

Members were interested in the idea of dedicated school buses being introduced (as in the yellow buses used in the USA). They recognised that where these have been introduced it is often as a result of government funding for a particular project and over several local authorities, for example the £18.7m obtained by West Yorkshire Passenger Transport Executive to supply bus services to 300 schools in West Yorkshire.

On 15 January 2007 representatives of this Committee visited Cheshire County Council, a local authority which has invested in dedicated school buses for their own use.

Cheshire have purchased eight dedicated School buses. Three have 68 seats and five have 60 seats, all with seatbelts and CCTV. Seven operate at one time, one is a spare in case any are off the road for any reason.

These buses cost approx £115k each. A secure parking area is needed at night. It is expected that each will have a ten-year lifespan, but will require refurbishment to keep in good condition – this discourages bad behaviour by pupils. Seatbelts are specified that require minimum maintenance as this can be costly if they are damaged. Obtaining vehicle parts can also be difficult be an issue with some models.

The buses serve three secondary schools. They can be hired out to schools for events between home-to-school runs, it is this that makes the service financially viable.

The buses belong to Council, they were purchased as a result of spiralling contract prices. They are part of the Council's fleet of vehicles for Social Services and other purposes. The drivers are employed by council and they also work as Social Services driver/attendants if necessary. All drivers are CRB checked by council and the vehicles have to operate tachographs in order to comply with EU regulations.

One contractor has dedicated school bus in the Council's livery, they have a contract for five years. Contractors have stated that they would prefer an eight to ten year contract. Many other contractors are hired and they often use older double-decker buses. The Council considered that the contract offering the new bus with seatbelts, CCTV, 68 seats and wheelchair access offered the best value.

Pupils travelling on the school buses and their parents are required to agree a good behaviour contract before being offered a place. In this they have to agree to wear their seatbelts at all times and to refrain from eating and drinking on the bus. Each has an allocated seat, the driver marks them on a register when they get on the bus, and this is checked by a representative of the school on arrival.

Recommendation 1

Council officers will attempt to negotiate with the transport provider for St Mary's School, Askham Richard in order for seat belts to be provided on all vehicles. If this

is not possible at a reasonable cost then they will re-let the contract from September 2007.

Implications of Recommendation 1

Consultation is currently taking place with the Head of Financial Services on the potential costs involved with this recommendation. Details will be included in the final report submitted to Scrutiny Management Committee.

- **Financial** (*Contact – Director of Resources*)
- **Human Resources (HR)** (*Contact – Head of HR*)
- **Equalities** (*Contact – Equalities Officer*)
- **Legal** (*Contact – Head of Legal and Democratic Services*)
- **Other**

Recommendation 2

The Council will ensure that minimum standards for all future home to school transport buses include:

- a) Lap seatbelts to be fitted to all vehicles, with the long term aim of these being 3 point seatbelts.
- b) CCTV to be installed in all vehicles
- c) Contractors to ensure that all drivers have had a CRB check no later than 3 years before commencing this work and thereafter at 5 year intervals
- d) EU2 emission standards or greater to be required on all contract vehicles

Implications of Recommendation 2

Consultation is currently taking place on the potential financial and legal implications, where applicable, associated with this recommendation. Details will be included in the final report being considered by Scrutiny Management Committee.

- **Financial** (*Contact – Director of Resources*)
- **Human Resources (HR)** (*Contact – Head of HR*)
- **Equalities** (*Contact – Equalities Officer*)
- **Legal** (*Contact – Head of Legal and Democratic Services*)
- **Other**

Recommendation 3

The council will ensure that where possible contracts are to be let for more than 5 years, ideally 8 - 10 years in order to allow contractors to invest in higher quality vehicles

Implications of Recommendation 3

Consultation is currently taking place on the potential financial and legal implications, where applicable, associated with this recommendation. Details will be included in the final report being considered by Scrutiny Management Committee.

- **Financial** (*Contact – Director of Resources*)
- **Human Resources (HR)** (*Contact – Head of HR*)
- **Equalities** (*Contact – Equalities Officer*)
- **Legal** (*Contact – Head of Legal and Democratic Services*)

- **Other**

Recommendation 4

The council will recognise good practice in other local authorities and encourage schools and contractors to use measures such as good behaviour contracts, designated seats and the use of bus prefects to discourage unruly behaviour by pupils.

Implications of Recommendation 4

Consultation is currently taking place on the potential legal implications, where applicable to the Authority, associated with this recommendation. Details will be included in the final report being considered by Scrutiny Management Committee.

- **Financial** (*Contact – Director of Resources*)
- **Human Resources (HR)** (*Contact – Head of HR*)
- **Equalities** (*Contact – Equalities Officer*)
- **Legal** (*Contact – Head of Legal and Democratic Services*)
- **Other**

Recommendation 5

The Council will endeavour to ensure that the same standards are in place for bus contracts covering all educational establishments wherever possible

Implications of Recommendation 5

Consultation is currently taking place on the potential legal implications, where applicable to the Authority, associated with this recommendation. Details will be included in the final report being considered by Scrutiny Management Committee.

- **Financial** (*Contact – Director of Resources*)
- **Human Resources (HR)** (*Contact – Head of HR*)
- **Equalities** (*Contact – Equalities Officer*)
- **Legal** (*Contact – Head of Legal and Democratic Services*)
- **Other**

Contact Details

Author:

Barbara Boyce
Scrutiny Officer
Tel: 551714

Chief Officer Responsible for the report:

Suzan Hemingway
Head of Civic, Democratic & Legal Services

Final Draft Report
Approved

Date 21.2.07

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Scrutiny Topic Registration form

Annex B – Letter from Edna Hughes dated 25 March 2006

Annex C – Survey of users of school transport service at Archbishops of York's Primary School dated December 2006

Annex D – East Riding of Yorkshire Council's guidelines for employment of drivers after CRB check

Annex E – Report of Kendric Ash to Executive Member for Corporate Services Advisory Panel on 12 December 2006

Annex F – Comments on safety issues form Top Line Travel of York dated 27 November 2006

Annex G – Chairman's foreword