

# THE HIGHLAND COUNCIL

## Home-to-School Transport Policy

### 1. Introduction

- 1.1. This document sets out the Council's policy for provision of home to school transport. Separate documents are to be written which will provide:
  - Guidance to pupils and parents (including details of how to apply for transport, and conduct expected);
  - Guidance to transport contractors and drivers.
- 1.2. The legal basis for school transport provision is found in the Education (Scotland) Act 1980, Sections 42(4) and 51(1), as amended by the Education (Scotland) Act 1981, Section 2, the Education (Scotland) Act 1996, Schedule 5 and the Standards in Scotland's Schools etc Act 2000, Section 37.
- 1.3. This document does not cover school trips or excursions.

### 2. Provision of transport

- 2.1. Transport may be provided only to:-
  - (i) Pupils living in the catchment area of the school attended; or
  - (ii) Pupils allocated by the Council to an alternative school, if there are no places available in the catchment area school; or
  - (iii) Pupils allocated to an alternative school by the Council, for educational reasons; or
  - (iv) A special school appropriate to ASN or authority placement to such a school; or
  - (v) A Gaelic Medium School or department where catchment areas have been defined, entitlement to travel support will generally follow the catchment area, except remote parts of the catchment may be excluded if this would make journeys excessively long; or
  - (vi) A Gaelic Medium school or department where catchment areas have not yet been defined, if the distance is reasonable; or
  - (vii) A denominational school, matching the definitions for entitlement to Gaelic Medium Transport within the same locality; or
  - (viii) A pupil's existing school, following a change of address to outwith that school's catchment area, where transport can reasonably be provided, but only for pupils in S4, S5 or S6 and only for the remainder of the school year in which they change address.
- 2.2. For pupils attending a school as described in 2.1 above, the Council will provide transport, free of charge:-
  - (a) if the walking distance to or from school for pupils aged under 8 years would be more than 2 miles each way (by the shortest safe walking route);
  - (b) if the walking distance to or from school for pupils aged 8 years or over would be more than 3 miles each way (by the shortest safe walking route);

- (c) if all walking routes below the eligible distance (2 or 3 miles, according to the pupil's age) have been assessed by the Council as unsafe for children to walk, accompanied if necessary by an adult;
- (d) if a pupil has a medical condition which the Council has accepted as making him or her unfit or unable to walk to school;
- (e) if a pupil has been assessed as having additional support needs which include a need for transport;
- (f) in exceptional situations on their individual merits, if the Council considers that transport provision is necessary.

- 2.3. The Council is not legally required to provide transport in categories 2.1 (iv), (v), (vi) and (vii) above but does so on a discretionary basis.
- 2.4. Transport will not necessarily be provided door-to-door. Routes are designed as far as practicable to avoid excessive journey times for the furthest pupils and to be cost-effective. Pupils may be required to travel up to the statutory walking distances (2 miles under age 8; 3 miles for age 8 and over) to/from a pick-up/drop-off point. Transport will not be provided on private roads unless required for ASN or medical reasons, or if the length of the private road exceeds the statutory walking distance. Drop-off/pick-up points at the school end of the journey will be as close as practicable to the school, but in some cases may involve a short walk between the drop-off/pick-up point and the school gate.
- 2.5. Distances are measured electronically to determine entitlement, using engineering design software to determine the distance as accurately as possible and to ensure consistency in measurement. The distance measured will be from the boundary of the pupil's home (e.g. the garden gate, or end of the path leading from the front door of the building) to either the entrance to the school grounds or the bus drop-off point at school, whichever is farther. Distance from the pupil's home to a bus pick-up/drop-off point will be measured by the same method.
- 2.6. Transport entitlement is normally provided from/to **one** home address only, which will be the pupil's address as recorded by the school. However, in cases where parents live apart, free transport may be provided from/to both parents' addresses, or from/to one parent's address if the pupil's usual address is within the statutory walking distance of the school, subject to:
  - Both addresses being in the same Associated School Group area, or transport being available from an address outwith the ASG area at no additional cost to the Council;
  - Days of travel from/to each address being agreed in advance.

In all other respects, the normal entitlement criteria would apply.

- 2.7. Transport is not provided to nurseries or pre-school education.
- 2.8. Pupils who have been granted placing requests do not have entitlement to transport.

2.9. However, transport may be provided to pupils on a privilege (non-entitled) basis to pupils who do not qualify for transport entitlement, if spaces are available on existing transport (see section 9 below). There may be a charge for privilege transport provision.

2.10. Provision for transport home from after-school activities is not provided as part of the school transport policy. Schools may arrange or fund transport for after-school activities at their own discretion.

2.11. The Council will issue a pass to each pupil as proof of entitlement.

### **3. Safety of Walking Routes**

3.1. Walking routes (to/from school or to/from the transport pick-up/drop-off point) are assessed following guidelines published by Road Safety GB. Assessment is done on the basis of children being accompanied by a responsible adult if necessary, although it is recognised that in many cases older children will not need to be accompanied by an adult.

3.2. In general it is expected that children aged 12 or over will be able to walk unaccompanied, although the nature of the route and the development of the child will be taken into account in individual cases.

3.3. In assessing whether transport is required, it is generally assumed that a responsible adult (not necessarily a parent) is available to accompany children on the route if necessary. Exceptional circumstances, such as a parent being unable to accompany a child for medical reasons, may be considered by the Area Education Manager.

3.4. Further detail of assessment methods is given in the "Information for Parents".

### **4. Types of Transport**

4.1. Most school transport is contracted out to local transport providers. The type of transport depends on the requirements of the route and the tenders received. The transport supplied could be any of the following:

- dedicated school contract bus (service solely for pupils)
- bus contracted for both school and public transport needs
- bus pass on commercially operated local service bus
- taxi or private hire car
- car hired exclusively by the Council and not available for other hires on any school day (not licensed as a taxi or PHC)
- Council-owned vehicle
- train
- ferry.

4.2. The Council's policy is to make use of existing public transport, or combine school and public transport contracts, wherever practicable. Where this is not feasible, separate school transport will be provided.

- 4.3. In remote locations, parents or guardians may be paid mileage or boat cost expenses to transport their own children, if this is more economic than awarding a contract for the route.

## **5. Timing of transport**

- 5.1. Transport is provided for the start and end of the normal school day. Normally transport will arrive between 20 and 5 minutes before the start of the day, and leave between 5 and 20 minutes after the end of the day. However, the Council may allow a gap of more than 20 minutes at either end of the day, at their discretion.
- 5.2. No additional provision is made for Primary 1 children who may have a shorter day for the first days or weeks of the school year or for Primary 1-3 children who attend for a shorter day than pupils in the upper stages.
- 5.3. Some pupils who live a long distance from school stay in school residences during the week. Free transport is provided for these pupils on the first morning and last afternoon of each school week. (For Mallaig High School pupils living in the Small Isles, transport is generally provided fortnightly.)

## **6. Reviews of Entitlement**

- 6.1. Parents or guardians may request a review of any decision to refuse entitlement to school transport under any of the criteria listed in 2.2 above. If the request is on the grounds of safety, the review will be of the suitability of the walking route, and pick-up / drop-off points if applicable, and will apply to all pupils using that route. Any individual circumstances (e.g. medical conditions) will be considered separately from the review of the route.
- 6.2. Reviews will be carried out in the first instance by a member of the Transport Co-ordination Unit staff. If the reason for the review includes individual circumstances such as additional support needs or medical needs, Education officers will be involved in the assessment. If the parent or guardian is still not satisfied with the decision, the route will be considered by a Review Panel.
- 6.3. The Review Panel will be made up of senior officers with a level of responsibility, experience or interest in the service (i.e. education/transport), and who have a level of understanding of the policy and practice of Home to School transport provision.
- 6.4. The decision of the Review Panel will be final within the Council, unless there is a material change in the nature of the route or other circumstances after the decision has been made.

## **7. Responsibilities of Parents/Guardians**

- 7.1. Ultimately, whether transport is provided or not, parents or guardians are responsible for ensuring that their children attend school. Where transport is

provided, parents or guardians are responsible for ensuring that their children have the necessary bus pass (either a council pass or the under 22 bus pass), or fare if they do not have a pass, get on the transport in the morning, and that they are able to get home safely from the drop-off point in the afternoon.

- 7.2. It is important that both parents and pupils understand that by travelling on Highland Council's home-to-school transport, they acknowledge that they have read and agree to uphold the School Transport Behaviour Code. Parents/guardians are expected to encourage adherence to this code, reinforce its importance periodically, and cooperate with the Council, schools or in any investigations related to incidents.
- 7.3. To ensure the safety and well-being of all pupils, appropriate standards of behaviour are expected at all times while using school transport, in line with the school transport code.

Incidents of misbehaviour will be taken seriously and reported to the relevant authorities. These may include the school, the transport team, or the police, depending on the nature and severity of the incident. Where necessary, disciplinary action will be taken by the Education service to uphold the safety and well-being of all pupils.

Depending on the severity or recurrence of the behaviour, a pupil's access to school transport may be withdrawn on a temporary or permanent basis.

- 7.4 In the event that transport provision is withdrawn, parents or guardians may continue to bear responsibility for ensuring their child's attendance at school.

## **8. Safety and Supervision on Transport**

- 8.1. All drivers of school transport contracts are required to have passed an Enhanced Disclosure check, or to be members of the PVG (Protection of Vulnerable Groups) scheme.
- 8.2. Drivers are responsible for:
  - Checking when pupils board the transport that they are entitled to travel
  - Driving safely
  - Deciding when it is not safe to drive, e.g. in bad weather
  - Opening and closing doors at stops
  - Reporting misbehaviour to the school, if it is serious enough to cause a distraction from driving or a danger to pupils
  - Supervising the pupils in an emergency (if possible).
- 8.3. Seat belts are provided for all pupils on all Council-owned or contracted vehicles. Sideways facing seats may exist on large buses but these are not counted in the vehicle capacity for the contract and should be signed as not for the use of pupils. Passengers should not have to stand during the journey. These conditions may not apply on commercially operated bus services or on other modes of transport.

- 8.4. Drivers of vehicles of up to 16 seats are responsible for ensuring that pupils wear seat belts.
- 8.5. Contractors must provide child seats or booster cushions where required by law. There is no requirement for these to be provided in buses, licensed taxis or licensed private hire cars. Therefore, they are required only in cars which are not licensed as taxis or private hire cars.
- 8.6. Supervision, other than by the driver as described in 8.2 above, is not normally provided. Where required, additional supervision may be provided by:-
  - Senior pupils appointed as bus monitors;
  - Escorts, where necessary for pupils with Additional Support Needs;
  - Other supervision if specific issues have been reported.
- 8.7. CCTV is used on many school buses, and may be used to identify pupils involved in misbehaviour. Images collected by CCTV will be managed in accordance with the Data Protection Act and the Council's Data Protection policy.

## **9. Privilege Places**

- 9.1. On a "dedicated" school transport contract (i.e. provided for school pupils only), seats not required for children who are entitled to free school transport may be allocated to other pupils, provided that this does not result in additional cost to the Council. These are known as "privilege" seats.
- 9.2. On smaller vehicles, e.g. taxis, a charge will be made for this provision, except that pupils entitled to clothing grants will not be charged. Where three or more children living at the same address have been granted privilege places, the charge will be limited to 2.5 times the single child rate.
- 9.3. If there is more demand for privilege places than seats available, places will be offered as follows:
  - Siblings of entitled pupils will have first priority, provided that they are travelling to the same school.
  - Points will then be allocated according to age and distance:
    - a. *Primary School routes*:
      - 1 point for each year of age below 12 (to minimum of 4 yrs)
      - 1 point for each half mile of distance from school (up to 3 miles)
    - b. *Secondary School routes*:
      - 1 point for each year of age below 16 (to minimum of 11yrs)
      - 1 point for each half mile of distance from school (up to 3 miles)
  - Pupils who have been granted placing requests will be treated for this purpose as though they live 3 miles from school.
- 9.4. Privilege places may be withdrawn, at a minimum of 2 weeks' notice, if a seat is no longer available. The most likely reasons for withdrawal are:
  - the seat is required for an additional entitled pupil;
  - the size of the vehicle is reduced;
  - the route is to be withdrawn as there are no longer any entitled pupils.

Privilege places will not be withdrawn in favour of another non-entitled pupil.

- 9.5. If a privilege place is withdrawn, the same priorities will be used as in 9.3 above, except that preference will be given to pupils travelling from outwith the

catchment, in order to minimise the risk of disruption to their schooling. Payment will be refunded from the date of withdrawal.

- 9.6. Privilege places will not be available on combined school/public transport contracts or on any other mode of transport.

## **10. Contract management and administration**

- 10.1. The policy on school transport is defined by the Council's Environment and Infrastructure Committee. The Council's Transport Co-ordination Unit is responsible for all planning, administration and day-to-day operation of transport routes, including allocation of pupils to routes.
- 10.2. The Transport Co-ordination Unit is responsible for informing parents of the transport arrangements made, the timetable for the route, and any changes in arrangements. These duties may be delegated to the contractor. Where practicable, this information may be given to schools for distribution.
- 10.3. In the case of pupils with Additional Support Needs, assessment of the pupil's need for transport will be carried out by the Education Service, using a process agreed between the two Services.
- 10.4. Inquiries and complaints about school transport provision, if not resolved by the contractor, should be made to the relevant Local Transport Office or to [school.transport@highland.gov.uk](mailto:school.transport@highland.gov.uk).