

... as long as I get
there safe

School buses:
towards safer and better
journeys to school

"I have lots of friends on my bus and it doesn't bother me how I get to school. I don't really care, as long as I get there safe."



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Introductory comments from Peter Clarke, Children's Commissioner for Wales

Getting to and from school by bus can take up to two hours of a child's day. Listening to and speaking with lots of children and young people it has become clear to me that their school bus experience is important to them.

Parents and professionals have also raised a number of concerns about school buses with me while this last year has seen important developments in government policy. I feel it is important and timely therefore for my office to contribute to this national debate.

In early December 2002 a fatal accident occurred when a school bus crashed while taking pupils home from Cowbridge Comprehensive School in the Vale of Glamorgan. Following this tragic event an action group named *Stuart's Campaign* was set up in tribute to the boy who died – Stuart Rhys Cunningham Jones. I have spoken to the campaign group, including Stuart's parents, and have publicly endorsed and supported their calls for improvements to school transport. I am also aware of the campaign BUSK (Belt Up School Kids). It is the minimum we can expect that every effort should be made to ensure our children's safety on their way to and from school.



Safety however is not the only issue with which I am concerned. My team spoke to many children about their school buses and found that they valued their school buses highly: admiring their convenience and the opportunities for socialising. An additional complexity is that the very things that make the experience so enjoyable for some young people, may well make the journey miserable for others – and sometimes jeopardise the safety of all.

Clearly the experience of school travel will have a profound effect on a child's mood. Whether a child enjoyed the journey or found it made them anxious or tired, will affect their ability to concentrate both during the school day and at home. To pay attention to the comfort and experience of our children is a form of respect which we as adults would want, and they as children deserve. This in turn will encourage children and young people to respect public transport outside of school hours and as they mature.

The National Travel Survey 2002 has revealed that almost one in five cars on the road in the morning peak is taking children to school. This needs to be reduced. Car use causes pollution and robs children of the opportunity to exercise and socialise. However I can understand why children and adults find the alternatives even less appealing. Fears for unaccompanied children discourage walking whilst the estimated 45% of our 5-16 year olds who do walk to school often have to contend with very dangerous road conditions. Parents will inevitably consider factors such as the quality and standard of safety and care their children will get on contracted buses. Doubts about these will of course influence their choices about whether to transport them in their own vehicles.

This report focuses on experiences, views and concerns about school buses, and children and young people's feelings of safety (or otherwise) when using them. I wish to stress nevertheless that any means of reducing private car use in the school journey are to be encouraged, including car pooling and even more importantly walking and cycling initiatives.

I would also recommend that schools establish links with public transport companies in order to share any concerns about the welfare and safety of pupils.

This report aims to draw together the thoughts, feelings and experiences of many children and young people in schools in Wales today. It aims to set out simply and concisely the current policy context, and to present an informed overview of the current situation and make practical recommendations on priorities for action.

A handwritten signature in black ink, appearing to be 'Peter Clarke', written over a light grey rectangular background.

**Peter Clarke, Children's Commissioner for Wales
July 2004**

School Buses

Background

Children and Young People

The Children's Commissioner's team examined the current legislation, relevant guidance and various research studies. Discussions were held with staff, governors, policy makers and campaigners in the field. Direct correspondence from individuals (including children and young people) and organisations was also received. This information reaffirmed our view that this issue is one which needs to be addressed as a matter of priority in order to better safeguard our children and young people.

Clearly, while listening to adults is important, it was essential for us to hear directly from children and young people about their experiences and views about what works and doesn't, and to consider the findings when formulating any policy recommendations.

I travel to school on the bus. I like bein able to chat to friends and have a laugh. However, it is a bus as opposed to a coach and so there is a big area at the front. All the yr 7s stand here and mess around, some actually just a few inches from the windscreen. And after what happened in Cowbridge and all...

William, Backchat member

Hearing from Children and Young People

*"Sdim rhaid i chi cerdded - a ma fe'n brilliant!"
(You don't have to walk - and it's brilliant!)*

Shirley, 11, Ceredigion

We were keen to obtain qualitative data about children and young people's feelings of safety on their school bus, and the methodology developed was therefore designed to gather information not only about their perceptions regarding the standard and quality of the buses in which they travelled to school, but whether they felt safe on their school bus or were adversely affected by the behaviour of their fellow pupils. There was also some opportunity to obtain information from those who did not travel to school by bus. While in some cases this might be simply because they lived in close proximity to the school, for some it was a matter of choice – perhaps because of convenience, but possibly because of their own or parental concerns about safety or bullying.

In total around 120 children and young people contributed to the study in some way. The majority of data gathering took the form of mock radio interviews conducted by members of the Children's Commissioner's team of staff, and by young people themselves. A *Radio*

Backchat/Radio Atebnôl tape recorder was provided, along with a set of question prompt cards in both Welsh and English.

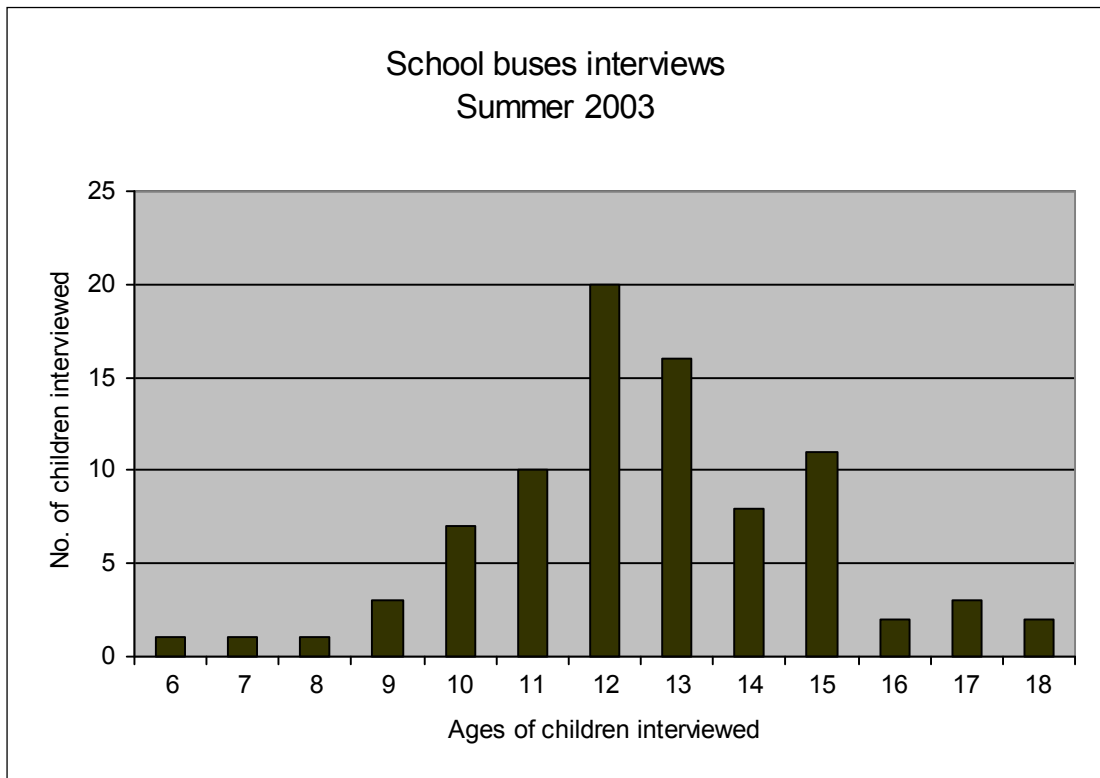
Members of the Backchat e-mail group were also asked for their views and their responses were considered also. We interviewed eighty-five children and young people at the Urdd and National Eisteddfodau in May and August 2003. Some further interviews were also conducted at Swansea Youth Festival in July 2003, and when groups of children or young people visited our offices.

The mock radio interviews consisted of eight questions, which are listed below. Responses in Welsh and English were then transcribed.

Radio Backchat Interviews

Questions provided on prompt cards

1. What is your name?
2. How old are you?
3. Where do you live?
4. Do you use a school bus?
5. What do you like about your school bus?
6. What do you not like about your school bus?
7. Do you feel safe on your school bus?
8. What could be done to improve your school bus?



Seventy-five of the children and young people travelled regularly on a school bus, eight did not travel on a bus - four walked to school, one travelled on a public bus and one cycled. Two occasionally travelled on a school bus.

What came across from the interviews were the varied experiences of children and young people across Wales. They showed a lack of consistency in the provision and standard of the transport, arrangements for supervision and approaches to addressing problems when raised by children, young people and their parents.

The children and young people were enthusiastic about sharing their experiences with us, often emphasising how much they felt that travelling to and from school was an integral and significant part of their daily routine.

They were clear about what worried them and what they enjoyed about travelling to and from school by bus.

We have summarised their views under the following headings and examined the relevant legislation and guidance alongside:

- Section 1: Safety
- Section 2: Social aspects
- Section 3: The Bus Drivers
- Section 4: Routes to school

One obvious suggestion put forward was that adults took a more active role, and found out for themselves what the circumstances facing pupils were:

'...perhaps travel on some of the buses sometime to see how the driver is driving.'

Katie, 17

Section 1 Safety

Question: Do you feel safe on your bus?

"Dwi ddim yn teimlo'n sâff ar y bus achos does dim gwregys ac mae fel pethe rwyf ti'n gallu tripo lan arno ar y llawr."

(I don't feel safe on the bus because there's no belts and it's like there's things on the floor you can trip up over.)

Becky, 12, Caerphilly

Over a third of responses from children and young people to the question revealed that they did not feel totally safe on the school bus. The lack of seatbelts and concerns over the standard of driving were their main worries; fears about overcrowding and the type of bus they travelled in were also raised.

"Sai'n timlo'n sâff achos sdim seatbelts a mae pawb yn sefyll lan a cerdded o byti a pethe."

(I don't feel safe because there are no seatbelts and everyone stands up and walks about and everything.)

Eleri, 12, Pembrokshire

Question: What don't you like about your school bus?

The main thing the children and young people said they disliked was 'the bus breaking down' or the fact that they travelled on an 'old bus'. When they were asked what improvements they wanted to see, just over a quarter who answered this question said they wanted to have 'Newer, more modern buses with fitted seatbelts.' Improved comfort and cleanliness also featured highly.

'...I don't feel very safe when going on it because the bus is very old and grubby! In the winter when it rains the bus always gets flooded and that's pretty annoying. And because it's sooooo old the seats are ripped and are covered in chewing gum and they are sometimes dangerous because some are broken and if you're not careful enough you fall through them because the cushions are not attached to the seat itself!

The bus could be improved by getting rid of it and buying a new one!

Elan, 16, Gwynedd

1 Condition of Vehicles

"Ma fe bach o, sort of, shed on wheels."
(It's sort of a bit of a shed on wheels.)

Lowri, 12, Caerfyrddin

"Ma fe mewn cyflwr da, a ma seatbelts arno fe."
(It's in good condition and there are seatbelts on it.)

Cerys, 13, Abertawe

Parents and children alike have deplored to the office the condition, age and maintenance of some school buses. Many buses used for school transport are old (some that are still in regular use were first registered forty-five years ago) and have clearly been retired from service by bus companies. Most were designed for inner city transport and are not suitable for fast motorway travel or for many of the roads in rural Wales.

In one case pupils reported that they were regularly required to get off the bus and walk so that the bus was able to climb a hill.

"I'd like to know if more ppl prefer travelling on a cronky school bus or would rather have a new bus that wont break down almost every day 2 school!!!!

Branwen, Backchat member

"Ma fe mewn cyflwr da ac mae seatbelts arno fe."
(It's in good condition and there are seatbelts on it.)

Cerys, 13, Swansea

"Mae'r bws yn rhy hen." (The bus is too old.)

Ffion, 15, Swansea

Welsh Assembly Government Study

In November 2003 a questionnaire was designed and issued by Transport Policy Division of the Welsh Assembly Government to all local authorities in Wales. The questionnaire covered issues of general policy, contractual arrangements and safety. The Education and Lifelong Learning Committee of the National Assembly for Wales received the results of this survey in March 2004 in the paper *Analysis of Welsh Local Authorities responses to school transport questionnaire*. The exercise provided useful and revealing information.

This study revealed that only fifteen local authorities made specific conditions around the type and specification of the vehicles in their contract. Only ten authorities imposed conditions on the age of the vehicles and only fifteen specified the provision of seatbelts. The Welsh Assembly Government or the Welsh Local Government Association could consider whether publishing a template of such a contract, which could be adopted immediately, would prove useful to local government.

The paper also reveals that thirteen local authorities had contract agreements intended to last for a period longer than four years. There needs to be, especially in these cases, clear responsibility for monitoring service provision on a regular basis. All contracts should be subjected to an annual review process at a senior level. This review process should include feedback from children, parent and schools as well as the school bus provider.

2 Seatbelts

"We are told to wear our seatbelts but nobody does. Anyone who does are classed as 'sad' - but I do nevertheless."

Siân, 16, Ceredigion

Seatbelts should be provided and measures taken to ensure their use. Educating pupils on the dangers and encouraging them to come up with their own ideas and measures to promote the positives of seatbelt use may be an effective way to raise awareness.

'Even when there are seats, they stand. I won't lie, my friends and I used to, but only because nobody, not even the driver, told us not to. Now we're older we can see how potentially dangerous it really is.'

William, 16, Rhondda Cynon Taf

'I DO NOT feel safe on my school bus. None of us wear seatbelts as they are not provided and many pupils have to stand so if we were to crash the effects would be terrible.'

Charl, 15, Chester

3 Overcrowding

"Rydw i'n teithio ar fws ysgol on yn fy marn i mae'r bwsiau yn llawer rhy fach. Mae rhaid i dri person eistedd mewn sedd rhan fwyaf o'r amser, ac mae'r amodau yn wael ar rai o'r bysiau rydym yn derbyn. Ar un o'm bysiau roedd y tô yn gadael y glaw i mewn!

Dydw i ddim yn teimlo'n ddiogel pan rydw i arno'r bws am fod y gyrrwr yn gyrru'r bws yn gloi ac yn beryglus oherwydd mae'n jerky heb gwregys. Mae'n ffordd i deithio i'r ysgol ac yn ôl, ond mae'n rhaid i ni gael bws sydd a amodau llawer gwell, mwy o le ac yn wir dyle ni cael gyrrwr newydd sydd yn gwybod sut i gyrru'n ddiogel!"

(I travel on a school bus but in my opinion they are much too small. Three people have to sit in one seat most of the time and the conditions on some of the buses we have are poor, on one of our buses the roof let in the rain! I don't feel safe when I'm on the bus because the driver drives fast and dangerously because it's jerky without a seatbelt. It's a means of travelling to school and back, but we must have a bus with much better conditions, more room and in truth we should have a new driver who knows how to drive safely!)

Bethan, 15, Swansea

Many parents have contacted us about what they see as overcrowding on school buses. The so-called *3 for 2 rule* that allows three children to occupy seats designed for two adults may be a contributing factor. This is, in fact, not a rule – merely a concession within Regulation 5 of the Public Service Vehicle Carrying Capacity Regulations 1984 which local education authorities may or may not adopt. It applies to the older public service vehicles (such as double deckers) which are not required to have seat belts fitted. Children commented that this was a problem that affected safety and comfort.

Overcrowding means that many children have to stand - with inevitable added dangers. It also means that, even were seatbelts available, they could not be used by all pupils.

Duty of Care

The apparent lack of clarity around who has overall responsibility for assessing and managing any risks to the health and safety of children travelling on school buses leaves many extremely vulnerable. It is difficult to imagine any other situation arising where those professionals charged with a duty of care for a large group of children and young people of different ages and needs; carrying a variety of luggage and equipment; who are gathered

in an enclosed space and travelling at speed, do not undertake thorough risk assessments, including consideration of pupil to staff ratio.

Regular and thorough risk assessments would immediately identify the safety (overcrowding, seatbelts) and environmental hazards (seating, smoking, unclean) and prompt action to remedy them.

It is disappointing, but perhaps unsurprising, to report that basic considerations of comfort appear to have an even lower priority than safety.

4 Comfort

Children and young people told us of the conditions they were expected to tolerate on their school buses which fee paying adults would be unlikely to accept. In many cases they are provided with transport which is not fit for the purpose and which demonstrate a lack of appreciation for the needs of the children on those journeys.

- 1 Pupils should also be provided with a suitable location in which to wait which offers some protection from the elements.
- 2 It is important that pupils are not left waiting for long periods of time for their school bus. The School Travel Prospectus makes the suggestion of staggering school times within an area in order to ease this problem. Since unforeseen delays will inevitably occur, a member of the school staff should be designated as the point of contact with the school bus provider and also designated to keep pupils informed of delays and any other information. The school bus provider should also have somebody responsible for communication with the school.
- 3 Storage space should be considered by those commissioning or providing a school bus service. Heavy school bags, sports kits and musical instruments all have to be transported. The school bus should be a safe environment for equipment and they should be stored in such a way that they cannot fall and injure pupils.
- 4 Consideration should be given to ensuring an acceptable amount of leg room for children and young people in their journeys.
- 5 If little thought appears to have gone into the comfort of students on the school run, no thought appears to have been taken for their entertainment on a journey that in some areas may last for over an hour. Music would be simple to provide (at a suitable volume of course). Modern buses could be fitted with TV/video. Back seat tray tables as in a train or coach might even provide an opportunity for some students to begin, or complete, their home work – some of the participants in our study said that they already do this.

*"Pan mae'n bwrw glaw mae'n dod mewn trwy'r ffenestri."
(When it rains it comes in through the windows.)*

Gwenllian, 14, Ceredigion

"I like the fact that on our main coach - the 3rd bus I go on - we nearly always have the radio on but not too loud in case it distracts the driver. which is also good!"

Siân, 16, Ceredigion

Schools could, through a variety of opportunities within the curriculum and in general, explore, with pupils, constructive and enjoyable ways of using their travel time. This is likely to have a positive effect on behaviour.

5 Standards of cleanliness

"Mae'r bws i ni'n trafeylu arno yn ofnadwy - wrth troi cornel mae'r drws yn agor, pan mae'n bwrw glaw mae'r dwr yn arllwys i mewn trwy'r to a mae gwm cnoi ar bron pob set!!"

(The bus we travel on is awful - as you turn the corner the door opens, when it rains the rain pours in through the roof at there's chewing gum on nearly every seat!!)

Shelley, 16, Carmarthenshire

The unclean state of many school buses was also something that children and young people repeatedly emphasised. School buses should be routinely cleaned after each trip and a commitment should also be made to maintaining a high standard of upkeep. A comfortable and pleasant environment on school transport demonstrates respect for those that use it and in turn encourages respect to be shown it.

'It's not clean and sometimes the driver can be....well, lose his temper'

Aled, 17, Swansea

Children and young people spoke of having to travel on buses that were smelly, dirty, litter strewn, had chewing gum on the seats and floors, and which did not appear to have been cleaned from one day to the next.

"... .. they could be cleaned more often, maybe newer ones, better seats, seatbelts"

Louise, 15, Bridgend

Section 2

Social aspects

"Mae'n well na mynd i'r ysgol ar ben fy hun. Tí'n cael siarad efo dy ffrindie ben bore."

(It's better than going to school on your own. You get to talk to your mates in the morning.)

Nedw, 14, Gwynedd

The children and young people interviewed highlighted the importance of this part of the school day as an opportunity to meet up with friends and peers. In rural areas this may be one of the few opportunities that some children have, other than lunch and break times to meet up with certain friends.

Question: What do you like about the school bus?

Over half of those who responded emphasised **being with friends** or **socialising**.

"Mae pawb o'r disgyblion, y plant i gyd yn cael gweld ei gilydd yn y bore ac yn y p'nawn, a jyst siard am be ddigwyddodd yn yr ysgol a pethe."

(All the pupils, the children, all get to see each other in the morning and the afternoon and just talk about what happened in school and things.)

Iolo, 14, Gwynedd

'I have lots of friends on my bus'

Bethan, 9, Wrexham

"Generally the best thing is where you can just talk and some bus drivers aren't as strict as others so you can, you know, move from seat to seat to get to your friends."

Daniel, 14, Swansea

'I like being able to chat to friends and have a laugh'

William, 16 Rhondda Cynon Taf

Supervision

"It would be better if we had a school escort on so then the boys wouldn't be nasty and mess around all the time."

Nia, 14, Vale of Glamorgan

Some, but not many, children and young people raised the issue of effective adult supervision but it is felt that this needs to be considered and addressed as a matter of priority. A ratio of one adult (the driver) to over thirty children, seated on two floors (double deckers) when that adult is employed to drive the vehicle is unacceptable. As stated earlier there needs to be a risk assessment and management based approach to and effective measures should be put in place by the LEA, in discussion with schools. Having trained, vetted and well supported adult escorts is likely to reduce inappropriate behaviour, including bullying, and many pupils have good things to say about the escort on their bus.

"Y peth gore am y bws yw'r fenyw sy'n gofalu am ni oherwydd ar ddiwedd y dydd weithie mae'n rhoi losin i ni a mae'n gadael i ni wyllo'r teledu ar y bws a ni'n gwyllo fideos a pethe."

(The best thing about the bus is the lady who looks after us because sometimes at the end of the day she gives us sweets and lets us watch telly on the bus, and we watch videos and stuff.)

Siôn, 11, Swansea

Security and Surveillance

In the Welsh Assembly Government study presented to the Education and Lifelong Learning Committee in March 2004 eleven local authorities specified the provision of some form of security in the contract and twenty-one specified the provision of escorts on buses.

Some school bus companies have installed CCTV systems. While this might be a useful tool to identify perpetrators of serious incidents the routine monitoring of such tapes is NOT something the Children's Commissioner would encourage. That would appear to be encouraging the over-surveillance of children and by itself will do little to alter behaviour.

Since the cost of purchasing, monitoring, maintaining and consumables for CCTV systems may be significant, a cost comparison with the cost of employing an additional adult escort should be considered. For larger vehicles this might be more appropriate, and a more positive step. Where there have been persistent serious incidents, it is acknowledged that CCTV may well be an appropriate option.

Bullying and the behaviour of fellow pupils

Bullying is clearly also a problem on school transport with some pupils left feeling that once on the bus they have no authority to appeal to and they are effectively in a 'no-mans land'.

'Nobody talks to me on it'

Jenny, 15, Swansea

"Ma fe'n embarrassing." (It can be embarrassing.)

Lowri, 13, Ceredigion

"Beth dwi ddim yn hoffi am y bws ysgol yw y pobl sydd yn blwyddyn 10!"
(What I don't like about the school bus is the people in year 10!)

Tomos, 11, Powys

Respecting Others: Anti-Bullying Guidance issued by the Welsh Assembly
Government in September 2003 comments:

A good deal of bullying takes place outside the school gates, and on journeys to and from school. In light of the rural nature of much of Wales, and the wide catchment areas of many schools, many pupils take buses into schools, which gives greater potential for bullying to take place outside school.

The Guidance suggest a range of methods for tackling this issue, including talking to pupils and transport providers about how to handle incidents. Children should be made aware of consequences of certain conduct and behaviour and encouraged to report serious breaches.

While it is appreciated that in theory at least, the school and its staff are not responsible in the same way as they are if the behaviour occurred on the school premises, making such a distinction is in reality artificial. Incidents on the school bus will often be an overflow of similar behaviour during official school hours. In addition, strategies such as peer support schemes that schools establish to tackle bullying among other things, will also need to operate as if a distinction does not exist. If bullying incidents occurring on a school bus are reported to school staff then they must be considered as seriously as an incident within school premises.

"Y peth gwaethaf am y bws yw'r pobl Mae nhw jyst yn, mae'r rhan fwy yn smygu a mae nhw'n rhegi a ma nhw ddim yn gadael i chi fod. Mae nhw'n annoy-o chi."

(The worst thing about the bus is the people they're just, most of them smoke and they swear and they don't leave you alone. They annoy you.)

Hannah, 13, Swansea

'Also there is the old problem of smoking, although that stopped a while ago... I have asthma so it was worse'

William, 16, Rhondda Cynon Taf

"Some bus drivers allow smoking and it makes your clothes smell throughout the day then. I don't like that."

Daniel, 14, Swansea

"Most of the time I feel safe, except for when last week someone burnt a chair on the bus. They had a lighter and we all had to go back to school and get off the bus."

Matthew, 14, Swansea

There are attendant problems of misbehaviour which can distract the driver and have a safety risk for other pupils. There are many ways in which children and young people can be involved in raising awareness of the safety issues involved. Staff escorts are already provided by many schools, the pupils themselves have a role to play in monitoring and reporting any safety concerns or worrying incidents or behaviour. Pupils need to be engaged in discussing consequences and developing their own rules of conduct.

Peer supervision, self-reporting schemes or schemes that reward the school or class community could be encouraged. We would like to see the Welsh Assembly Government explore these through the piloting of schemes and the sharing of best practice.

Section 3

Role of the Driver

'Our bus drivers are excellent at their work they are friendly but they are firm when they need to be such as when some children are sitting dangerously - which is good'

Siân B, 16, Ceredigion

The responses we received from children and young people nearly all highlighted the importance of their relationship with, and experience of, the school bus driver.

However, in response to Question 6, concerns over the standard of driving and the attitudes of drivers was the second most disliked thing, after the condition of the buses. We have chosen not to include many of those comments in this report.

'My driver is kind of not very good at driving!'

Bethan, 11, Neath Port Talbot

'The driver isn't nice to us'

Rebecca, 15, Swansea

The main role of the driver is to drive safely

There is much discussion around how drivers can supervise more effectively when in reality this is impractical and undesirable. We would not expect a taxi driver with four children, unknown to him or her, of different ages and needs in a vehicle, without seatbelts to be able to effectively supervise, entertain and manage behaviour sufficiently well for them to arrive at their destination safely. Road Safety campaigns have focused on the importance of drivers being responsible, focused and able to drive without distraction.

On some smaller, rural bus services the responsibility of the driver may be slightly different but this should not be an expectation, rather the decision not to employ other escorts should be based on a thorough risk assessment.

There are other aspects which would benefit from practical improvements regarding those who are employed to drive school buses:

"Fi yn teimlo'n ddiogel achos mae'r dyn sy'n dreifio ni, ma fe'n foi ffein iawn, so ni gyd yn teimlo'n hapus."

(I feel safe because the man who drives us, he's a very nice bloke, so we all feel happy.)

Sophie, 10, Rhondda Cynon Taf

Criminal Records Bureau checks

It is of course extremely important that school bus drivers' past records are checked by the Criminal Records Bureau. The Welsh Assembly Government study revealed that twenty-one local authorities specified Criminal Records Bureau checks for drivers in the contract (with one authority failing to answer the question).

Supervision

Eight of the local authorities in the WAG study also specified the need for a regular driver in the contract. In smaller, more rural areas, a regular driver may well usefully notice any absence or lateness and have a constructive effect on behaviour.

Training

The question of training however, was not covered. It would be extremely interesting to learn what training for school bus drivers is in place from school bus providers, local authorities and the schools themselves. Topics such as first aid, an awareness of child protection arrangements, communicating with pupils and knowledge of whom to and how to report incidents would be of great value.

'Most of the bus drivers drive safely except the odd one drives like a maniac'

Siân, Ceredigion

Section 4

Safe Routes to School

Some of the children we interviewed commented on the fact that their bus routes meant that they had to get up earlier than they would like. They also commented on the journey being too long and that they occasionally arrived at school late. Some children had to make two bus changes in the mornings and afternoons adding significantly to the length of their school day. Any moves to rationalise routes to ensure more effective arrangements regarding travel time and passenger comfort would be welcome.

1 Healthy Travel

As awareness and fear of the potential dangers to children has grown so has our reluctance to see them walk unaccompanied to school. The roads may be dangerous, the route too far to walk, yet at the same time school traffic is creating new dangers. Pick up and drop off points at school are fraught with risk for children and traffic fumes can be particularly heavy around school entrances aggravating conditions such as asthma. The car drive is also reducing the opportunities for young people to exercise and socialise. Tackling these problems must be a priority for all of us.

In December 2003 the Welsh Assembly Government published its **Walking and Cycling Strategy**. This states that **School Travel Plans** should be adopted by all schools and linked to the curriculum.

"Dwi'n mynd ar beic oherwydd mae fe'n well i'r amgylchedd."
(I go by bike because it's better for the environment.)

Gwenno, 13, Carmarthenshire

The **Road Safety Strategy for Wales** launched by the Welsh Assembly Government in January 2003, comments that:

"School travel plans aim to encourage schools to identify and solve problems associated with the school journey (especially those related to safety). The plans are produced by the schools themselves and do not have to include physical measures to improve routes but instead are a 'way of living and learning'."

Sustrans, the sustainable transport charity describes a school travel plan as "a basis for measuring change" saying:

"A school travel plan is a document produced by the school which encompasses all the issues relevant to journeys to and from the school. It includes concerns about safety and health, and proposals for ways to make improvements. It is a means to bring together the ideas and contributions of different groups of people, to help to solve problems."

Gathering information from parents, guardians and carers about the reasons why they choose not to put their children on contracted buses may show that they have

concerns similar to those outlined by the children and young people. We heard from a number of parents who had complained about the standards on their children's buses. The lack of action on behalf of the LEA and the contracted companies to address their concerns has led to them choosing to transport the children themselves. We believe that for many parents the prospect of putting their children on what they perceive as old, unreliable, dirty, unsafe vehicles with insufficient adult supervision is an unacceptable one and one that is completely understandable.

2 School Travel Plans

Safe Routes to School can provide defined routes and facilities (such as cycle parking) for pupils, involve pupils in planning and promote initiatives such as the "Walking Bus" where younger children are accompanied on their journey to school in groups (supervised by approved and trained volunteers).

The Assembly Government launched its Safe Routes to Schools initiative in 1999. This initiative now operates in just over 200 of the nearly 2000 schools in Wales. Sustrans run an information service both supporting and promoting this scheme (see Appendix).

The Children's Commissioner for Wales endorses the concept of School Travel Plans and believes that extending the Safe Routes to School initiative to cover more schools should be a priority of the Welsh Assembly Government

In any new commissioning process the environmentally friendly nature of the vehicles should be taken into account. It is important that the bus is designed to be as easily accessible as possible for those with mobility difficulties.

3 Distance Regulations and Available Route

Local education authorities are responsible for the provision and cost of travel arrangements at the start and end of the school day for children of statutory school age. Provided that the distance by the nearest walking route from home to school is more than two miles for children under eight years of age and more than three miles for children of eight years and over, one of the following must also apply:

- a The child attends the school which normally serves the area in which they live (the catchment area school); or
- b The child has been directed to the school by the County Council; or
- c The child attends the school nearest to home.

The Courts have defined an available route as one "along which a child accompanied as necessary can walk and walk with reasonable safety to school. It does not fail to qualify as "available" because of dangers which would arise if the child is unaccompanied."

However, the Education Act 1996 [509 (4)] suggests that local education authorities have a duty to consider whether the route is safe – whether the route is within two or three miles or not:

(4) In considering whether or not they are required by subsection (1) to make arrangements in relation to a particular person, a local education authority shall have regard (amongst other things)-

(a) to the age of the person and the nature of the route, or alternative routes, which he could reasonably be expected to take; and

(b) to any wish of his parent for him 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 his parent adheres.

This might suggest that it could be considered that it is the duty of a local education authority to provide transport in order to avoid any pupils having to use potentially dangerous routes. The Education Act 2002 also places a duty on governing bodies and local education authorities to safeguard and promote the welfare of their pupils.

The office of the Children's Commissioner has been contacted by some children and many adults who find it this rule difficult to understand when in some cases even close neighbours may have a different entitlement to school transport. Some adults have suggested that an approach to a school along a busy rural road with no pavement is a serious risk to all pedestrians and particularly to school pupils who have to use that route on a twice daily basis.

The School Travel Prospectus has described the distance rule as "outdated". The Children's Commissioner would welcome a lead here from government in order to clarify the current situation for parents and local government alike.

4 School Travel Schemes: Draft Bill and Prospectus

This consultation document, which was published jointly by the Wales Office and the Dfes in March 2004 is intended to develop innovative ways to encourage pupils to use school buses, public transport, walk or cycle.

Six areas in Wales will be approved for schemes and in 2011 the Welsh Assembly Government will decide whether or not the local scheme approach should continue and/or be extended to more LEAs.

The School Travel Prospectus says:

"All schemes must aim to cut car use on the home to school journey. Beyond that, they must focus on local priorities and may improve provision for one or more of:

- pupils travelling to denominational schools;
- pupils in predominantly English speaking areas of Wales travelling to Welsh medium schools;
- pupils travelling along routes that parents consider unsafe;
- pupils participating in extracurricular activities, on or off school premises.

They might also trial:

- innovative purchasing arrangements, particularly in collaboration with other forms of publicly funded transport provision;

- modern technology in route planning, fare collection and scheme management; closer links with post-16 transport policies leading to more consistent provision for older pupils;
- wider use of staggered school opening hours, introduced through collaboration with schools;
- an enhanced focus on transport safety issues;
- transport solutions tailored to rural schools and their communities.”

Parents will need to be fully involved and informed of proposed improvements in order to feel confident in choosing alternative transport arrangements for their children.

This proposal is welcomed by the Children’s Commissioner for Wales and the office will be looking with interest to see the initiatives that emerge.

5 Going Further

Research

The Welsh Local Government Association has commissioned research from the National Foundation for Educational Research which aims, by July 2004 to:

- ◆ Identify the current concerns re school transport of LEAs, transport operators, schools and pupils.
- ◆ Identify priorities for school transport within the existing regulatory framework a) at a national/devolved government level and b) at a local authority level.
- ◆ Identify what changes should be made to the regulatory framework
- ◆ Identify examples of good practice.
- ◆ Offer recommendations for future developments that would inform guidelines on good practice.

A representative of the Children’s Commissioner for Wales has already attended as an observer one of the consultation meetings with children. We look forward with interest to the research outcomes.

Special Educational Needs Transport

The Children’s Commissioner’s team has been contacted by some parents who report that arrangements for school transport by taxi to and from school have resulted in pupils with special educational needs having a reduced school day – arriving later and leaving earlier.

We have also received concerns that the level of supervision in some cases where there are several children with medical and behavioural problems on a minibus is insufficient.

The unsuitability of some taxi drivers has also been brought to our attention. Local education authorities have the power as well as the duty to ensure that those in close contact with children are the subject of Criminal Record Bureau checks and to determine that they are of good character. Some local authorities appear to be confused as to what powers they possess in this context. Although the Rehabilitation

of Offenders Act 1974 meant that some employees' convictions could be regarded as "spent" and therefore ignored, Statutory Instrument 2002 (441) The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002 added taxi drivers to the list of those employees who are exempt from such consideration. We would suggest that local authorities would benefit from further guidance from the Welsh Assembly Government.

Section 5

Main Findings and Recommendations

Who's Rights? Involving Children and Young People

Article 12 of the United Nations Convention on the Rights of the Child declares that: "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child" and this right is something the Children's Commissioner for Wales would like to see children able to exercise in respect of their school transport.

What has become clear through the work of Children's Commissioner for Wales' team is that children are viewed as passive recipients of a service in the charge of the local authority. None of the children we spoke to mentioned that they had any opportunity to give their views on the service either via their schools, local education authority or directly to the transport provider.



Some key issues

Even allowing for the possibility that some of those participating in the dialogue about their school buses may have embellished their accounts, action from all concerned is clearly needed to tackle the following issues in particular.

The buses: The quality and standard of fleets is clearly an issue, but may not be related solely to the age of the buses used for school contracts themselves. School buses should be safe, clean and reliable. Single decker vehicles would appear to have much to recommend them over double deckers in terms of both safety and behaviour management. Facilities available on newer rather than older vehicles also have impacts which improve safety and behaviour.

Supervision: The provision of appropriate training for school bus drivers and having trained, vetted and adequately supported escorts on all school buses would have many advantages. The prevention of incidents of bad behaviour is far more desirable than harsh sanctions after the event. Pupils clearly view their journeys on the bus as 'down time' and it is inevitable that they may wish to relax and even let off steam. When that journey is undertaken on a dilapidated and overcrowded vehicle with no other distractions or adequate escort arrangements, it is almost inevitable that difficulties will arise.

Seatbelts: All school buses should be fitted with seatbelts and pupils should wear them, although many may need more than a little encouragement to do so. While the majority of pupils participating appreciated that there were powerful arguments for the wearing of

seatbelts, and discouraging walking and moving around the bus while travelling, their responses to other questions indicate that it will have an impact on the freedom which they clearly enjoy after a long day at school. The seatbelts also suffer from an image problem which can be dealt with through public education and the involvement of children and young people in the development of groundrules for behaviour on school buses, and their continuing participation in monitoring and reporting incidents and concerns. The *3 for 2 rule* is clearly incompatible with the need to ensure that every child has a seatbelt available to them.

Recommendations: Pupils' voices

The Children's Commissioner for Wales recommends that:

- local education authorities guide and encourage schools to ascertain their pupil's views about behaviour, comfort and safety on school buses in order to improve conditions.
- local education authorities should encourage the active participation of children and young people in developing their local schemes for school travel.
- Children and young people should be involved in monitoring and reporting incidents and safety concerns as part of LEA or school policies and procedures on school transport. Since children are often more acutely affected by such matters, routes for listening to issues raised will improve awareness and responsiveness in general.
- Welsh Assembly Government develop guidance for schools on the supervision and management of children and young people's behaviour on school buses, involving children and young people, children's rights organisations, transport providers and education organisations.
- Welsh Assembly Government should ensure that consultation with children, young people and their parents or carers is an integral part of any schemes approved under the School Travel Prospectus and any further strategic development by the Welsh Assembly Government.

Principles endorsed from the School Travel Prospectus

The Children's Commissioner for Wales believes that:

- existing school transport legislation, which assumes that it is reasonable for pupils to walk three miles to school (two miles for under eight's), accompanied if necessary by their parents, is outdated.
- any new school travel schemes should be based on an assessment of the travel needs of all pupils in a local travel scheme area.
- travel schemes should include protection for children who are sent to a school that their parents did not choose some distance away as a result of being unable to gain a place at a school within walking distance from home.

- travel schemes should make provision for transport to denominational schools or Welsh medium schools, even when they are not the nearest.
- it is necessary for the National Assembly for Wales to have the power to direct local education authorities to revoke or amend aspects of their travel schemes

Recommendations: Legislation and Guidance

The Children's Commissioner for Wales recommends that:

- Welsh Assembly Government should consider whether to pursue the abolition of the concession contained within *Regulation 5 of the Public Service Vehicle Carrying Capacity Regulations 1984* and whether further guidance or legislation is needed to specify the minimum standards for the age and condition of school transport vehicles commissioned by local education authorities.
- Welsh Assembly Government should provide guidance to local education authorities on the nature of the contracts they should seek with school bus providers. Responsibility for the performance monitoring and opportunities for contract review should be clear. Considerations of cleanliness and comfort should be taken into account. Contractors should be encouraged to invest in their fleets, and therefore regularly reviewed and carefully monitored contracts for longer than four years should be considered to make this financially viable.
- local education authorities and school bus providers should provide training for school bus drivers on areas such as child protection, behaviour management and appropriate communication with children.
- Welsh Assembly Government considers the extension of the Safe Routes to School initiative as a key priority.

Recommendations: What children and young people told us

Many of the pupils who took part in the study had very constructive – and simple – recommendation and suggestions in terms of how to improve both the safety and the general circumstances of their journeys on the school bus.

Even those who seemed relatively happy with the safety level in response to other questions, highlighted issues such as seatbelts, newer, safer buses and chaperones or escorts to help prevent bad behaviour as much as to discipline those who behaved badly.

Many of their suggestions appear very obvious, and it is concerning that today basic arrangements for safety and comfort still haven't been addressed by those arranging and providing school bus services. The way that children and young people express these suggestions, tell us much about their perceptions and feelings about their own experience of the school bus.

- ☺ "Cael gwared o'r drewdod." (Get rid of the smelliness.)
- ☺ "Bws newydd, a gwres yn y bore." (A new bus, and heating in the mornings.)
- ☺ "Peintio arnyn nhw'n fwy neis a cael seatbelts." (Paint them nicer and get seatbelts.)
- ☺ "Have someone to make sure everyone wears their seatbelt and look after children when they are on the bus so that they don't get up and shout and walk about."
- ☺ "Make sure nobody smokes cigarettes."
- ☺ "Cael single decker mwy modern yn lle double decker." (Have a more modern single decker instead of a double decker.)
- ☺ "Comfortable seats."
- ☺ "Llai o sbwriel." (Less litter.)
- ☺ "Gyrrwr y bws yn bod yn garedig inni a peidio a gweiddi arno ni." (The bus driver being nice to us and not shouting at us.)
- ☺ "Jyst gwella'r standard." (Just raise the standard.)
- ☺ "Gwregys!" (Belt!)
- ☺ "Something to do – like videos."
- ☺ "Seatbelts on every bus – not just the minibus."
- ☺ "Dau fws yn lle un – bydde hynny'n help." (Two buses instead of one – that would be a help.)
- ☺ "Bysus i'r ysgolion a'r plant sy'n gorffod cerdded neu mynd mewn car – sai'n credu bod e'n deg iddyn nhw." (Buses for the schools and the children that have to walk or go in a car – I don't think it's fair for them.)

- ☺ "Bys ein hunan, yn lle mynd ar y service bus, achos bod dim lle i eistedd." (Our own bus, instead of a service bus, because there's no room to sit down.)
- ☺ "Bach mwy o leg room!" (A bit more legroom!)
- ☺ "Falle cael rhywun i edrych ... i wneud i blant ishte lawr, a pethe fel'na." (Maybe get someone to look ... to make children sit down, and that sort of thing.)
- ☺ "Bysus mwy" (Bigger buses.)
- ☺ "Cael bws falle sydd ddim yn cwmpo bant a pethe." (A bus that maybe isn't falling apart.)
- ☺ "Maybe seatbelts."
- ☺ "Teithio arnyh nhw ryw amser!" (Travel on them sometime!)

Appendix

References

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