



Department of the  
**Environment**  
[www.doeni.gov.uk](http://www.doeni.gov.uk)



Department of  
**Education**  
[www.deni.gov.uk](http://www.deni.gov.uk)  
AN ROINN  
**Oideachais**  
MÁNNYSTRIE O  
**Lear**



Department for  
**Regional  
Development**  
[www.drdni.gov.uk](http://www.drdni.gov.uk)

# The Northern Ireland Assembly Environment Committee Inquiry into Transport used for Children travelling to and from School

RECOMMENDATIONS  
PROGRESS REPORT

**September 2006**

This document is available on the Department of the Environment's Road Safety website at [www.roadsafetyni.gov.uk/index/buses/buses-school\\_buses/buses-school\\_progress\\_report1.htm](http://www.roadsafetyni.gov.uk/index/buses/buses-school_buses/buses-school_progress_report1.htm)

Please send requests for additional copies, or for the document to be made available in alternative formats, to:

Road Transport Regulation Review Branch  
10-18 Adelaide Street  
BELFAST  
BT2 8GB

Telephone: (028) 90541165  
Fax: (028) 90541131  
Text phone: (028) 90540642

---

## 1.0 Introduction

---

- 1.1 In September 2000, prompted by concerns about the safety and comfort of children travelling to and from school - and specifically about overcrowding on buses - the Northern Ireland Assembly's Environment Committee initiated a public inquiry into home to school transport.
- 1.2 The terms of reference were to examine the legislation governing the number of schoolchildren permitted to travel on buses; consider the safety of children when large numbers are travelling on buses; consider the need to amend the legislation to restrict the number of children carried; examine the adequacy of insurance cover for buses and taxis used in school transport; and report back to the Assembly making recommendations to the Minister.
- 1.3 The Committee's report (which is available to read at [www.niassembly.gov.uk/environment/reports/report1-01r.htm](http://www.niassembly.gov.uk/environment/reports/report1-01r.htm)) was published in September 2001 and contained 28 recommendations. It identified four main recommendations<sup>1</sup>:
- **Abolition of the provision that allows three children under 14 to share two seats (known as '3 for 2')**
  - **Introduction of 'no standing' for all children entitled to transport**
  - **Introduction of seat belts on all buses used primarily for the carriage of schoolchildren**
  - **Introduction of improved school bus signage and lighting**
- 1.4 The Committee recommended that the Department of the Environment (DOE) carry out Regulatory Impact Assessments (RIAs) in respect of the abolition of '3 for 2' and 'no standing' (for non-entitled schoolchildren). DOE indicated in its initial response to the Committee's report that rather than focus on just two of the main recommendations, it would undertake an impact assessment of the costs and benefits associated with implementing all four.

---

<sup>1</sup> **Annex A** sets out the current legislation and policy on each of the main recommendations. **Annex B** explains any unusual or specialist terms used in this report.

- 1.5 This assessment, which has taken the form of a high level economic appraisal, is now complete. Produced by DOE in partnership with the Department of Education (DE) and the Department for Regional Development (DRD), it is published at [www.roadsafetyni.gov.uk/index/buses/buses-school\\_buses/buses-school\\_buses-safety\\_review-2.htm](http://www.roadsafetyni.gov.uk/index/buses/buses-school_buses/buses-school_buses-safety_review-2.htm).
- 1.6 In Northern Ireland three Government departments have a role in the provision and regulation of school bus transport - DE, DOE and DRD.
- DE gives transport assistance for children who meet specified eligibility criteria set by DE. (For details of the criteria see [www.deni.gov.uk/school\\_transport\\_circular1996-41.pdf](http://www.deni.gov.uk/school_transport_circular1996-41.pdf).) This is provided by allowing children to travel on Education and Library Board (ELB) buses or on buses contracted by the ELBs from private operators, or by allocating pre-paid sessional passes that allow children to travel on Translink services.
  - DOE is responsible for regulating school bus safety.
  - DRD has overall responsibility for public transport policy and planning. Delivery of the majority of public transport services, of which Translink school bus transport is a part, is the responsibility of the Northern Ireland Transport Holding Company.
- 1.7 Approximately 110,000 children travel to and from school by bus in Northern Ireland each day. Of these, 65% are carried by Translink, 27% by ELB buses and 8% by private operators. School children travelling on Translink services do so either by routine stage carriage service or 'school' services which only operate during term time. Despite the name, these 'school' services are, in fact, stage carriage services which do allow members of the public to travel.
- 1.8 Some 6% of the children eligible for transport assistance who travel on Translink buses are primary school children: the other 94% are in post primary education. Of those carried by ELB buses, 54% are at primary school and 45% are in post primary education.

- 1.9 This report provides an update on the implementation of the 28 Inquiry recommendations, setting out progress to date and future plans.
- 1.10 The numbering and wording of the Environment Committee recommendations reproduced in this report are as set out in its 'Report on the Inquiry into Transport used for Children Travelling to and from School', issued by the Northern Ireland Assembly in September 2001. For consistency with other related documents, the term 'the Boards' (i.e. the Education and Library Boards) has been replaced with 'the ELBs'.

---

## 2.0 The '3 for 2' Seating Provision

---

**Recommendation 1:** The Committee recommends that the '3 for 2' capacity concession operated by the Education and Library Boards (ELBs) and Translink should be abolished for all children.

The Committee did recognise that the quickest means of achieving this is for all ELBs to specify 'one for one' seating in all contracts, and on their own vehicles, and therefore all ELBs should adopt this policy and implement in all new contracts.

While the legislation will not require immediate amendment, carriage of pupils in excess of seating capacity should only be allowable in exceptional circumstances, to be set out in a revised circular from the Department of Education. In due course, abolition of the '3 for 2' seating rule should be reflected in amended legislation.

A Regulatory Impact Assessment should be carried out by the Department of the Environment to evaluate the potential costs and likely benefits of making the proposed change.

- 2.1 Since 2001 the ELBs have been working to eliminate the use of the '3 for 2' seating concession (which allows three children under the age of 14 to share a double seat) on their own buses and buses operating under contract to them. Two of the five ELBs, Belfast and North Eastern, have already achieved this.
- 2.2 DRD/Translink and DE/ELBs will abolish use of the '3 for 2' seating concession completely by April 2007. This will apply to all ELB buses, buses operating under contract to the ELBs and all Translink buses.
- 2.3 DOE, in consultation with relevant stakeholders, will draw up guidelines on the use of '3 for 2' or standing capacity in exceptional circumstances in advance of the abolition of the use of '3 for 2' in April 2007. Within the same timescale, DOE will also develop an appropriate reporting mechanism for such incidents.

- 2.4 An impact assessment, in the form of a high level economic appraisal, has now been carried out and is available at [www.roadsafetyni.org/index/buses/buses-school\\_buses/buses-school\\_buses-safety\\_review-2.htm](http://www.roadsafetyni.org/index/buses/buses-school_buses/buses-school_buses-safety_review-2.htm).

---

### 3.0 School Children Standing on Buses

---

**Recommendation 2:** The Committee recommends that the Education and Library Boards should specify in all contracts that every child who is entitled to transport is provided with a seat.

This should apply to their own transport, as well as to contract transport and to pass-holders on stage carriage services.

The ELBs and Schools should also apply this to any organised school trips, regardless of whether buses or coaches are deployed.

In the case of non-entitled children, Translink and any other stage carriage operators should identify instances where they stand for longer than the operator's quality standard and take measures to prevent this recurring. This should be reported on through the new incident reporting system.

- 3.1 At present there is already no standing on ELB buses or buses operating under contract to the ELBs. This, coupled with the abolition of '3 for 2', means that by April 2007 every child travelling on an ELB bus or a bus operating under contract to the ELBs will have a seat.
- 3.2 DRD/Translink will introduce a 'no standing' rule on all 'school' services. This will be phased in from September 2007, with full effect by April 2009. This will not apply to normal public bus services run by Translink e.g. Metro services, on which some eligible children may also travel.
- 3.3 As set out in Paragraph 2.3, DOE will develop guidelines and reporting arrangements for the use of '3 for 2' and/or standing in exceptional circumstances early in 2007.
- 3.4 The issue of standing on organised school trips is dealt with at Paragraph 7.1 (Recommendation 10).

- 3.5 As regards its quality standard in relation to standing, Translink's Passenger Charter states that there should be no standing on any bus during off peak periods and a maximum of 15 minutes during peak periods.
- 3.6 A reporting system for incidents and accidents is considered together with Recommendation 19 at Paragraphs 14.1-14.3.

**Recommendation 3:** The Committee recommends that the Education and Library Boards should require Translink to ensure that their journey planning system provides every pass-holder with a seat on a specified bus, even where this involves a stage carriage service.

- 3.7 Regarding the provision of a seat for every eligible child, see Paragraph 3.2 above.
- 3.8 On the issue of providing eligible children with a seat on a specified bus, currently such pupils can use any service for travel. Restricting travel to specific services would limit flexibility and choice for pupils and have a negative impact on their ability to attend activities before or after school. For these reasons this recommendation will not be progressed.

**Recommendation 4:** The Committee recommends that the Department of the Environment, as a matter of urgency, should carry out a Regulatory Impact Assessment on the effect of a similar change (as in Recommendation 3 above) in the policy for standing for non-entitled school children.

- 3.9 This recommendation has been fully implemented as the RIA referred to in Paragraphs 1.4 and 1.5 incorporates this issue.

---

## 4.0 Seat Belts

---

**Recommendation 5:** The Committee recommends that the Education and Library Boards should progressively require the provision of lap-and-diagonal seat belts for all school children on both contract services and those vehicles on scheduled services provided by Translink, primarily for the carriage of school children, and on their own buses.

The ELBs should prepare a programme, in consultation with the Department of Education, outlining the shortest realistic timetable for full implementation of this requirement, taking into account the vehicle replacement requirements, for presentation to this Committee within six months.

- 4.1 The response to this recommendation is considered jointly with Recommendation 7 (phasing in of seat belt fitting) at Paragraphs 4.5 and 4.6 below.

**Recommendation 6:** The Committee recommends that the Department of Transport, Local Government and the Regions [now the Department for Transport (DfT)], in representing the UK, should propose that the EU pursue the concept of requiring seat belts to be installed in all buses, including those used for school transport and stage carriage services.

- 4.2 In 2001 DfT implemented EC Directives<sup>2</sup> allowing Member States at their discretion to require seat belts to be fitted to all forward and rear facing seats in all new buses and coaches (except for buses intended for urban use and standing passengers) and to all forward facing front and exposed rear seats in new heavy goods vehicles. In addition, seat belt anchorages were required to comply with certain technical requirements. DfT implemented these changes in Great Britain in 2001 by way of amendment to their Construction and Use Regulations. DOE replicated these Regulations in Northern Ireland in 2002.

---

<sup>2</sup> 96/36/EC, 96/38/EC, 2000/3/EC (seat belts and anchorage points).

- 4.3 In 2005 the European Parliament adopted further Directives<sup>3</sup> to enhance passenger safety across the whole of the EU, particularly for bus and coach passengers.
- 4.4 These Directives now make it mandatory for all newly registered non-urban buses, coaches and minibuses in the EU to have seat belts fitted to all forward and rear facing seats. They also prohibit the fitting of side facing seats in such vehicles, except for ambulances and urban buses, and introduce a 5 year concession that will allow coaches over 10 tonnes with 'conference areas' to have side facing seats with lap belts fitted. DfT is considering how these Directives can be implemented in Great Britain through changes to current regulations. DOE will replicate such changes in Northern Ireland.
- 4.5 Two recent DfT research projects have also considered the fitting of seat belts. These are:
- Research into the restraining of children in buses and coaches was completed in December 2005. It concluded that, relative to other modes, small numbers of children are killed or seriously injured in accidents involving 'public service vehicles' such as buses, coaches and minibuses. It also found that a poorly-fitting adult seat belt could actually increase the level of child injuries.
  - Research has also been carried out into passengers being thrown from buses, coaches and minibuses in the event of a collision. This work has considered the need for seat belts to be fitted in all buses. It is expected that the final report will be complete by mid September 2006.

---

<sup>3</sup> 2005/40/EC (safety belts and restraint systems of motor vehicles), 2005/41/EC (anchorages for motor vehicle safety belts), 2005/39/EC (motor vehicle seats, anchorages and head restraints).

**Recommendation 7:** The Committee recommends that the Education and Library Boards should determine and apply a phasing in programme with three time horizons reflecting priorities for the fitting of seat belts to vehicles (including their own), viz.:

- short term – to all smaller vehicles (i.e. those with less than 35 seats), with buses on rural and primary schools services as a priority;
- medium term – to all larger vehicles used to provide stage carriage services identified by the Boards as primarily provided for the transport of school children. For this purpose, Boards will be expected to designate vehicles which are planned to carry 30 or more entitled children, but may exclude services which meet this criterion, or designate additional services, where specific circumstances render this appropriate; and
- long term – eventual aim of providing seat belts on all buses, coaches and minibuses used in operating school transport.

- 4.6 Since 2001, as part of their bus replacement programmes, ELBs have been working towards fitting seat belts on all buses in their own fleets. Currently some 70% are fully seat belted with lap and diagonal belts. A further 20% of buses are partially seat belted - that is, on 5 seats only, with a combination of lap, and lap and diagonal, belts. Subject to capital funding being available, it is expected that by 2011 all ELB buses will be fully belted.
- 4.7 Translink will be commissioning 110 new single deck buses especially for school use which will have seat belts fitted. These will be phased in from September 2007, and will be in service by April 2009.

---

## 5.0 Signage

---

**Recommendation 8:** The Committee recommends that the Department of Education and Department of the Environment, in conjunction with vehicle manufacturers and operators, should develop as rapidly as possible a technical specification for an illuminated school bus sign, to provide significantly more visible impact than the current prescribed school bus signs, and which:

- would apply to the front and rear of any vehicle with 9 or more passenger capacity (appropriately scaled);
- would only show the school bus sign when illuminated;
- would be capable of being operated from the driver's seat;
- would be capable of retrofitting to existing vehicles; and
- could be fitted to work in conjunction with high level hazard warning lights at front and rear.

Provision and deployment of this sign would be mandatory on all vehicles used specifically to carry children to and from school at any time, and on stage carriage vehicles where 'significant' numbers of school children are being carried. It would be an offence to deploy this sign except when, or immediately before or after, the vehicle is stopped to allow school children to board or alight.

- 5.1 This recommendation is considered jointly with Recommendation 9 (flashing lights) at Paragraph 6.1 below.

---

## 6.0 Flashing Lights

---

**Recommendation 9:** The Committee recommends that it is compulsory for hazard warning lights to be fitted to the front and rear and as near to roof level as possible, on all buses/coaches transporting school children and operated for all boarding and alighting in conjunction with the signs specified in Recommendation 8.

- 6.1 DOE, in conjunction with key stakeholders, will develop a specification for a new signage and lighting system which will meet the detailed requirements of Recommendations 8 and 9. It is expected that this work, and the associated legislative amendments needed to allow the changes, will be complete by September 2007.
- 6.2 The new signs and lights will be fitted to all buses used in school transport from September 2007, to be fully operational by April 2009.

---

## 7.0 Legislation Governing Use of Minibuses/ Coaches on Organised Trips

**Recommendation 10:** The Committee recommends that Education and Library Boards and individual schools should ensure that children on organised school trips must travel on vehicles fitted with seat belts, with a seat for every child, and that this should be supported by guidance from the Department of Education.

- 7.1 Currently all minibuses, coaches and non-urban buses being used for organised school trips must, by law, have seat belts fitted. Urban buses – that is, those designed with standing capacity – are exempt from this requirement. As responsibility for hiring buses used on such trips, and therefore the type of bus used, lies with the individual schools, it is not felt appropriate that DE or the ELBs should dictate requirements. Therefore, this recommendation will not be progressed.

---

## 8.0 Consolidation of the Legislation

**Recommendation 11:** The Committee recommends that legislation [for the regulation of vehicles and licensing of operators] should be consolidated.

- 8.1 Currently legislation in Northern Ireland for the regulation of vehicles (including buses, coaches and minibuses), drivers and operators is contained in four pieces of primary legislation<sup>4</sup> and a large volume of subordinate legislation.

---

<sup>4</sup> Road Traffic (NI) Order 1981 (SI 1981 No. 154); Road Traffic (NI) Order 1995 (SI 1995 No. 2994); Road Traffic Offenders (NI) Order 1996 (SI 1996 No.1320); Transport Act (NI) 1967 (Ch 37).

- 8.2 Primary powers include those in respect of the licensing of drivers, licensing and regulation of public service vehicles, provisions regarding applicable Community Rules, foreign vehicles, motor insurance, driving and cycling offences, promotion of road safety, approval, construction and use of vehicles and equipment, the prosecution and punishment of road traffic offenders and operator and road freight licensing.
- 8.3 Subordinate legislation takes the form of a myriad of regulations and orders that provide for a range of requirements, conditions and penalties in respect of the use of such vehicles and their drivers on the road and the licensing of operators. These include such subject areas as the type approval, construction, use and lighting of vehicles, requirements as to the fitness of buses (including those used as public service vehicles), requirements under the Disability Discrimination Act 1995 to ensure the safety and comfort of disabled people on public service vehicles, motor vehicle testing, requirements regarding the fitment and use of tachographs on vehicles, EC drivers' hours rules and the licensing of vehicles, drivers and operators.
- 8.4 Consolidation would have the advantage of having all such vehicle, driver and operator legislation in one statutory instrument. However, not only would it be extremely resource intensive and time consuming to produce but it would also be rather complex and unwieldy. It would therefore be unlikely to achieve the presumed desired effect of being reader-friendly. Furthermore, there is a continual need to update legislation to implement EC Directives and to keep pace with policy developments in Great Britain; that is, existing pieces of legislation regularly need to be amended or abolished, or new ones made. The need for constant change would mean that any consolidated document would quickly become out of date; whereas new regulations for the above individual subject areas can be published relatively quickly.

---

## 9.0 Yellow School Bus System

---

**Recommendation 12:** The Committee recommends that Department of Education and Department for Regional Development should urgently commission a study to identify the advantages and disadvantages of a dedicated and segregated school bus system (as in the U.S. 'Yellow Buses') from the points of view of:

- significantly increasing the proportion of children using buses for their journey to and from home and school; and
- the safety of all children using buses.

The study should involve a programme of pilots involving both rural /urban and primary/secondary examples, and should consider alternatives such as:

- enhancing the design and function of the Boards' own vehicles (such as the recent high-capacity vehicles purchased by the Southern Education and Library Board), and their specification of contracted services; and
- quality school bus partnerships.

The study should also assess the possible impact of dedicated school buses on subsequent public bus service use by children, and on their road traffic awareness.

- 9.1 DRD is concerned that the establishment of a segregated school bus system (as in the U.S. yellow buses) would have a serious impact on the viability of considerable parts of the Translink stage carriage network, particularly in rural areas. It is likely that the loss of patronage from schoolchildren would reduce fare income to such an extent that Translink would have no option but to withdraw such services. This would be counter to the sustainable transport aim of promoting the use of public transport in Northern Ireland. For this reason, this recommendation will not be progressed.

---

## 10.0 Arrangements for Getting On and Off Buses

**Recommendation 13:** The Committee recommends that the Department of the Environment [actually DRD's responsibility] should undertake urgent research into the potential for new legislation in respect of other road traffic passing vehicles which have school bus signs deployed. This should examine the potential for:

- prohibiting overtaking generally;
- prohibiting overtaking on certain roads or at certain identifiable locations; and
- a reduced maximum speed when overtaking;

and should consider the experience of other countries in this regard. The DOE [DRD] should report back to this Committee as soon as practicable.

- 10.1 DRD Roads Service has researched the issue and considers that the disadvantages of introducing such legislation would outweigh the advantages, which have yet to be proven. This is in line with the position currently taken by the DfT in Great Britain.
- 10.2 The assumption that a prohibition on the overtaking of school buses will increase the safety of children needs to be balanced against other issues. Roads Service is concerned that the introduction of a prohibition on overtaking of school buses by other vehicles may result in school children becoming complacent when alighting from normal service buses outside school times or during school holidays.
- 10.3 Roads Service considers that educating children to exercise caution when alighting from all bus services, combined with increased driver awareness, is the most appropriate way forward. DOE currently delivers this message as part of its road safety education programme in schools.
- 10.4 DRD Roads Service is, therefore, of the view that the overtaking of stationary school buses, either generally or at specific locations, should not be prohibited in Northern Ireland.

**Recommendation 14:** The Committee recommends that the Department of the Environment and Department of Education should develop and publish a Good Practice Guide in respect of Risk Assessment surrounding boarding and alighting at or by school premises, including coverage of:

- supervision;
- scheduling the vehicle arrival and departure programme;
- queuing and signing systems;
- design of drop off/pick up points;
- local traffic calming;
- school crossing patrol-activated hazard signals; and
- operator – school liaison.

- 10.5 The ELBs and Translink have prepared a revised version of the Good Practice Guide entitled 'Safe School Travel' which was distributed in September 2002 to all schools directly serviced by Translink. This includes information on the responsibilities of pupils, parents and schools within school transport. (For more details see [www.seelb.org.uk/about/transport/Safe School Travel.pdf](http://www.seelb.org.uk/about/transport/Safe_School_Travel.pdf).)
- 10.6 Additionally, in terms of pupil awareness of safety while boarding and alighting, Translink has produced an education pack that can be incorporated into the National Curriculum for Key Stage 2. The pack aims to increase awareness, among schoolchildren, of all aspects of safety when using public transport. The pack (which is available at [www.translink.co.uk/schools.asp](http://www.translink.co.uk/schools.asp)) contains three distinct sections relevant to the National Curriculum with exercises in English, Mathematics, Science/Technology, Geography, Art and History suitable for P5, P6 and P7 children.
- 10.7 The Highway Code also provides advice for drivers in the vicinity of buses carrying school children. Rule 203 of the revised version of the Code currently under consultation (for further details see [www.roadsafetyni.org/Consultations-MainDetails.htm?id=con77](http://www.roadsafetyni.org/Consultations-MainDetails.htm?id=con77)) states that drivers should 'drive carefully when passing a stationary bus carrying schoolchildren or showing "school bus" markings or signs as children may be getting on or off.'

---

## 11.0 Improved Means of Communication for Bus/Coach/Taxi Drivers

---

**Recommendation 15:** The Committee recommends that all drivers of buses/coaches or taxis transporting children to and from school are provided with a means of communicating from the vehicle with their depots, the incident 'hotline', the police and other emergency services.

- 11.1 About 45% of the ELB fleet are now provided with mobile phones.
- 11.2 The existing radio system on Translink Metro services is currently being updated. All Ulsterbus drivers use mobile phones.

---

## 12.0 Behaviour and Vandalism Issues

---

**Recommendation 16:** The Committee recommends that the Education and Library Boards and Translink should undertake a specific investigation of the factors that contribute towards vandalism, bullying and misbehaviour on buses, with a view to applying appropriate Action Plan measures as rapidly as possible.

- 12.1 Translink has investigated the factors contributing to vandalism and bullying. There is an established relationship between Translink District Managers, school Principals and ELB Transport Officers who resolve local behavioural issues. There is also a North Belfast Peacemakers Group made up of Police Service of Northern Ireland (PSNI), school Principals, ELB Officers and Translink officials. This group is involved in reducing tensions between school pupils in the North Belfast area. Additionally, Translink currently has 88 Ulsterbus and 112 Metro vehicles fitted with CCTV. A further 139 new buses, all with CCTV, will be added to the fleet by end 2007. New buses being bought for school transport, as referred to in Paragraph 4.6, will also have CCTV.
- 12.2 Translink currently operate a specially designed school safety bus that visits schools to promote good behaviour while travelling by bus. Though used mostly in Belfast at present, the vehicle and staff are available for use in other areas.

- 12.3 ELBs have taken steps to reduce the incidence of bullying on school buses through the installation of CCTV on their own buses. At present some 22% of the total fleet have this facility and it is intended to extend this further in the future. There are also procedures for dealing with anti-social behaviour on ELB vehicles (including the use of incident reports) and guidelines for private operators using taxis and minibuses.

---

## 13.0 Storage of Equipment/Baggage

---

**Recommendation 17:** The Committee recommends that Education and Library Boards, Schools, Translink and other main transport providers should review the nature and amount of baggage and equipment which children carry to and from school on buses/coaches, with the aim of reducing the amount carried (e.g. extension of secure storage facilities and their use in schools), and ensuring the provision and use of appropriate storage inside buses/coaches such that:

- gangways and exits remain clear; and
- loose items are secured so that they will not cause any injury in the event of sudden deceleration.

**Recommendation 18:** The Committee recommends that the Department of Education should provide general guidance in respect of appropriate baggage allowances for travel on vehicles.

The ELBs should use this to specify the appropriate storage arrangements in their contracts with providers, enhanced, where necessary, in relation to specific schools or specific routes. Translink should use this guidance in respect of stage carriage services which carry a significant number of children to and from school.

- 13.1 As schools (and ultimately each individual) decide how much baggage and equipment is carried to and from school each day it is not considered appropriate that DE, the ELBs or Translink should review the nature and amount of baggage carried and provide guidance on allowances. Therefore, it is not anticipated that any further progress will be made on these recommendations.

- 13.2 The provision of secure storage facilities e.g. lockers in schools depends greatly on whether the existing building is capable of modification. At present, many would not have room for more lockers.
- 13.3 In terms of existing storage facilities on buses although storage racks are provided on some Translink buses, provision is limited. This is because seating provision has a much higher priority than storage when designing the interior layout of the vehicle. Luggage racks are provided on around 58% of the total ELB fleet.

---

## 14.0 Improved Liaison Between Schools and Transport Providers/ The Bus Pass System

---

**Recommendation 19:** The Committee recommends that ELBs should establish a formal reporting system for accidents and incidents involving overcrowding, indiscipline or other matters affecting safety, and that the Department of the Environment, Department of Education, Department for Regional Development, RUC [now PSNI], the ELBs, Schools and Colleges, and main transport providers should establish appropriate liaison arrangements for dealing with reports received under this system.

Use of this system should be required for all contractors, and reinforced by an appropriate penalty system if not used. It should also apply to the ELBs' own operations, and Translink and other transport providers should apply it in respect of stage carriage services and non-entitled children. Schools and Colleges should be recommended to use this system.

The ELBs should be required to publish an annual analysis of reports received, which should be considered by the DE and, where appropriate, updated guidance issued.

- 14.1 Formal reporting arrangements which meet the terms of this recommendation are already in place.
- 14.2 All ELBs already have accident reporting procedures, incident reporting procedures and emergency plans in place for dealing with accidents/incidents. They also have guidelines and codes of conduct for those involved in the transport of children.

- 14.3 Translink also has a reporting system for logging accidents and incidents. Incidents of a behavioural nature are reported back to the District Manager who will contact the school for assistance if required. The local manager will then contact the ELB, if necessary. This will depend on the nature of the incident.

**Recommendation 20:** The Committee also recommends that the Education and Library Boards should establish and publicise a telephone 'hotline' to deal with school transport incidents or complaints as they occur. This facility should be staffed to cover the times between the earliest vehicle starting out and the last scheduled drop off time.

- 14.4 ELBs do not feel that a telephone hotline would provide any greater benefit over the systems currently in place.

**Recommendation 21:** The Committee recommends that Translink should be required to plan that sufficient stage carriage service buses should provide a seat for all school children with a pass to travel.

- 14.5 This recommendation is considered along with recommendation 2 (see Paragraphs 3.1-3.3 for response).

**Recommendation 22:** The Committee recommends that consideration should be given to issuing specific passes for specific buses, so that the demand for transport is spread more evenly across the available vehicles.

- 14.6 This recommendation is considered along with Recommendation 3 (see Paragraph 3.8).

**Recommendation 23:** The Committee recommends that:

- The Department of Education should develop and publish a detailed update to Circular 1996/41, reflecting this Committee's recommendations and, in particular, focussing on both safety and quality standards of the transport to be provided. The guidance will be based on the 'reasonable parent' test and should be updated regularly, as required, to maintain this position.
- In conjunction with this, the DE should develop 'Codes of Conduct' for all parties involved in home to school transport, including operators and their staff, schools and colleges, parents and children themselves.

14.7 Circular 1996/41, together with appropriate Codes of Practice, will be updated as required to reflect the proposed policy and procedural changes contained in this report.

---

## 15.0 Road Safety Education

---

**Recommendation 24:** The Committee recommends that the implementation of measures contained in this report [Report on the Inquiry into Transport used for Children Travelling to and from School, September 2001] should be linked to the development and delivery of a new/enhanced Road Safety Education programme (developed within the 'Safer Routes to Schools' programme) to:

- heighten general road users' awareness of the need to take special care when passing buses, coaches or taxis when children are boarding or alighting; and
- make school children aware of their need to follow the Code of Conduct [as mentioned in Paragraph 10.5], and of the specific dangers surrounding boarding and alighting.

This campaign should involve all parties identified as having a role to play in this report, including the ELBs and Schools, the Department of the Environment, the RUC [now PSNI] and main transport providers. DOE should also establish an education and awareness programme targeted at parents and children to enhance the wearing of seat belts, extending the current campaign which particularly targets people in the 16-24 age groups.

- 15.1 'Travelwise NI - Safer Routes to School' and road safety education programmes will be updated as appropriate to reflect the proposed measures contained in this report.
- 15.2 A new publicity campaign will also be developed to increase awareness of the new signage and lighting system for school buses. It is expected that this will be launched on implementation of the new system in September 2007.
- 15.3 Much progress has already been made in making the home to school journey safer. This work is summarised below.

### **Travelwise NI - Safer Routes to School**

- 15.4 Safer Routes to School (SRS) is the responsibility of DRD Roads Service and aims to raise awareness and increase the use of sustainable transport options such as walking, cycling and public transport for the school journey. A pilot SRS programme with six schools is almost complete and the experience gained has informed the development of the SRS programme. The SRS initiative will now be taken forward through an Accelerated and Enhanced programme with a minimum of forty schools each year.
- 15.5 The SRS programme may provide, as appropriate, a range of traffic management and infrastructure improvements to facilitate bus transport on the public road (Roads Service) and within the school grounds (DE).
- 15.6 Examples of the types of road safety training delivered by DOE Road Safety Education Officers to schools involved in the SRS programme include:
- practical training in the use of zebra, pelican and toucan crossings, cycle paths and crossing roads where there is no crossing
  - mentoring scheme where older pupils work with younger pupils on how to walk, cycle or use the bus system safely
  - training on how to board and disembark from buses safely
  - poster/leaflet design and the use of videos, CDs and other road safety teaching material for inclusion in lessons
- 15.7 For more details about the Safer Routes to School initiative visit [www.travelwiseni.com/index/schools.htm](http://www.travelwiseni.com/index/schools.htm).

## **Road Safety Education**

15.8 Road Safety Education is the responsibility of the DOE. As part of the road safety education programme in schools, the Department's Road Safety Education Officers (RSEOs) promote a Code of Conduct which includes issues such as boarding and alighting buses, behaviour on buses and seat belt wearing. In support of this, RSEOs distribute leaflets about all aspects of bus safety to pupils. In addition, DOE's main teaching resource for nursery and primary school children, the Road Safety Teaching Aid Calendar, includes bus safety and seat belt wearing. The calendar is produced annually and is distributed free of charge to every classroom in every nursery and primary school throughout Northern Ireland.

### **Publicity**

- 15.9 DOE promotes seat belt wearing by all age groups through various media - including television, cinema, radio and 'bus-back' advertising - and through the distribution of seat belt information leaflets to all schools and other outlets. A new advertisement will be launched in October 2006 to address two target groups - teens/young adults and parents with children.
- 15.10 DOE also uses intervention radio as a means of delivering road safety messages right at the point of danger, e.g. while travelling in the car. For example, a radio message entitled 'Weekday Drive Time' has been developed to alert drivers to the dangers of children boarding and alighting buses and will normally be aired between 7am and 6pm.
- 15.11 For more details about DOE road safety publicity visit [www.roadsafetyni.org/index/publicity.htm](http://www.roadsafetyni.org/index/publicity.htm).

---

## 16.0 Road Conditions

---

**Recommendation 25:** The Committee recommends that the early gritting of roads on school bus routes, even where these do not meet general criteria for treatment, must be a Roads Service priority.

- 16.1 School routes are included in salting schedules provided they meet the necessary vehicle count. A review of winter service policy and performance carried out by Roads Service in 2001 concluded that to include all school bus routes in the salting schedule would be an inappropriate use of the scarce resources available but that the weighting for buses (including school buses) should be increased.

---

## 17.0 Monitoring of Insurance Cover for Accidents Involving Taxis Used in School Transport

---

**Recommendation 26:** The Committee recommends that those recommendations contained in the 'Home to School Transport, Fundamental Service Review' Report in relation to taxis, should be followed up and implemented as soon as possible by all Education and Library Boards.

- 17.1 This report, which was published in May 2000, set out 87 recommendations for home to school transport (available to read at [www.belb.org.uk/cmsu/docs/HometoSchoolTransportReview.pdf](http://www.belb.org.uk/cmsu/docs/HometoSchoolTransportReview.pdf)). Recommendations specific to taxis covered procurement, efficiency of operations, segregation of ELB officer duties in relation to contracts and payments, escorts, child protection legislation, leasing of vehicles and checking procedures.
- 17.2 ELBs already monitor all driver and vehicle legal documentation prior to the award of taxi contracts and carry out spot checks on a random basis. Where ELBs operate contracts of more than one year, documentation is checked at the start of each school year. ELBs will continue to consider and follow up the remaining Review recommendations as appropriate.

**Recommendation 27:** The Committee recommends that each Education and Library Board, in conjunction with the Department of the Environment's Transport Licensing and Enforcement Branch [now Driver and Vehicle Testing Agency (DVTA), Road Transport Enforcement Section], should instigate a rolling programme of active school transport monitoring, based on an adequate sample, to cover both safety and quality aspects of journeys.

This will require liaison with and guidance with other agencies, including schools and colleges. The results should be published annually.

- 17.3 For DE/ELB progress on monitoring see Paragraph 17.2.
- 17.4 DVTA's Road Transport Enforcement Section monitors school transport operations through an ongoing programme of enforcement activities involving regular checks on coaches, buses and taxis. This work has recently been enhanced through the implementation of a new enforcement strategy, which includes utilisation of an intelligence-led approach targeting the worst offenders and improving compliance through inspection at the roadside and at operator premises. The Agency has invested in the use of modern technology including mobile portable brake testing equipment and automatic number plate readers and has been promoting education through working in partnership with the various industries. Details of its enforcement activities and outcomes are published annually in the Agency's Annual Report, which can be found on the DVTA website at [www.dvtani.gov.uk/publications/reports.asp](http://www.dvtani.gov.uk/publications/reports.asp).

---

## 18.0 Accident Reporting

---

**Recommendation 28:** The Committee recommends that:

- the Department of the Environment should liaise with the Royal Ulster Constabulary [now PSNI] to ensure that accident statistics are collected that allow full analysis by all modes and journey stages, including buses, coaches, minibuses, cars, taxis, cycling and walking.
- The Education and Library Boards should provide guidance to contractors and schools in respect of accident reporting and should ensure that any reports are passed on to the RUC [now PSNI].

The DOE should undertake an annual analysis of accident statistics relating to the home to school journey which includes accidents by mode and accidents by estimated modal mileage and should report the results to this Committee.

- 18.1 The PSNI currently collects data on road traffic injury collisions for all modes and publishes this information annually.
- 18.2 In terms of travelling to and from school, the PSNI publishes annual statistics on such casualties by mode of transport (that is, pedestrians, drivers of motor vehicles, passengers, motorcyclists etc.) These statistics can be found in the Road Traffic Collision Statistics Annual Report on the PSNI website at [www.psni.police.uk/index/statistics\\_branch/pg\\_road\\_traffic\\_related\\_statistics.htm](http://www.psni.police.uk/index/statistics_branch/pg_road_traffic_related_statistics.htm). Future annual reports will also include a further breakdown of the 'passenger' category to show the numbers killed or injured as a passenger in a car and in a Passenger Carrying Vehicle (PCV) while travelling to and from school. The 2005 Annual Report is due to be published in September/October 2006.
- 18.3 DOE is also liaising with the PSNI with a view to enhancing the collection of collision data in order to record at what point it occurred on the journey to or from school. The PSNI is currently reviewing the nature of the information which it routinely collects on road traffic casualties and, in doing so, will take this recommendation into account.

- 18.4 DOE is currently analysing data on casualties occurring on the home to school journey and will publish a school transport statistical bulletin in October 2006. This will look in detail at the trends and patterns in home to school transport casualties across all modes over the period 1996-2005.
- 18.5 In terms of providing guidance to contractors and schools, ELB bus drivers and taxi/minibus operators are all required to comply with ELB procedures regarding the reporting of accidents and it is not felt that any additional guidance is necessary.

---

## ANNEX A – THE CURRENT LEGISLATIVE AND POLICY FRAMEWORK

---

### **'3 for 2' Seating**

***'3 for 2' seating is legally permitted on all types of buses, except where seatbelts are fitted. Translink and the ELBs have various policies as to its use, which range from not permitting its use at all to actively using the additional capacity in the planning process.***

The **Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995** state that *'three seated children each of whom is under 14 years of age and none of whom are occupying a seat provided with a seat belt shall count as two passengers.'* (Regulation 61)

In practice Translink operates a policy of limiting the maximum number of passengers to 75 (53 seats, 22 standing) i.e. no '3 for 2' and only use the '3 for 2' arrangement where not to do so would leave children stranded at stops or stations.

Belfast and North Eastern ELB areas do not permit the use of '3 for 2' on their own buses or buses operating under contract to them. Southern, South Eastern and Western ELB areas do operate '3 for 2' on their own buses and buses operating under contract to them and also operate an administrative maximum of 70 (53 seats, no standing) on their larger buses.

### **Standing**

***Standing is legally permitted on all types of buses up to the stated limit which is marked on the side of the vehicle. In line with current legislation, Translink allows standing on all services. ELBs do not allow standing on their own buses or buses operating under contract to them.***

**The Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995** states that *‘the number of passengers who may stand in a vehicle shall not exceed -*

*(a) one third of the number of passengers for which the vehicle, or in the case of a double-decked vehicle, the lower deck, has seating capacity or 8, whichever is the less; or*

*(b) such greater or lesser number than that provided for in subparagraph (a) as determined by a vehicle examiner and marked on the outside of the vehicle in accordance with regulation 59.*  
(Regulation 62)

Regulation 59 states that *‘a bus shall not be used on a road unless there shall be marked on the nearside of the vehicle with letters not less than 25 millimetres in height, in a colour contrasting with the colour of their background -*

*(a) its maximum seating capacity as determined in accordance with regulation 61 (i.e. regulations relating to ‘3 for 2’ seating above), or such lesser standing capacity as may be determined by the licensee;*

*(b) its maximum standing capacity as determined in accordance with regulation 62 (i.e. regulations relating to standing capacity above), or such lesser standing capacity as may be determined by the licensee; and*

*(c) the name and address of the licensee.’*

In practice, ELBs do not permit standing on their own buses or on buses operating under contract to them.

Translink allows standing on all services and takes account of the standing capacity in planning its services.

## Seatbelts

***The fitting of seatbelts is required on all new coaches, minibuses and other non-urban buses and on minibuses or coaches being used for organised school trips. Translink is not required to fit seatbelts on the majority of their buses which are urban in type. ELBs are required to have seatbelts fitted on any new buses purchased.***

With effect from September 2002 the **Motor Vehicle (Construction and Use) (Amendment No.2) Regulations (Northern Ireland) 2002** require seatbelts to be fitted to all new heavy goods vehicles, coaches, minibuses and other non-urban buses. However, the majority of buses used by Translink for the transportation of schoolchildren are urban buses and are exempt from this requirement. (Regulations 2 and 3)

An **urban bus** is defined in the regulations above (Schedule - Paragraph 7e) as a bus designed for urban use with standing passengers and includes a vehicle which is -

- (a) constructed with areas for standing passengers, to allow frequent movement of passengers (greater than 22 passengers);*
- (b) constructed principally for the carriage of seated passengers, and designed to allow the carriage of standing passengers in the gangway and, if provided, in an area which does not exceed the space provided for two double seats (greater than 22 passengers);*  
*or*
- (c) designed to carry standing passengers; a vehicle of this class has seats and may have the provision for standing passengers.*

As a result of this regulation all new buses purchased by the ELBs will have seatbelts fitted.

There may be a number of older vehicles currently in use which do not fall within the current legislation and do not require seat belts to be fitted.

For organised school trips the **Motor Vehicle (Construction and Use) Regulations (Northern Ireland) 1999** state that minibuses and coaches must be fitted with additional seatbelts when the vehicle is being used wholly or mainly for the purpose of carrying a group of 3 or more children where the *'circumstances are that -*

*(a) a group of children are on an organised trip; and*

*(b) the journey is being made for the purposes of the trip.'*  
(Regulation 57)

## **Signs and Lighting**

***A 'school bus' sign must be fitted to the front and rear of any bus carrying children to and from school, except where members of the public use the service or it is an ELB bus.***

***Existing red hazard warning lights may be used by ELB buses and buses displaying a 'school bus' sign while children are boarding and alighting.***

The **Road Vehicles Lighting Regulations (Northern Ireland) 2000** set out current legislation on the signing and lighting of vehicles. The relevant regulation states that *'a person shall not use or cause or permit to be used on a road a bus when it is carrying a child to or from his school unless -*

*(a) a prescribed sign (see Figure 1 below) is fitted to the front of the bus and is plainly visible to road users ahead of the bus; and*

*(b) a prescribed sign is fitted to the rear of the bus and is plainly visible to road users behind the bus.'* (Regulation 17)



Figure 1- Prescribed School Bus Sign

This does not apply where at least half the accommodation on the bus is normally available to members of the public and the service is regularly used by such members (Regulation 17 Paragraph 2a) or where the bus is an ELB bus painted with distinctive livery (Regulation 17 Paragraph 2b).

In terms of bus lighting it is permissible for a bus to which prescribed signs are fitted and in the case of a bus painted in the livery of an Education and Library Board to use hazard warning lights *'when the bus is stationary and children under the age of 16 years are entering or leaving, or are about to enter or leave, or have just left the vehicle.'* (Regulation 30)

---

## **ANNEX B - GLOSSARY OF TERMS**

---

### **'3 for 2' Seating Concession**

Buses not fitted with seatbelts are permitted to carry additional seated passengers, if they are under 14 years of age. This requirement is known as the '3 for 2' seating concession. For example, if a vehicle is permitted to carry 53 seated and 22 standing passengers, it may be permitted to carry an additional 26 passengers, provided all the passengers meet the required age criteria. '3 for 2' is allowed on Translink contracted and scheduled stage carriage services and Education and Library Board (ELB)/private operator services but not where seatbelts are fitted.

### **'Entitled' Schoolchildren**

The current arrangements for the provision of home to school transport came into operation in September 1997 (see [www.deni.gov.uk/school\\_transport\\_circular1996-41.pdf](http://www.deni.gov.uk/school_transport_circular1996-41.pdf)). A child is entitled to free transport if he/she is attending a school which is beyond qualifying distance (two miles for primary pupils or three miles for post primary pupils) from his/her home. This is assuming that the child has been unsuccessful in gaining a place at all other suitable schools within the qualifying distance. In terms of transport arrangements a 'suitable' school relates to the established educational categories of controlled, maintained, integrated and Irish-Medium, and, in the grammar sector, denominational and non-denominational. The cost of the transport is paid by the Department of Education.

ELBs use various forms of transport for entitled children including board vehicles, contracted vehicles, taxis, provision of sessional tickets for use on public transport and payment of car allowances.

### **'Non-entitled' Schoolchildren**

Non-entitled schoolchildren travel on normal scheduled stage carriage services with a yearly pupil ticket (which is purchased from Translink at the beginning of the year) or by paying a fare on each journey. Non-entitled schoolchildren also travel on ELB buses as concessionaries.

## **Concessionaries**

Concessionary transport is provided for non-entitled pupils who live under the Transport Qualifying Distance from their school, as long as the route is required for entitled pupils and spare seats are available.

## **Education and Library Boards (ELBs)**

ELBs are responsible for the provision of education, library and youth services in Northern Ireland. There are five board areas - Belfast, Western, Southern, South Eastern and North Eastern.

## **Regulatory Impact Assessment (RIA)**

An RIA is a policy tool, which assesses the impact, in terms of costs, benefits and risks of any proposed regulation, which could affect business, charities or the voluntary sector.

## **Private Operators**

Private operators are private bus/coach companies which can be contracted to an ELB to provide a school bus transport service on a specified route.

## **Translink - Scheduled Stage Carriage Services**

'Scheduled stage carriage services' are deemed to occur where a road service licensee provides for the carriage of passengers (of any description) at separate fares - normally collected on board a vehicle or by presentation of a pre purchased ticket/pass - on a pre-determined route with pre-determined pick up/set down points.

## **Translink - 'School' Services**

'School' services operate term-time only and are provided primarily to transport entitled children to/from school. Despite the name, these services are stage carriage services which do allow fare paying passengers to travel.