

**Policy: Transport to and from School -  
Mainstream**

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## **1.0 Background And Statutory Position**

- 1.1 Education authorities have a statutory responsibility to provide and finance the transport of school pupils who live specified distances from school. The statutory qualifying distance for pupils of school age under eight is two miles and for those eight years and over is three miles.
- 1.2 West Lothian Council has agreed to provide free transport for all secondary pupils living more than 2 miles from their designated school and for all primary pupils living more than 1.5 miles from their designated school (from 22 June 1999).
- 1.3 The provision of transport for pupils attending special schools and classes is not subject to these limitations, but is based on individual pupil need. **Policy Guideline "Transport to and from School – Special Education"** deals with transport to special schools and classes.

## **2.0 Seat Belts And Safety**

- 2.1 In providing school transport services, West Lothian Council aims to ensure that children travel safely at all times and are not subjected to unnecessarily long journeys or waiting times, while organising the service in the most cost-effective manner.
- 2.2 It is the council's policy to require services operating specifically for the carriage of primary school children to have vehicles equipped with seat-belts.
- 2.3 By statute, all coaches and minibuses used on organised trips for three or more children must have a forward facing seat and a seat-belt for each child. A single, lap-belt is the minimum requirement. Large buses (which are defined as seating more than 16 and being incapable of exceeding 60 mph) need not, by law, have seat-belts and these, too, can be used for organised trips involving secondary pupils and students. Staff organising trips for children of primary school age must, when booking transport, specify that seat-belts are required. Organisers of transport for older pupils should continue to state that children are to be carried so that vehicles conforming to statute can be provided.
- 2.4 Organised trips include trips by voluntary and youth organisations, school outings, swimming and home to school transport.
- 2.5 It is the driver's legal responsibility to ensure that children up to 13 years of age, travelling in the front seats of minibuses and coaches and in the rear seats of minibuses, wear the seat-belts provided. Passengers aged 14 years and over are themselves responsible for doing so. There is no legislation enforcing the wearing of seat-belts in the rear of coaches and buses and drivers have no responsibility in this area. Their use is a matter for staff, parents and the pupils themselves.
- 2.6 Another council policy is that no council vehicle, nor any contract vehicle conveying pupils to and from any special school or class, shall operate until and unless seat-belts are worn.

### **3.0 School Transport Supervision**

- 3.1 This section should be read in conjunction with Paragraph 10 of the Policy Guideline "Transport - Traffic Safety - Schools".
- 3.2 Education Services Committee considered on 12 August 1997 a report from a working group on school transport and endorsed recommendations and activities intended to promote safe management of the arrival and departure of contract vehicles conveying children to and from schools. A significant step towards the safe operation of transport is for schools to have written statements of policy for the supervision of embarkation/ disembarkation by staff within the resources available to the school's management. Policies should take account of the individual circumstances and layout of school grounds and reflect good practice in endeavouring to minimise risks to pupils.

### **4.0 Basis For Normal Award Of Free Transport**

- 4.1 Responsibility for the provision of free transport to mainstream schools rests with Transportation, County Buildings, Linlithgow (Tel 01506 775283).
- 4.2 Education and Cultural Services retain responsibility for transport in support of the curriculum (Support Services Manager, ☎01506 281951) and transport for pupils with special educational needs attending special schools and classes (☎01506 775202). See also Policy Guideline "Transport to and from School - Special Education".
- 4.3 All pupils living within the catchment area of the school they attend qualify for free transport if their home is more than 2 miles, for secondary pupils, and 1.5 miles, for primary pupils, from the school. The home is defined as that of the parent or legal guardian. The distance is measured as the shortest walking distance from home to school using public footpaths between the house gate (or door where this does not apply) and the school gate. Where transport is awarded, it is by means of season tickets on public service routes, failing the availability of which, private contracts will be arranged. Any spare seating capacity on private contract routes is used to accommodate non-entitled pupils on a grace and favour basis,

provided no additional costs are incurred.

- 4.4 Distances are measured by the Council's GIS System.
- 4.5 The Council (Development and Regulatory Services, ☎01506 775283) is required to instruct contractors with vacant seats on the vehicle to pick up children on a "grace and favour" basis on the school route who would not normally qualify for free transport provision under any of the criteria as long as no additional cost is incurred. "Grace and favour" is not an entitlement for free travel to and from school and only applies to dedicated education contracts. Development and Regulatory Services maximises the use of public service travel for pupils wherever possible which in turn reduces the availability of "grace and favour" places.
- 4.6 Applications for "grace and favour" places must be submitted every year (to Development and Regulatory Services, ☎01506 775283) and no places will be made available until the September break. This allows for late transport applications for entitled children and new admissions as well as allowing Development and Regulatory Services to fully assess the new session transport requirements. Part of this assessment is to integrate pupils wherever possible on to public service routes. The award of "grace and favour" transport will be dependent on a child travelling on the bus on a regular basis throughout the year to ensure that all available seats are occupied should applications for the provision outnumber seating capacity.
- 4.7 The following criteria are considered when determining the awarding of "grace and favour" places and are placed in order of priority:
- Children attending their catchment school would be given priority over non-district pupils
  - Number of years travelling as "grace and favour" (longest has priority)
  - Distance from home address to school (furthest has priority)
  - Siblings already attending the school
  - Age of the pupil (youngest given priority)
  - Special domestic circumstances will be considered on individual merit.

## **5.0 Criteria For Awarding Free Transport Other Than Distance**

- 5.1 In addition to the distance criteria, other situations where there is entitlement to free travel are:-
- on safety grounds
  - for medical reasons
  - regular use of a childminder
  - curricular activities outwith West Lothian
  - single parent refuges
  - school roll full
  - children in-care
  - exclusion from a school and compulsory attendance at another
- 5.2 Where a child does not qualify for assistance with transport, the responsibility for supervising the child's journey to school lies with the parent. In cases where transport is provided, it is the parent's responsibility to supervise the child's journey to and from the bus stop or pick-up point.

## **6.0 Safety Grounds**

- 6.1 Pupils qualify for free transport to the catchment school on safety grounds if this is considered necessary. The standard criteria for safe routes are that they are of adequate surface, width, and lighting. Routes which cross or follow derestricted main roads may not be considered suitable for primary children.
- 6.2 Free transport is not provided purely on the grounds of alleged lack of personal security. To do so would be tantamount to declaring "no-go areas" and would imply that the public including

responsible adults should be warned that they follow such routes at their own risk. Exceptional circumstances would be taken into account.

- 6.3 The Council takes very seriously genuine concerns over routes which are felt to be insecure, or where significant incidents have occurred. It will take all reasonable steps to remedy these concerns, including improving lighting and lighting repairs, cutting back vegetation and creating alternative routes or walking patrols.
- 6.4 There is no such thing as a recognised and guaranteed safe route to school. The Council however strongly supports the “Safe Routes to Schools Project” and is committed to improving walking and cycling routes and to curricular road safety education.
- 6.5 West Lothian Council is committed as one of its highest priorities to safe and healthy travel to school.
- 6.6 All this contributes to a more environmentally sustainable transport policy for our schools. Specific targets include
- achieving recognition of walking and cycling as the normal healthy way to get to school for most pupils (10% increase per annum in each school),
  - introducing traffic calming (20 mph design speed) or pedestrian priority, where appropriate, outside all schools by 2002.

## **7.0 Medical Reasons**

- 7.1 Where a physical disability or other disabling medical condition exists, application for transport is submitted through medical staff indicating where any particular conditions need to be met such as harness, special seat or tail-lift vehicle and whether administration of medication or the provision of an escort is required. Where the medical condition is temporary, a suitable review date (at least one per year) related to the nature of the condition and its likely duration is agreed.
- 7.2 The above arrangements apply to children who live at a distance of more than 2 (1.5) miles from the school and whose medical condition renders the normal transport provision unsuitable. Where the pupil lives within 2 (1.5) miles of the school, the method of transport to school normally applying in that family is taken into account when assessing whether transport is required from the Authority. For example, if the parent would normally have delivered the child to school by car, the presence of a medical condition does not warrant an application for transport assistance. Similarly, if the parent can walk the distance comfortably with the affected child, then an application for transport is not warranted. In addition, where individual circumstances allow, transport should be by bus permit or by contract bus and not by individually arranged transport unless this is the only option available.
- 7.3 In placing a child in a non-catchment school, a parent accepts liability to provide transport to the school. In some instances, after the child has started attending the non-catchment school, medical symptoms can develop which, if it were the district school which was attended, would entitle the child to assistance with transport. In such cases, where the parent is not able to transport the child personally, or where public transport is not an option, assistance with transport will be considered as for catchment pupils.

## **8.0 Childminders**

- 8.1 There may be instances where working parents have to make childminding provision outwith the permanent home address. Upon written application to Development and Regulatory Services, transport will be provided for children being looked after by childminders subject to the following:-
- 8.1.1 The child is attending the catchment school for his or her home address.

- 8.1.2 The child is awarded free transport provision from his or her home address to the catchment school.
- 8.1.3 The childminders address is within the catchment area of the child's catchment school and is more than 2 (1.5) miles from the school.
- 8.1.4 Children attending a non-catchment school would not qualify.
- 8.1.5 The provision is not extended to cover temporary childminding.

## **9.0 Curriculum Not Available In West Lothian**

- 9.1 There may be instances where certain specialist subjects are not available in West Lothian schools and the child, subject to the approval of Education and Cultural Services (Support Services Manager ☎01506 281951) , may need to attend a school outwith West Lothian which may have transport implications. In such cases the cost of travel by means of the cheapest method possible will be reimbursed to the pupil or parent periodically in response to a written claim submitted to Development and Regulatory Services, County Buildings, Linlithgow. Taxis will not be used and the following will apply:-
  - 9.1.1 Bus or rail passes will be purchased for the child.
  - 9.1.2 More than one change of transport may be required.
  - 9.1.3 If public transport to the school chosen is not an option owing to poor services or the length of time travelling, the Council will only make provision for assistance equivalent to the cost of public transport to that school. Private car mileage will not under any circumstances be paid, therefore the choice of school outwith West Lothian must be carefully considered. Pupils will also be expected to walk to the most convenient public transport service amenity.

## **10.0 Womens' Refuges/ Homeless Unit**

- 10.1 Transport from temporary addresses by local arrangement is permissible so long as no extra cost to the council is incurred.
- 10.2 Instances have occurred whereby, owing to domestic violence a family has found itself in a refuge or the homeless unit for a temporary period. As this is not a permanent address, transport would not be provided under normal criteria and families may be placed in severe difficulties.
- 10.3 The Council recognises that in such cases moving school may have a detrimental effect on the child's education and for this reason transport assistance will be provided subject to the following:-
  - 10.3.1 The child is attending the catchment school for his or her previous permanent address.
  - 10.3.2 The school is more than 2 (1.5) miles safe walking distance from the refuge/unit.
  - 10.3.3 When the family returns to a permanent home address transport will only be provided if the school is catchment and more than 2 (1.5) miles from the new address. If the family chose a non-catchment school i.e. move to a new address and wish the child to remain at the former catchment school, free transport will not be provided.

## **11.0 Catchment School Roll Full - Alternatives**

- 11.1 On a number of occasions parental choice of a catchment school has been denied owing to insufficient capacity in the school. In such cases transport assistance will be provided subject to the following:-
  - 11.1.1 The nearest geographical alternative West Lothian school is chosen, and that school is over 2 (1.5) miles.

- 11.1.2 The child is also registered for a place at the catchment school.
- 11.1.3 A place at the catchment school remains unavailable when the time comes for the child to take up the alternative place.

## **12.0 Children In Care**

- 12.1 Responsibility for the provision of transport for children in care rests with Community and Support Services.

## **13.0 Changes To School Hours**

- 13.1 Where major changes in school arrangements are envisaged, Head Teachers must advise Development and Regulatory Services at least a term in advance if there are transport implications. It must be borne in mind that many school routes are operated to coincide with adjacent schools' needs or are integrated with public services. Transport staff should therefore be involved at the outset of any proposal to change school hours.

## **14.0 Contract Hires**

- 14.1 When contract hires are arranged the following conditions must be observed:-
- 14.1.1 Operators must undertake to use only vehicles which are totally roadworthy and comply with Construction and Use Regulations.
- 14.1.2 Operators must be adequately insured and comply with all statutory regulations regarding operator, vehicle and driver licensing.
- 14.1.3 Schedules for routes are issued to operators at the start of the contract. Routes and times must be adhered to and no changes may be implemented without the approval of Development and Regulatory Services.
- 14.2 Contracts will be terminable on an agreed period of notice:-
- 14.2.1 • If the need ceases or diminishes significantly in scale.
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- 14.2.2 • If an operator wishes to withdraw.
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- 14.2.3 • If Development and Regulatory Services is dissatisfied with an operator's performance: in this respect the contract can be terminated immediately and without notice if certain conditions are not met.
- 14.3 Contracts will normally be subject to competitive tender, but, in deciding upon the allocation of school transport work, West Lothian Council may take into account its responsibilities and policies as a transportation authority, as well as the operational record of the contractor. However, before allocating work to stage-carriage operator on such policy grounds, the implications for Development and Regulatory Services' budget will be examined carefully.

## **15.0 Monitoring Of Operator Performance**

- 15.1 The capacity of operators and their performance are assessed and monitored by Development and Regulatory Services. All complaints and irregularities are investigated.
- 15.2 Contractors are instructed that, in the event of difficulties arising through pupil behaviour or other reasons, they should maintain a close liaison with the school so that co-ordinated action may be taken which may involve contact with parents. In serious cases of pupil disturbance, drivers are under instruction to confiscate the pupil's permit and hand it to school staff with details of the reasons for withdrawal. Schools should, where appropriate, consider involvement of the pupil's parent in seeking assurances regarding future behaviour and a negotiated return to transport. The Senior Transportation Officer (☎01506 775283) will liaise with the contractor

in this regard.

- 15.3 Head Teachers should arrange to satisfy themselves that contractors serving their pupils are operating in an acceptable manner. In this context, if they are not fully satisfied with time-keeping, the standard of vehicles, or the conduct of drivers, they should report that concern to Development and Regulatory Services, County Buildings, Linlithgow. (Tel 01506 775291)
- 15.4 Contractors operate on agreed routes. Except in an emergency, Head Teachers must not instruct contractors to change their route or other arrangements unless it has been approved by Development and Regulatory Services.
- 15.5 A condition of contract is that vehicles should arrive at the premises not more than 15 minutes and not less than 5 minutes before commencement of the school day and be in position prior to the school dismissal time at the end of the school day. Departure at the end of the school day will be 10 minutes after the official dismissal time or otherwise as previously agreed with school staff.

## **16.0 Transport Support To The Curriculum**

- 16.1 Apart from home-to-school arrangements, transport is also financed by Education and Cultural Services for purposes necessary to support the curriculum. These categories include:
- sports and swimming facilities outwith the school campus
  - 16+ or similar neighbourhood arrangements for secondary pupils
  - attendance at Scottish Centres or Lowport school camps
  - primary 7 liaison
  - work experience

## **17.0 Children With Special Needs Integrated Into Mainstream Schools**

- 17.1 Applications on behalf of pupils with special education needs who are integrated into mainstream schools are dealt with in the same way as those for other pupils attending such schools. In the case of those with physical disabilities or other medical conditions, the basis for the provision of transport will be on medical grounds.

## **18.0 Application For Permission To Travel**

- 18.1 The parents of pupils wishing provision of transport must make written application each year to Development and Regulatory Services. Application forms are available in each school and from Development and Regulatory Services, County Buildings, Linlithgow (Tel 01506 775291).
- 18.2 By the conditions of contract, Operators are restricted to carry only pupils who hold permits issued by Development and Regulatory Services. Head Teachers are not empowered to authorise pupils to travel on contract routes.

## Customers with Special Requirements

Information is available in Braille, on tape, in large print and community languages.  
Please contact the Interpretation and Translation Service on 0131 242 8181.

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