Are you in favour of the Bill and its provisions?
Yes.

Do you think the Bill achieves its aim of improving safety on school transport?
Yes. Where seatbelts are fitted and worn by pupils, their safety will be improved in the event of a road traffic accident. However, any measurable safety improvements will be marginal due to the low rate of traffic accidents on PCV school buses.

18 local authorities have already chosen to make it a requirement of their school bus contracts for seat belts to be fitted on dedicated school transport. Do you feel that this has been successful?
Any move towards seatbelt-only provision can be viewed as a success, but this will be easier to achieve in some local authority areas than in others. It is unclear from the information provided whether this refers to “closed-door” school bus contracts only, or all school bus provision in these 18 local authority areas (including ‘public service buses’ that will be exempt in the proposed legislation).

The exception for public service buses will apply to 50% of Falkirk Council’s current school buses. These are registered public services, but do not have seatbelts fitted.

For the remaining 50% of school buses, seatbelts are already a requirement, already fitted, or this can be made a requirement with little commercial impact.

Following enactment of this Bill, Falkirk Council would aim to comply with the spirit of the proposed legislation and move towards seatbelt-only provision for all pupils, which inevitably means de-registering these services and moving to ‘closed-door contracts’. However, in some rural parts of Scotland this could be seen as being contrary to the spirit of S.88 (2) of the Transport Act 1985.

We will test the market when tendering for primary school services in the coming months with the aim that the 2018 (primary pupils) deadline can be fully complied with and no “excepted” services are included. It is not known at this stage however whether there are sufficient operators available locally, how this will impact on contract costs and whether it will be affordable.

Is there anything else that you feel should be included in the Bill?
Falkirk Council can become legally compliant with these new provisions with little financial cost, but full compliance in the spirit of the legislation will require a substantial shift away from using registered public service buses to closed-door contracts. This is likely to be expensive and may be difficult to achieve in the timescales.
The anticipated cost of this legislation to local authorities as stated in the Financial Memorandum is, in our view, too low, and doesn’t include the cost of abandoning ‘public service buses’ to move to full compliance with no exceptions, as this would be considered ‘voluntary’.

The mechanism for distributing the proposed additional funds to local authorities affected is not made clear in the Financial Memorandum.

**Will the Bill and its provisions have a particular impact on equalities groups?**

Not directly, though it will initially result in a higher cost for school transport which, in turn, reduces the money that can be spent on other public services.

Some discretionary school transport provision may need to be withdrawn as a result (e.g. subsidised bus services for fare-paying pupils that are not distance entitled).

Some of the areas served by the discretionary, subsidised school bus services that may need to be removed as a consequence are in the Council’s most deprived areas (SIMD Deciles 1-3).

Falkirk Council (Children’s Services)
April 2017