1. Are you in favour of the Bill and its provisions? Do you think the Bill achieves its aim of improving safety on school transport?

Fife Council welcomes any initiative that delivers improvement in safety for pupils.

Fife Council does not believe the Bill, as it currently stands, will have an impact on school bus safety.

Fife Council and the Association of Transport Coordinating Officers (ATCO) were heavily involved in the pre-consultation stages of this Bill. One of the key areas identified for clarification was the definition of "dedicated school transport."

During this stage Transport Scotland officials were made aware of the various ways Local Authorities procure and operate school buses, which essentially fell into the 4 categories, below. (Note the names given to these 4 service types are not, in themselves, standard definitions):

- **a) Contracted ‘Closed’ Service** - carries only entitled pupils (free); not available to farepaying pupils or the public; operates on schooldays only as one journey to and from school; Council contracted journeys; (any spare seats may be offered to ‘non-entitled pupils’ on the basis that, should an additional entitled pupil require the seat, the non-entitled pupil will have to give up their seat);

- **b) Contracted Registered School Service** - carries entitled pupils (free), farepaying pupils (cash/season tickets/passes) and farepaying members of the public at different fares; operates on schooldays only as one journey to and from school; Council contracted journeys;

- **c) Commercial Registered Local Service** – essentially an existing local bus service which carries entitled pupils (free), farepaying pupils and farepaying members of the public at different fares; journeys continue throughout the day on the same route; Council ‘buys seats’ on vehicle for entitled pupils as journey already exists;

- **d) Commercial Registered School Service** - essentially an existing local bus service which carries only farepaying pupils and farepaying members of the public at different fares; operates on schooldays only as one journey to and from school; no Council involvement as they are commercial journeys to cater for farepayers.

The first of these (Contracted ‘Closed’ Service) is covered by the definition in the Bill i.e. any bus journey to school which members of the public are not allowed to use must have seatbelts.

The other types of operation are not covered by the Bill.
Therefore, the specific balance of ways in which an individual Local Authority has procured services will determine the probable impact of any change in the legislation i.e. for a Local Authority where the majority of contracts come under the definitions outlined in b, c and d above the Bill will have very limited effect, as the definition does not cover the types of school bus operation here.

Had the definition of "dedicated school transport" included categories b-d (above), this would have had significant cost implications for Councils.

It would also have placed significant pressure on the market to meet the initial primary school deadline of 2018 (as, so many vehicles across the country would require to be fitted with seatbelts or replaced). The time between Royal Assent and commencement may, therefore, have proved unworkable in practice.

In addition, we anticipate that the narrative associated with the Bill will mask the facts on this issue. The perception will be that all school buses will have seatbelts, when the reality is likely to be quite different.

2. 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?
Fife Council is not one of the 18 and so cannot comment on the success or otherwise of these policy decisions

Points to consider with regards to ‘success’ however are:

- there is a natural perception that putting seatbelts on any vehicle is a good thing. However, where is the evidence that pupils travelling to/from school aboard a bus are in a less safe situation than other means of getting to school?
- is the investment in equipping school buses with seatbelts making any difference to casualties on journeys to and from school? The latest UK Government statistics do not appear to support this: https://www.gov.uk/government/publications/reported-road-casualties-great-britain-annual-report-2015. Table RAS30030 specifically records child casualties ‘on the school run.’ For 2015, pedestrian casualties were 2,973; cycle casualties were 741; car passenger casualties were 1,547 and bus/tram passenger casualties were 258. The corresponding figures for those killed or seriously injured were 511, 85, 60 and 6. The same patterns occur in previous years. The argument can therefore be made that travelling by existing buses to school is the safest way to travel and that, if money is to be spent on improving safety on the school run, it would be better targeted at pedestrians and cyclists, along with advising parents who run their children to school in the car.

Fife Council has invested heavily in walk/cycle routes to school, with Transportation and Education staff working closely with schools to ensure pupils’ walking and cycling routes can be as safe as possible. The Council has also introduced 20mph
Zones at all schools and introduced waiting/parking restrictions during school hours as well as traffic calming measures outside schools.

Within the confines of a finite budget, we believe this investment is better targeted and will have a bigger positive impact than specifying seatbelts on all school buses.

3. Is there anything else that you feel should be included in the Bill?
Should there be any future move to include categories b-d, then costs and timescales must be considered fully, in particular through a significant lead-in time. This would give companies (and Councils) a set number of years to reassess the financial position, phase out non-seatbelted vehicles and bring the fleet up to any new legislative standards. For example, referencing the much longer deadlines given for the similar vehicle construction changes required by the Disability Discrimination Act 1995 and the corresponding PSV Accessibility Regulations 2000 (i.e. approximately 15 years for buses and 20 years for coaches to become wheelchair accessible if they are operating a local bus service), suggests it is not unreasonable to allow a longer lead-in time considering the fact that many vehicles cannot have seatbelts retro-fitted due to their existing design and therefore these vehicles would have to be replaced.

The Bill does not address the wearing of seatbelts, and the current legislative loophole concerning responsibility for those under 14 wearing seatbelts.

The Bill has anomalies that should be considered e.g. the definition of “dedicated school transport” means that pupils could be brought to school from their home on a bus that the new legislation requires to have seatbelts but, on arrival at school, they could immediately go on a school daytrip using a bus that is not required to have seatbelts under the legislation.

Therefore, again, we anticipate that the narrative associated with the Bill will mask the facts on this issue. The perception will be that all buses used will have seatbelts, when the reality is likely to be quite different.

4. Will the Bill and its provisions have a particular impact on equalities groups?
There will be some children with additional support needs for whom standard seatbelts may not be appropriate. The young people may now have to apply for medical exemptions from wearing seatbelts. In these circumstances, while it is often the case that children are transported to school by means other than bus e.g. a taxi, this is a less inclusive approach.

Fife Council
April 2017