



## Buses: schools and young people

Standard Note: SN/BT/2778  
Last updated: 29 June 2010  
Author: Louise Butcher  
Section: Business and Transport

---

This note outlines the responsibilities of the Department for Transport for school buses. It describes the pilot schemes recently carried out on the use of yellow school buses and touches on some of the other areas of concern such as vehicle safety and passenger behaviour.

This Note does not cover the powers of the education authorities; for information on this area of school transport provision, see HC Library standard note [SN/SP/4274](#). Information on other transport-related matters, including the wearing of seat belts by school children, can be found on the [Transport Topical Issues](#) pages of the Parliament website.

### Contents

<b>1</b>	<b>Background</b>	<b>2</b>
<b>2</b>	<b>Yellow school buses</b>	<b>3</b>
2.1	Pilot schemes, 2001-09	3
2.2	Yellow School Bus Commission, 2007-10	6
2.3	Transport Select Committee report, 2009	8
<b>3</b>	<b>Vehicles requirements and safety</b>	<b>9</b>
<b>4</b>	<b>Behaviour on board school bus services</b>	<b>12</b>
<b>5</b>	<b>'Travelling to school' initiative</b>	<b>12</b>
<b>6</b>	<b>Further reading</b>	<b>13</b>

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

# 1 Background

The Department for Transport is concerned with the congestion caused by the school run and is eager to boost walking, cycling and bus travel to school. It also sets down the rules governing bus safety, seat belts and overcrowding and the rules for tendering for bus contracts.<sup>1</sup> The Department does not provide specific funding for school transport. Responsibility for the provision of statutory home to school transport lies with the Department for Education. There are, however, some ways that the Department for Transport can provide money, as summarised by the Minister at the time, Rosie Winterton, in November 2007:

The development of measures to reduce the amount of traffic generated by the school run does not fall neatly into boxes that enable us to say what proportion of the Department's spending has been devoted to these in each of the last five years. This is because, in addition to the expenditure on centrally managed programmes, a considerable amount of expenditure is committed by local highway authorities that receive funding from the Department through the Local Transport Plan (LTP) settlement and determine their own priorities.

The Mayor of London also receives funding from the Department via a total transport grant through Transport for London (TfL) and bus operators receive Bus Service Operators Grant (BSOG) which makes bus services cheaper. The DfT integrated block element of the LTP settlement was worth £547 million in 2006-07, while TfL received £2.4 billion and bus service operators received £380 million in BSOG.

In addition we can, however, identify the amount of funding allocated for regional and local authority school travel advisers through the "Travelling to School" project, for 'Links to Schools' and for other initiatives such as 'Bike It' that promote and support cycling to school. (Prior to April 2004, the Department awarded a number of bursaries to local authorities to enable them to employ school travel plan co-ordinators rather than school travel advisers.) The levels of expenditure in each of the last five years are shown as follows:

<i>£ million</i>			
	<i>Regional and LASTAs</i>	<i>'Links to schools'</i>	<i>Bike it</i>
2002-03	1.935	—	—
2003-04	1.935	—	—
2004-05	3.75	10	—
2005-06	3.75	2	0.3
2006-07	3.75	4.2	0.312

We know that local authorities spent the following amounts of funding received through their LTP settlement on providing 'Safe Routes to School'. The figure for 2006-07 has still to be audited.

---

<sup>1</sup> seat belts rules are ultimately derived from EU legislation; information on tendering and subsidised bus services can be found in HC Library standard note [SN/BT/1522](#)

<i>£ million</i>	
	<i>'Safe routes to school'</i>
2002-03	27.737
2003-04	24.33
2004-05	26.319
2005-06	25.398
2006-07	19.457

This provides only a partial picture. Other funding allocated to local authorities through the LTP settlement will have been allocated to measures that will contribute to reducing traffic generated by the school run but they are not designed solely for this purpose. Examples will include other road safety and traffic calming schemes, road maintenance and cycle lanes.<sup>2</sup>

## **2 Yellow school buses**

Rising car use for the school journey and its associated social, health and environmental costs have encouraged interest in the use of American-style yellow school bus schemes in the UK. The bus operator FirstGroup is the second biggest school bus operator in the United States and in June 2000 it announced plans to introduce American-style yellow school buses in Britain. In the US some over half of all school children use a school bus whereas the figure in the UK is only six per cent.<sup>3</sup>

### **2.1 Pilot schemes, 2001-09**

First Group states that since 2000 the company has “successfully introduced 13 Yellow School Bus schemes across the UK” and now transports over 8,000 students daily.<sup>4</sup>

In February 2001 the Labour Government announced a series of pilot schemes.<sup>5</sup> The first pilots, in partnership between FirstGroup and parents, schools and local authorities in Calderdale in Yorkshire and Runnymede in Surrey began in February 2002. Further schemes in Wokingham, Aberdeen and Windsor & Maidenhead were introduced in 2003. Several other authorities also introduced yellow bus schemes, which incorporate some of the pilot area schemes’ features but use different vehicle types.

The key attributes of the pilot schemes were as follows:

A pick up close to home and drop off close to school – this was the most highly ranked attribute of the schemes by parents and students in the survey responses, but for differing reasons – for students this seemed to be motivated by convenience, and for parents by personal and road safety concerns

---

<sup>2</sup> [HC Deb 29 November 2007, cc601-602W](#)

<sup>3</sup> Sutton Trust, *No more school run*, June 2005, p7

<sup>4</sup> First Group, *About First Student UK*; the website gives more detailed information about specific schemes such as those in West Yorkshire and Berkshire

<sup>5</sup> DETR press notice, “[Government gives green light to yellow school bus service](#)”, 19 February 2001

The fact the yellow school buses are not available to the general-public was liked for security reasons by parents, but for secondary age students was seen as beneficial by reducing the friction between school users and other bus users

A driver regularly allocated to the specific route, with additional training who could get to know the pupils, schools and parents was a key factor for the schools and for primary pupils' parents

A guaranteed seat for each child was seen as a key attribute, as was the fact that standees were no longer permitted on these school routes. (However, there was mixed response to pupils being allocated a specific seat – this was preferred if seating allocations were agreed by students themselves, rather than allocated by the school)

CCTV equipped vehicles were welcomed by operators (to reduce malicious allegations as well as vandalism), by schools and pupils to maintain discipline and reduce bullying.<sup>6</sup>

The pilot schemes did not, however, include some of the laws that exist in the US, such as the law forbidding vehicles to overtake stationary school buses.<sup>7</sup>

In October 2003 the Department for Transport published an evaluation of the pilot schemes which set out the potential advantages of well-designed, dedicated bus schemes and the service features that were most highly valued by both primary and secondary school children. It showed evidence that such schemes could reduce car dependency on the journey to school.<sup>8</sup> The negatives, or potential barriers, that came through in the research included: a lack of driver availability; high operating costs; cost control for school transport contracts; and operational efficiency of vehicles.<sup>9</sup> Overall, the research found that children of both primary and secondary school age valued the convenience of a school bus system while parents liked the safety and security, especially of having familiar, dedicated drivers. Parents and students both highly rated the convenience of a pick up/drop off point close to home and school. The yellow colour was not, however, an attribute highly ranked by parents or students. More generally, in some circumstances, it was found that the prospect of dedicated buses could attract children away from cars; but that dedicated bus services could sometimes discourage children from walking and cycling, and might have negative impacts on commercial bus services. These impacts could be mitigated through careful scheme design.

In February 2005 the Department for Transport announced approval for a further 60 yellow school buses as part of the second phase of funding for the 'MyBus' project, operated across West Yorkshire.<sup>10</sup> MyBus is described on the First website as follows:

First in Halifax is the largest provider of Yellow School Bus services on behalf of West Yorkshire PTE, operating 81 school buses daily on behalf of the PTE's "My Bus" dedicated school bus scheme. First Student and First in West Yorkshire successfully piloted one of the first Yellow School Bus schemes in the Huddersfield and Calderdale area in 2000. We worked closely with the local council and PTE to assist in their efforts to prove the benefits for students and the community. Consequently, the PTE were

---

<sup>6</sup> Steer Davies Gleave for the DfT, [Evaluation of First yellow bus scheme pilots](#), October 2003, para 1.10

<sup>7</sup> [HC Deb 14 March 2001, cc279-285WH](#)

<sup>8</sup> op cit., [Evaluation of First yellow bus scheme pilots](#), executive summary, paras 4-9

<sup>9</sup> *ibid.*, para 1.44

<sup>10</sup> DfT press notice, ["More yellow buses take to the road"](#), 3 February 2005

awarded a record £18.7 million funding from the DfT to pilot the biggest Yellow School Bus project in the UK.<sup>11</sup>

In July 2009 the DfT published an 'evidence review' of the MyBus scheme in West Yorkshire. It concluded that the main benefits of the scheme were: it was 'well conceived' in terms of national and local policy; patronage was growing; there had been modal shift from car to bus; attitudinal data and personal perceptions (particularly from parents) were positive; parents were savings a total of 51,000 hours per year from eliminating the school run; and as a result of reduced car journeys, there were environmental, decongestion and accident savings benefits.<sup>12</sup> In contrast, the problems were given as: the high unit costs that resulted from poor utilisation (i.e. services being confined to peak periods); insufficient revenue to cover the scheme costs; low loading figures for some primary schools; and resulted in fewer pupils walking to school.<sup>13</sup> Ultimately, the report made the following recommendations:

Lessons can be learnt from the Mybus scheme. It is recommended that alternative approaches are considered in the future for the introduction of the services, such as:

1. Identification of those schools that will yield the highest results;
2. If mode shift is the priority, a scheme should not necessarily focus on replacing services for existing school buses, as the latter could be addressed through a qualitative improvement programme;
3. A smaller number of more carefully targeted bus services is probably more effective than widescale blanket coverage

It would have been useful if the monitoring had been informed by existing evidence of school bus demand. For example, an asymmetrical pattern of bus demand is often found. The morning peak trip is often timed so that parents find it convenient to drop off children on the way to work or other activity, especially in the case of primary school children. Conversely, in the afternoon a higher level of bus use is likely to be found.

What Mybus does show are the advantages of doing double runs or linked trips with buses, and this needs to be better facilitated as a priority for the education sector. Future services should be targeted at accommodating double runs and linked trips with LAs and LEAs working together with parents and pupils to try and achieve this through staggered start and finish times.

Based on the previous points, such a pattern might also suggest more scope for 'double runs' by vehicles, in the afternoon peak, when demand is higher. Furthermore, at this time of the day there may be a greater difference between primary and secondary school finish times. It is recommended that this issue is investigated further.

Walking and cycling for some school trips are continued to be promoted for journeys that are less than one to two miles on safe attractive routes.

The existing Mybus scheme assumes each registered pupil will always use a seat on their YSB services. It is recommended that an alternative booking approach is considered further in the future where by an "over booking" approach is adopted. The

---

<sup>11</sup> First Group, [About First Student UK](#)

<sup>12</sup> DfT, [Yellow School Bus Evidence Review of the METRO Mybus scheme: Phase 1 Report](#), July 2009, para 5.2.2

<sup>13</sup> *ibid.*, para 5.2.2

aim of this is to achieve higher loadings and reduce costs. If carefully monitored this approach has been demonstrated to be successful by other YSB schemes.

The Mybus scheme highlights that, on average, revenue only equates to a third of the cost of operating the Mybus services. Therefore, to improve the overall value for money alternative sources of funding should be considered which could include modest fare increases.

A “horses for courses” approach should be considered in relation to the vehicles adopted to operate a YSB scheme. A standard YSB may not be appropriate for all schools. This is demonstrated through the MyBus scheme with the replacement of the high floor vehicles and the introduction of the Metrolocal services. Smaller vehicles may be more economic in some circumstances.

The Metro approach to the role of the YSB driver should be considered for other future schemes. Drivers are seen as central to the scheme and in effect they also fulfil the role of escort. The driver role in the Mybus scheme is one feature that children, parents, schools, LEAs agree has been a key success.

Where an economic case is doubtful but a social need is identified, for example to address anti-social behaviour, YSB schemes should still be considered for school travel. The Mybus scheme clearly highlights the benefits of intervention to improve school travel for certain vulnerable groups.<sup>14</sup>

## **2.2 Yellow School Bus Commission, 2007-10**

In July 2007 FirstGroup [announced](#) the setting up of a Yellow School Bus (YSB) Commission, chaired by former Cabinet Minister David Blunkett MP, with a remit to examine and quantify the potential benefits of dedicated home to school transport; to review the yellow school bus model and examine the potential for their widespread use across Great Britain. In November 2007 the Commission announced that it was launching a consultation on the future of home to school transport and the use of yellow school buses.<sup>15</sup>

In September 2008 it published its final report, recommending that dedicated school buses should be introduced across Britain to all primary and many secondary schools. A press notice, accompanying the report, summarised its conclusions as follows:

The Commission reports that a national roll out of yellow school buses (YSBs) would:

- offer children and parents a safe and attractive option for commuting to and from school;
- reduce local traffic congestion;
- benefit the environment;
- improve safety and wellbeing; and
- improve attendance and timeliness

The Commission recommends that:

- all schools should continue to promote walking and cycling for pupils living within one mile from primary school and two miles from secondary school.

---

<sup>14</sup> *ibid.*, para 5.3.1

<sup>15</sup> YSB Commission press notice, [“Commission launches yellow school bus consultation”](#), 6 November 2007

- dedicated school buses should be provided for **primary school** children living over one mile from school.
- **secondary school** pupils should be encouraged to use scheduled bus services but dedicated school buses should be provided for distances greater than two miles to secondary schools where there is:
  - limited provision of scheduled bus services, or
  - serious behaviour problems with pupils on the public bus network, or
  - the potential to link with primary school YSBs

As well as providing safe and secure transport for children these new proposals would remove up to 180 million unnecessary car journeys per year.

The report estimates that providing school buses to primary schools would lead to financial benefits of £460m a year to parents and road users, with parents alone saving £92 million a year on fuel and other vehicle costs. There would also be a net reduction of over 55,000 tonnes of carbon emissions per annum.

The report envisages funding of up to £10,000 per school for dedicated buses delivered through School Travel Plans, as an incentive for schools to stagger hours and work together to maximise the use of the new vehicles. Parents would pay a fare of between £1 and £2 per day except for those entitled to free school meals and/or currently entitled to free school transport. The scheme would require a phased introduction and the additional annual cost of such services would be £154m.

The more flexible approach for secondary schools would take up to 50 million more cars off the roads, would cost between £50m-£100m and is estimated to produce benefits of between £91m-£194m per annum.<sup>16</sup>

The Labour Government published its response to the YSB Commission report in April 2010, alongside an evidence report completed in early 2009. The evidence report had concluded that:

Having considered the cost benefit analysis undertaken within the YSBC report, we believe that the cost assumptions with the report are relatively low, though not unreasonable. In addition, the YSBC analysis assumed an annual operational cost of £42,500 which we feel may be an underestimate, given that it appeared to exclude operational costs related to route planning, call centre booking services and additional school infrastructure. When these additional costs are included, the value for money of YSB schemes may be reduced.

The YSBC Report concludes with recommending a focus of YSB implementation at primary schools. However, we would suggest that whilst YSB solutions may be more appropriate for primary schools, there may be instances where an integrated package which incorporates a combination of both primary and secondary YSB services can offer the most cost effective delivery.<sup>17</sup>

The Labour Government's response indicated that while it considered that YSBs can have a role to play in home-to-school transport:

---

<sup>16</sup> YSB Commission press notice, "[Yellow school buses will benefit the economy...](#)", 12 September 2008; and for the full report: YSB Commission, [Yellow School Bus Commission Report and Recommendations](#), September 2008

<sup>17</sup> DfT, [Yellow School Bus Evidence Review: Phase 2 Report Final](#), February 2009, executive summary, pp1-2

... where they operate they must be affordable, provide good value for money and demonstrate positive environmental and congestion outcomes. In some cases, YSBs will deliver this where there are sustained high load factors and a high shift away from cars, but in many cases this will not be the case, with use of YSBs resulting in worse environmental outcomes, expensive and non-financially viable services leading to poor value for money.<sup>18</sup>

Further, it concluded that the YSB Commission's analysis had been "too optimistic about the cases under which YSBs will deliver against objectives". Consequently, the government decided that, in the current economic climate:

It is ... not possible to top-slice local authority school transport budgets in order to fund pilot schemes, nor do we have any other dedicated funding. Local authorities wishing to run pilots will therefore have to fund these from their existing school transport allocations or submit a bid for major scheme funding from their Regional Funding Allocation.<sup>19</sup>

The Conservative-Liberal Democrat Government that took office in May 2010 has made no comment as yet on YSBs or school transport provision. However, the Regional Funding Allocation process, mentioned in the previous government's response, has been suspended until after the 2010 autumn spending review.<sup>20</sup>

### 2.3 Transport Select Committee report, 2009

In March 2008 the Transport select Committee [announced](#) an inquiry into school travel, including the potential of YSBs. The Committee published its report in March 2009. On YSBs, the Committee took evidence on the YSB Commission from David Blunkett and on experiences of the MyBus scheme in West Yorkshire; their positive comments were balanced against questions from Living Streets and Stagecoach:

Rt Hon David Blunkett MP told us that yellow bus schemes could create significant modal shift away from car use and encourage children to walk to school, for example by linking up to walking routes. Christine Pickersgill told us that the MyBus scheme in West Yorkshire had been a success, saying that parents and children did not like the public bus network because the vehicles were "old and dirty, the drivers are grumpy, they do not come on time and when they do they cost a lot of money". The MyBus scheme has also helped reduce car use, with pteg claiming that between the start of the scheme in 2002 and 2008 there has been a modal shift away from private car journeys of 64 per cent among primary school children. The scheme had also reduced congestion around school gates.

However, some witnesses were critical of the possible impact of yellow bus services, particularly a universal scheme for all primary school children living more than one mile from school, as proposed by the Yellow School Bus Commission. Tony Armstrong of Living Streets told us that:

Our first priority needs to be to promote walking and cycling as the first option for travelling to school. By setting a limit of one mile I think you are actually capturing a lot of people who could walk and cycle as part of their journey, so that is why we call for a two mile radius for primary [schools].

---

<sup>18</sup> DfT, [The Government's response to the yellow school bus commission's report and recommendations](#), 1 April 2010, p1

<sup>19</sup> *ibid.*, pp1-2

<sup>20</sup> and is likely to be radically altered as part of the government's plans to reform regional transport planning and funding; for further information, see section 2.2 of HC Library standard note [SN/BT/4351](#)

Yellow bus-style schemes are also expensive. Stagecoach said that dedicated school buses were costly to run. They could be used for as little as 308 hours per year based on two one-hour journeys every school day. Despite this, they still required a driver during the busiest times of the day, and operators had to pay for maintenance and overhead costs in just the same way that they would with a bus running all day. The Yellow School Bus Commission accepted that "funding remains the major obstacle for a wider delivery of dedicated home to school transport." They suggest a charge, between £1-2 per day, for the service on those deemed able to pay. Rt Hon David Blunkett MP gave the example of Northampton where the ability to pay for the bus service was based on receipt of free school meals. There was also an appeals process so that parents who had difficulty paying could seek assistance, and parents who could afford to, paid more.<sup>21</sup>

The Committee only made one general recommendation in this area: that "the Government must collect and disseminate examples of good practice for running dedicated school transport and provide high-quality guidance on when dedicated transport is appropriate".<sup>22</sup> The Labour Government's response to the report was published in May 2009; this indicated that the government accepted the Committee's recommendation and was "working with the sector to identify examples of good practice for running dedicated school transport to be included in guidance that will form part of the Local Transport best practice handbook".<sup>23</sup>

### 3 Vehicles requirements and safety

Under section 6(1A) and 6(1B) of the [Transport Act 1985](#), as amended, there is an exception for school buses run by a commercial operator contracted and paid for by a local authority from the general requirement for local services<sup>24</sup> to register with the traffic commissioner in their area. Where a school bus carries any fare-paying passengers over a distance not more than 15 miles, it falls within the definition of 'local service' and the competitive tendering requirements of sections 89 to 92 of the 1985 Act.<sup>25</sup>

A school bus run by the local education authority has to meet all the legislation covering public service vehicles (standards and testing etc.) and public service vehicle operators (being of good repute etc.).<sup>26</sup> However, as the service does not have to be registered with the commissioner, it does not have to give advance warning of the timetable, the stops and so on. This will be part of the contract between the operator and the Local Education Authority (LEA) or individual school.

As to seat belts, since February 1997 seat belts have had to be fitted to all new coaches and to all minibuses whenever they were used specifically for the transport of children under 16. The regulations explicitly include home-to-school transport but exclude scheduled services. The requirement is for a minimum of a lap belt to be fitted but this does not preclude three-point belts if it is so desired. All new coaches, minibuses and buses (except 'urban buses') have had to be fitted with seat belts since 1 October 2001. New regulations which came into

---

<sup>21</sup> Transport Committee, [School Travel](#) (second report of session 2008-09), HC 351, 22 March 2009, paras 85-87

<sup>22</sup> *ibid.*, para 89

<sup>23</sup> [Government Response to the Committee's Second Report of Session 2008-09](#) (third special report of session 2008-09), HC 561, 28 May 2010, p12

<sup>24</sup> "a service, using one or more public service vehicles, for the carriage of passengers by road at separate fares" with a few exceptions (section 2 of the [Transport Act 1985](#))

<sup>25</sup> for more information on these rules, see section 2 of HC Library standard note [SN/BT/1522](#)

<sup>26</sup> the relevant legislation would be: the [Public Passenger Vehicles Act 1981](#); the [Public Service Vehicles \(Conditions of Fitness, Equipment, Use and Certification\) Regulations 1981](#) (SI 1981/257); and the [Road Vehicles Lighting Regulations 1989](#) (SI 1989/1796)

force in September 2006 as a result of an EU Directive changed the rules for buses and coaches by requiring that seat belts or child restraints must be used by seated occupants aged three years and above in all moving buses and coaches where they are available. It also requires passengers to be informed that seat belt wearing is mandatory.<sup>27</sup>

In its April 2004 report on school transport, the Transport Select Committee stated that the government should set national minimum standards for vehicle safety in local authority school bus contracts.<sup>28</sup> The Labour Government disagreed with the Committee's analysis and stated that such prescription was not necessary.<sup>29</sup>

The issue of school bus safety arose again in 2009 when Malcolm Bruce MP put down a Private Member's Bill calling for the establishment of a 'school bus safety council'; a requirement for specific regulations pertaining to the design and operation of school buses; and statutory road safety training for school bus drivers and passengers.<sup>30</sup> In an adjournment debate in July 2009 Mr Bruce explained the thinking behind his bill:

I would like to engage with the Minister on some of the ideas in the Bill, and explain why I believe that they would contribute to road safety. The Bill suggests that school buses should

"be single decked, be fitted with three point safety belts on every seat, be fitted with large external 'stop' signs which must be activated when the bus is stationary at bus stops, be brightly and distinctly coloured, and display prominently on the interior and exterior notices containing safety advice for drivers, passengers and other road users".

Those are very specific proposals. I have also proposed that consideration should be given to the no-overtaking rule, and that a school bus safety council be established to monitor what is happening and to make recommendations on how our safety culture might be improved.

I have also acknowledged that there would be costs involved; I am mindful of that fact. I do not want a culture in which only the big bus operators could provide school bus services and from which the small operators would be excluded. Also, I do not want to see over-regulation resulting in unrealistic costs, given that school transport, including transport over longer distances, has to be paid for by local authorities. My proposals have taken all that into account, in order to ensure that they are practicable, workable and affordable. In that context, I hope that the Minister will take them in the spirit in which they have been put forward.

[...]

I have to say that the signs in school buses are hopelessly inadequate in poor lighting. They are temporary, as they are put up for just that purpose, and they are easy to miss, particularly in poor visibility [...] I have no problem with a [dedicated flashing sign] being removable, but they need to be prominent, clear and flashing if they are to have the necessary impact.

[...]

---

<sup>27</sup> for more information, see HC Library standard note [SN/BT/542](#)

<sup>28</sup> Transport Committee, [School transport](#) (eighth report of session 2003-04), HC 318, 7 April 2004, paras 30 and 33

<sup>29</sup> [The Government's Response to the Transport Committee's Report on School Transport](#), Cm 6254, June 2004, p4

<sup>30</sup> the Bill did not get further than First Reading, but it is available to view on the [School Bus \(Safety\) Bill](#) page of the Parliament website

Let me deal with the specific issue of the no-overtaking rule, which attracts very considerable support, certainly from the parents of schoolchildren [...] The evidence I have seen suggests that where people know that something is the rule, they are likely to comply with it. The fact that it is advisory in the highway code seems to have absolutely no impact on behaviour at all. Perhaps because I have a direct interest—perhaps because I am, I hope, a careful and considerate road user and a parent of children of school age—I would certainly not consider overtaking a stationary bus that is picking up schoolchildren. I would be very mindful of the dangers and likelihood of children moving out into the road.

I am, of course, in favour of a safety culture that encourages children to go to the back of the bus and to wait for the bus to move off. All those things will contribute to safety and they are all relevant, but I can say without fear of contradiction that there is widespread belief that a no-overtaking rule would save lives, and notwithstanding the reservations expressed by the Department, it would be a net contribution to safety rather than the other way round. That requires it to be an understood and accepted law.<sup>31</sup>

In his response to the debate, the Minister at the time, Sadiq Khan, said:

All buses used for school transport must meet minimum regulatory standards to ensure that the vehicles can operate safely to carry passengers on the public highway. The safety provisions for single and double-decker buses are equivalent. Buses carrying children to and from school already have to show retro-reflective “Children” pictogram signs; their minimum size is prescribed, but larger versions may be used. Secondary reflective signs, with markings or wording to indicate that children are on board or nearby, are also permitted—the right hon. Gentleman wants them to be obligatory—as is the use of the hazard warning lights when children are getting on or off.

Since 1997, irrespective of the vehicle’s age, all coaches and minibuses—though not public transport-type buses designed for urban use—have been required to have either lap seat belts or lap and diagonal seat belts fitted if they are used to carry groups of children aged between three and 15 on organised trips. That would include dedicated home-to-school transport. Since 2001, seat belts have also been required in all new buses, except those designed for urban use where standing passengers are carried.

The responsibility of choosing the appropriate vehicle for a particular journey rests with those making the arrangements. Schools and local authorities can specify requirements above the minimum within their contracts with school transport providers. For example, they could specify in the contract that they will accept only vehicles fitted with lap and diagonal belts, or that signs should be above the minimum size. They can also specify the fitting and use of additional hazard lights or illuminated signs, and the removal of signs when buses are not being used as school buses. It is perfectly open to local authorities in Scotland to do just that.

Stopping all traffic from passing a school bus if children are getting on or off—a point mentioned by the hon. Member for Hemel Hempstead—is of course a reserved matter; our traffic signs regulations, which would include the proposed stop signs on a school bus directed at other road users, apply in England, Scotland and Wales. National consistency in the use and meaning of traffic signs is extremely important to ensure good compliance, and this is particularly true with safety-critical signs. We have considered the suggestion of adopting the “all-stop” rule, and we do not think that it

---

<sup>31</sup> [HC Deb 2 July 2009, cc586-588](#)

would be the safest option. Most children who travel to and from school by bus use ordinary public service buses, and would not benefit.<sup>32</sup>

#### 4 Behaviour on board school bus services

The conduct of passengers on a bus is covered by the *Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (SI 1990/1020)*; made under sections 24 and 25 of the *Public Passenger Vehicles Act 1981*, as amended. Regulation 5 states that a driver shall take all reasonable precautions to ensure the safety of passengers who are on, or who are entering or leaving, the vehicle and Regulation 6 sets out certain rules about the conduct of passengers who are on a vehicle: no passenger may cause discomfort to any person travelling on or entering or leaving the vehicle or remain on the vehicle when directed to leave by the driver on the grounds that they have been 'causing a nuisance' or have engaged in behaviour likely to cause offence to a reasonable passenger. A passenger must not put at risk or unreasonably impede a driver when doing his work on the vehicle. Regulation 8 allows a passenger to be removed from a vehicle by a driver, inspector or conductor or by a police constable. Prosecutions and/or fines can be brought under section 25 of the 1981 Act. No distinction is made in the regulations between adults and children.

These provisions do not apply a school bus operating under a section 19 permit, in which case the bus operator and the local authority may include any terms that they wish in the contract, for example grounds on which drivers may refuse to carry a passenger. In December 2003 the Department for Transport issued practical advice to bus drivers and operators on how to minimise unruly behaviour and the risk of assault.<sup>33</sup>

The issue of how children and young people behave when on buses came to the fore when, in September 2006, TfL extended free travel to young people aged between 16 and 18 in full time education.<sup>34</sup> This was followed by concerns in some quarters that the extension had led to an increase in youth crime on London Transport.<sup>35</sup> The Mayor of London, Boris Johnson, responded by moving resources to strengthen Safer Transport Teams on specific bus routes and to institute a scheme whereby young people caught behaving in an anti-social way on public transport would have their pass removed and would have to earn it back.<sup>36</sup>

#### 5 'Travelling to school' initiative

The Labour Government published a travelling to school action plan and guide to good practice in September 2003.<sup>37</sup> The government set out how it would help and reward schools that committed themselves to increasing the proportion of pupils walking and cycling or – for those living some distance from school – catching the bus. A summary of the scheme and its impact to date was published in November 2005:

The Travelling to School Initiative is a joint Department for Transport (DfT) and Department for Education and Skills (DfES) initiative covering a series of measures to reduce congestion and increase the use of sustainable modes of transport for pupils'

---

<sup>32</sup> *ibid.*, c590

<sup>33</sup> DfT, *Protecting Bus and Coach Crews*, December 2003

<sup>34</sup> "London's buses now free for under 18s", *The Londoner*, September 2006

<sup>35</sup> London Assembly Transport Committee, *Crime and disorder on London's buses*, January 2008

<sup>36</sup> Mayor of London, *Mayor's Transport Strategy*, May 2010, proposal 121

<sup>37</sup> DfT, *Travelling to School: an action plan* & *Travelling to School: a good practice guide*, 16 September 2003

travel to and from school. The Initiative was announced in September 2003 and funding has been available to Local Authorities to appoint School Travel Advisers (STAs) since April 2004. The role of STAs is to work with schools to develop School Travel Plans (STPs), and carry out additional work that, whilst not resulting in an approved STP, does contribute to the Initiative's wider aims. In addition to making funding available for STAs, the Travelling to School Initiative allows schools who develop STPs that meet specific criteria to apply to DfES for capital grant funding (...)

The evidence found by the initial evaluation is inconclusive, and it is not possible to say for certain from this work whether the Travelling to School Initiative is meeting its aims of reducing the proportion of children travelling to school by car, and increasing walking, cycling or use of public transport. There is little empirical evidence to suggest that a modal shift, above that which may have happened anyway, has occurred in schools with STPs. There are examples of schools and LAs where a considerable amount of good work is being carried out, and modal shift away from car use and towards walking, cycling or public transport has been achieved. However, from the analysis carried out in this initial evaluation, this does not appear to be a pattern that holds true in the majority of schools included in the analysis.<sup>38</sup>

The key findings of the 2005 report were that:

- There was a 'considerable increase' in the number of school travel plans (STPs) completed between 2003/04 and 2004/05, following the introduction of school travel advisers (though it was not possible to quantify their impact);
- In the majority of schools with STPs included in the analysis there did not appear to have been a statistically significant reduction in car use - only 14 per cent of primary and 40 per cent of secondary schools saw a significant reduction in car use (14 and 56 per cent respectively saw a rise in car use);
- The case studies carried out for the evaluation showed that the development and implementation of an STP could potentially lead to a school experiencing a range of wider benefits in addition to those relating to modal shift (e.g. increased independent travel and increased confidence for pupils with special educational needs; health benefits of more active travel; and improvements in pupils' behaviour); and
- There were successful walking or cycling initiatives in place in schools that did not have a full STP.<sup>39</sup>

## 6 Further reading

**Sutton Trust, *No more school run*, June 2005:** recommended the introduction of yellow school buses in Great Britain. This would result in lowering greenhouse gas emissions; reduced traffic congestion and increased punctuality; safer journeys for pupils; reduced truancy and improved discipline; and a wider community benefit from an accessible and reliable source of transport. All this would deliver benefits of around £458 million a year – two-and-a-half times the annual cost of £184 million.

---

<sup>38</sup> DfT, *Travelling to School Initiative Report on the Findings of the Initial Evaluation*, 29 November 2005, paras 1.1 and 1.4

<sup>39</sup> *ibid.*, para 8.2

**DfT, Factors Leading to Increased School Journey Length, May 2003:** looked at the range of issues that affect how children travel to and from school and why those journeys are increasing in length.

**Social Exclusion Unit, Making the Connections, February 2003:** recommended that LEAs should have greater freedom in the way they manage home to school transport. It noted the negative impact school transport arrangements can have on low-income families by restricting parental choice of school and access to learning outside school hours if transport is not available.

**DfT, Assessment of attitudes to and potential take up of additional home to school transport, March 2002:** found that 48 per cent of parents who then drove their children to school would consider switching.

**Audit Commission, Going Places, November 2001:** suggested that the government should more fully align the provision of free home to school transport within its wider environmental, transport, school travel and health and fitness policies. It recommended that the government build on existing initiatives and the data from the YSB pilots; and review the legislation on free home to school transport, including amending the statutory walking distance criteria.

**DETR, School Travel Advisory Group (STAG) report 1998-99:** showed that in ten years the proportion of journeys to school by car had nearly doubled, from 16 per cent to 29 per cent. The group made recommendations on improved facilities in schools; better, affordable school transport provision; training for bus drivers; 'safer travel' education; improved enforcement; raising driver awareness; joint planning; designating and rewarding 'champions' within schools; and training for governors.