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Welsh Government
Consultation – summary of response

Producing a new All-Wales Travel Behaviour Code

May 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Producing a new All-Wales Travel Behaviour Code

Audience

Local government, schools, learners, parents/carers, transport operators and the voluntary sector.

Overview

This document provides a summary of responses, including the Welsh Government response, relating to the consultation on producing a new All-Wales Travel Behaviour Code which was conducted between 18 November 2015 and 10 February 2016.

Action required

None – for information only.

Further information

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Additional copies

This document can be accessed from the Welsh Government's website at <http://gov.wales/consultations/education/producing-a-new-travel-behaviour-code/?status=closed&lang=en>

Related documents

Producing a new All-Wales Travel Behaviour Code (2015)

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Background

The statutory Travel Behaviour Code sets out the behavioural standards expected of learners on the home to school journey, regardless of the mode of travel. It sets out their rights and responsibilities and provides advice on travel safety. It has been in operation since January 2010.

Under section 12(4) of the Learner Travel (Wales) Measure 2008, Welsh Ministers must review the Travel Behaviour Code from time to time. Under section 12(6) of the same Measure, the Welsh Ministers must consult such persons as they consider appropriate before making or revising the Travel Behaviour Code.

In January 2015, the Welsh Government commissioned Dynamix to conduct consultation workshops with learners aged 12-18 across Wales to seek their views on developing a new Travel Behaviour Code. The learners raised a number of issues :

- Anti-bullying messages within the Travel Behaviour Code were not sufficiently robust
- Learners would like bus environment to be a safe, comfortable and positive experience and to be able to eat and drink
- Learners think that the Travel Behaviour Code is ineffective and is compromised by the lack of a supporting framework of structures and mechanisms to address bad behaviour
- Bus monitors are not present on every service. On those services which lack bus monitors, there is no one to supervise the school bus journeys to make them safer
- There is no system in place to reward good behaviour and no link between the Travel Behaviour Code and school behaviour policies

A subsequent 12 week public consultation on amending the Travel Behaviour Code took place between 18 November 2015 and 10 February 2016. The consultation was based on the views of learners as outlined above. In compliance with the Equality Act 2010, officials developed and produced bilingual Easy Read versions of the consultation document and questions and ensured that Braille versions were available on request.

The consultation sought views on the following:

- What proposals are recommended for tackling bullying/anti-social behaviour
- Which structures/mechanisms should be added to reinforce the Travel Behaviour Code
- Who, in addition to learners from Years 11, 12 or 13, should act as bus monitors
- How the presentation of the Travel Behaviour Code could be made more appealing for learners and
- How awareness and knowledge of the Travel Behaviour Code could be promoted amongst stakeholders

Summary of responses

The response rate was low with 33 responses received through the Travel Behaviour Code Mailbox:

Mechanism	No of Responses
Response Form	28
Easy Read Form	3
Other	2

The responses were received from groups and individuals:

Members of the public	2
Education Sector: Schools, teaching unions (including Local Authority Youth Cabinets)	11
Charities/voluntary sector	2
Local authorities, local authority youth groups	17
Transport organisations	1

Scope of Analysis

The responses to the consultation document came principally from local authorities and the education sector. A local authority Youth Cabinet provided noteworthy and engaging feedback on school transport. Its recommendations for improving school transport services included;

- The local authority transport department should work with contracted transport operators to improve school transport services
- More work should be done to improve safety
- There should be a dedicated teacher in each school with responsibility for school transport matters
- School Councils should regularly discuss school transport matters and
- All learners should know how to report incidents on the home to school journey

The consultation attracted a good level of in principle support for developing a new Travel Behaviour Code and for creating a better, safer environment for learners on the home to school journey. However, respondents attached a number of caveats to their support for some proposals, while the proposal to allow learners to eat and drink on school transport did not attract universal support.

Analysis of Responses

All consultation questions were open-ended. As a consequence this report does not contain a quantitative analysis of responses.

Respondents expressed a range of supportive views for producing a more effective Travel Behaviour Code and for it to be reinforced by an overarching framework of active mechanisms to increase its effectiveness.

Bullying

There should be a strengthening of anti-bullying messages both within the Travel Behaviour Code and the associated Travel Behaviour Code statutory guidance. There was widespread acknowledgement that bullying is a problem which needs to be addressed and that bullies need to be held accountable for their actions.

There was general support for linking the Travel Behaviour Code with school behaviour policies; the Welsh Government's Respecting Others anti-bullying agenda; and the Hate Crime Framework.

The Learner Travel team should utilise the work of the 'All Wales Anti-Bullying Leadership Group', the policies of which could be transferable to school transport.

Supervision

Respondents acknowledged the need for supervision of home to school journeys although there were differing views on who should fulfil the role.

In relation to learners acting as bus monitors, respondents raised concerns about training, guidance and the safety of the nominated learners. There are also wellbeing considerations such as the potential for bus monitors to be subjected to reprisals from parents or peers.

Estyn stated that *"there would need to be strict guidance, especially when considering learners for this role, on the expectations of the role and careful consideration to health and safety matters concerning this whilst travelling. For example, it should be outlined that bus monitors should not remove their own seatbelts or move from their own seats while the bus is moving."*

Travel Behaviour Contracts

Respondents agreed that signed contracts between learners, parents, operators and local authorities would foster a sense of shared ownership for ensuring, as far as is practicable, safety on the home to school journey. The contracts will need to set out what is expected of each stakeholder, including their responsibilities. The teachers' union, NASUWT, stated that *"the use of home to school transport behaviour contracts between schools and parents/learners could prove a useful tool in addressing bullying/anti-social behaviour where there has been a failure to adhere to the new Code"*.

Local authority comments included that contracts would be an administrative burden; and that the terms and conditions of contracts could be used to better achieve this aim.

Training for School Transport Drivers

The training (which could be accommodated within the Certificate of Professional Competence training) should include equality awareness, disability awareness, dealing with/managing challenging behaviour, additional learning needs and safeguarding. A

respondent commented that the training would require national standards and guidelines, including funding from Welsh Government.

Clear reporting system

Reporting systems will need to be consistent and standardised on a pan-Wales basis. Operators could be encouraged to produce monthly reports.

CCTV

The tool can provide evidence of wrongdoing and can prevent unfair victimisation. Some respondents stated that the installation of CCTV is a significant investment for operators/local authorities and that Welsh Government should provide funding if it opts to legislate on the installation of CCTV this includes staff training. CCTV fittings should be subject to national standards.

Safe, comfortable and positive bus environment

The new Travel Behaviour Code should warn against dangers (litter, obstacles on walkways, slipperiness) to promote improvements to the environment. .

Rewards for good behaviour

Whilst attracting a degree of support, some respondents questioned the merit of rewarding learners for behaving as they are expected to behave. Some respondents stated there would be implications for school budgets; that the rewards system could be uneven and inconsistent across Wales; and that schools would need guidance on administering the system.

Eating and drinking on school transport

58% of respondents (including local authorities, the education sector and third sector organisations) did not agree with this proposal for a number of reasons:

- Most bus operators' conditions of carriage set out that food and drink cannot be consumed on vehicles – in one case, a bus operator was issued with a PG9 (a delayed prohibition) from a DVSA Examiner as there was a sausage roll on a seat. A PG9 has serious implications for an operator's Operator Compliance Risk Score, which is a significant factor when the DVSA and the Traffic Commissioner decide whether operators need to be summoned before a Public Inquiry.
- Increased litter will increase cleaning costs for operators
- Buses used for school transport need to be as clean as possible as they are often used for other purposes following school journeys
- Food and drink can be used as missiles for bullying purposes and can place learners in danger of exposure to food allergies
- Home to school journeys are of a relatively short duration

Pembrokeshire County Council stated that allowing "*pupils to eat and drink on board the school bus would have serious health and safety implications with regards to allergies as well as issues of litter left on vehicles or used as weapons or missiles on the bus. In*

addition, we would foresee serious resistance from bus operators who generally adopt a policy that no food or drink is to be consumed on their vehicles”.

30% of respondents expressed no view on this proposal whilst 12% of respondents supported the proposal, including NASUWT Cymru and Neath Port Talbot Youth Council. The latter stated that if bins are provided on the buses then “*young people should be allowed to eat and drink. Some young people may not have eaten breakfast for different reasons and may need to eat food on the bus*”.

Promoting knowledge and awareness of the Travel Behaviour Code

Respondents were supportive and suggested a range of mechanisms for raising awareness: TV campaign, school workshops/focus groups, school assemblies, social media, an app for mobile phones, flyers/posters in libraries or on school transport, publishing the main points of the Travel Behaviour Code on the backs of bus passes, providing learners with information about the Travel Behaviour Code during the bridging period between primary and secondary education, including producing a range of training materials. The Travel Behaviour Code should be available in a range of formats with different versions targeting different age ranges in age-appropriate language.

Other matters raised in response to the consultation

Responsibilities of stakeholders

- Parents have responsibility for educating their children on good behaviour, including the Travel Behaviour Code
- Schools have a responsibility for addressing behaviour on the home to school journey (outside of school premises)
- Local authority Home to School Transport Departments should work closely with contracted transport operators to ensure cleanliness, safety and punctuality
- Different stakeholders/partners need to work together to ensure the Travel Behaviour Code, including the overarching framework which supports it, work effectively

Tackling anti-social behaviour

- The current sanctions regime is insufficiently robust for tackling instances of severe anti-social/dangerous behaviour. A more robust regime should be implemented so that stronger sanctions can be applied to tackle severe offences
- Bus Inspectors from bus companies should be placed on routes where bad behaviour is common
- Year groups should be split on double-deckers to minimise instances of bad behaviour
- Immediate exclusions from school transport should be allowed for severe behaviour
- A traffic light system of warnings for poor behaviour should be developed
- Consideration needs to be given to tackling SEN behavioural issues

Enhancing safety for learners

- Learners should know how to report incidents of anti-social/dangerous behaviour on the home to school journey
- Pupil training to educate them of their rights, responsibilities and safety when travelling – this has been implemented by Pembrokeshire County Council

- A 'buddy system' pairing older learners with younger learners as sources of advice and support
- Police officers (for example, from the All-Wales Schools Core Liaison Programme) could deliver classes/workshops on safe travel behaviour in primary and secondary schools

The Role of Schools/teachers

- Each school needs a teacher dedicated to school transport matters (or a dedicated officer in each school with clear lines of communication to service providers)
- School Councils should regularly discuss school transport issues to help achieve continuous improvement in services
- Head teachers' reports to School Governors should include school transport matters to raise their profile

Miscellaneous

- Any changes introduced by the Welsh Government which have financial implications for local authorities should be funded by the Welsh Government due to financial pressures on local government
- 85% of learners who participated in a Youth Cabinet survey on school transport stated they had not heard of the Travel Behaviour Code
- Transport operators should be able to attend Year 7 parents' meetings before the start of the Autumn term to discuss school transport matters
- A respondent was concerned that the consultation proposals were based on the views of learners and not on the views of wider stakeholders (schools, transport operators etc.) with little or no thought given to the practical consequences of meeting learners' aspirations

Conclusions

The consultation responses indicated broad support for the proposal to produce a new Travel Behaviour Code. Respondents clearly agree that there is a link between safe travel and good behaviour. There is support for delivering a safe home to school transportation environment for learners.

Respondents challenged certain aspects of a number of proposals, such as those on bus monitoring and rewarding learners for good behaviour. The Welsh Government will need to clearly define the form and content of these proposals through guidance whilst providing stakeholders with the discretion to implement policies in their own ways.

The proposal to allow learners to eat and drink on school transport did not attract universal support. The practice would involve breaching most transport operators' conditions of carriage.

The responses recognised the importance of collaboration between stakeholders in implementing the Travel Behaviour Code, and the potential for contractual arrangements between them to foster a shared sense of responsibility for ensuring safety.

On the whole, the responses focussed on bus travel. However, it's important to remember that the Travel Behaviour Code applies to all modes of travel, including walking or cycling.

Welsh Government response

Bullying - The consultation responses showed endorsement for providing the Travel Behaviour Code with an overarching framework of support mechanisms, so that it works more effectively in minimising or preventing instances of anti-social behaviour on the home to school journey.

The Welsh Government will amend the Travel Behaviour Code statutory guidance to link the Travel Behaviour Code to the following:

- The Welsh Government's Respecting Others anti-bullying agenda, which comprises a range of active mechanisms such as school-based counselling services; peer support services; 'anxiety boxes'; and the restorative approaches model
- School Behaviour policies, particularly as the Travel Behaviour Code is part of a school's behaviour policy. There may be instances when bad behaviour on the home to school journey can be dealt with under individual school behaviour/anti-bullying policies
- The Welsh Government's Hate Crime Framework, which aims to tackle hostility towards those with protected characteristics as defined by the Equality Act 2010. To embed the Hate Crime Framework into policies and practices, Welsh Government recommends that schools and local authorities should work with the All Wales Bullying Network to incorporate the Framework into its training programmes and interventions.

Supervision – The Welsh Government will amend the Travel Behaviour Code statutory guidance to set out that schools and/or local authorities should exercise the discretion to decide whether to put bus monitors in place. However, the Welsh Government recommends that bus monitors, should receive guidance and training on their roles and responsibilities, including any health and safety considerations.

Travel Behaviour Contracts – the Welsh Government will work with local authorities to introduce a non-statutory Code of Conduct clarifying the roles and responsibilities of the local authority, parents, learners, escorts and transport operators in relation to ensuring a safe journey.

Training for School Transport Bus Drivers – the Welsh Government will work with local authorities to roll out a driver training course on a pan-Wales basis for those who work on school transport (which could be part of the Drivers' Certificate of Professional Competence training, such as the one that is currently run by the South West Wales Integrated Transport Consortium (SWWITCH). This training ensures that drivers are trained to a consistently high standard and a safe service is provided.

Clear Reporting system – Welsh Government will work with local authorities to establish reporting mechanisms and a standard Incident Report form for use by operators, learners, schools, escorts and parents across Wales for reporting incidents occurring on the home to school journey. This will facilitate monitoring and identify best practice.

CCTV – the Welsh Government recognises the cost implications for operators/local authorities which would be associated with making the fitting of CCTV on school transport mandatory. Fitting CCTV on school transport across Wales would require secondary legislation to enact the provision under the Safety on Learner Transport (Wales) Measure

2011. The Welsh Government will leave the fitting of CCTV to the discretion of operators and local authorities.

Safe, comfortable and positive bus environment – the Welsh Government will:

- incorporate messages warning against the danger of litter and obstacles into the new Travel Behaviour Code
- encourage schools to develop and implement a 'buddying' system where older learners are paired with younger learners on the home to school journey.
- encourage local authorities to develop and implement pupil training courses, for example, on passenger safety, the importance of seatbelts, the consequences of distracting the driver and emergency evacuation procedures

Rewarding good behaviour – the Welsh Government will provide guidance for schools which decide to reward good behaviour on the home to school journey.

Eating and drinking on school transport – the Welsh Government will leave the question of whether these practices are permitted to the individual discretion of transport operators. There may be a case for allowing eating and drinking under certain circumstances for example, drinking water when the weather is hot or allowing learners with medical conditions, such as diabetes, to eat when necessary.

Developing a new Travel Behaviour Code – the Welsh Government will develop and implement a Travel Behaviour Code in an age-appropriate style and format for primary learners and secondary learners; and a separate Travel Behaviour Code for SEN learners.

Promoting knowledge and awareness of the Travel Behaviour Code - when the new Travel Behaviour Code is ready, Welsh Government will take steps to ensure its promotion and dissemination amongst all stakeholders.

Appendix: List of contributors (excluding those who did not agree to share their details)

Local Authorities and Councils

Gwynedd County Council
Vale of Glamorgan
Merthyr Tydfil County Borough Council
Neath Port Talbot County Borough Council
City and County of Swansea
Wrexham County Borough Council
Powys County Council
Caerphilly County Borough Council
Pembrokeshire County Council
Rhondda Cynon Taf County Borough Council
Newport City Council
Conwy County Borough Council

Education

Catholic Education Service
School Council, Ifor Hael Welsh medium school
National Association of Head Teachers Cymru
Estyn
School Council, St Joseph's RC High School
Primary School Governor
NUT Cymru
Undeb Cenedlaethol Athrawon Cymru
Governors Wales
Association of School and College Lecturers
Neath Port Talbot Youth Council

Interest Groups

SNAP Cymru

Member of the Public

Michael Spanswick