

## **CHILDREN AND FAMILIES SERVICE**

### **HOME TO SCHOOL TRAVEL ASSISTANCE POLICY**

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## **POLICY STATEMENT: HOME TO SCHOOL TRAVEL ASSISTANCE**

### **1 INTRODUCTION AND AIMS**

The Scottish Government along with Dundee City Council and its Community Planning partners share a vision that all children and young people will be safe, enjoy good health and have access to a wide range of experiences and opportunities to achieve their potential. This Policy provides information to enable access to services through the provision of travel solutions in order to ensure that the above vision for children and young people is achieved.

Parents/Carers have a responsibility to ensure that their child/young person attends school including providing their required travel arrangements. Dundee City Council may however, provide travel assistance if the child/young person meets the distance criteria or has additional support needs that prevent them from travelling accompanied as necessary.

Dundee City Council wish to promote the independence and well-being of all children and young people through a range of travel options. All children and young people should be encouraged to follow a healthy lifestyle including walking a reasonable distance accompanied where necessary and where possible to school.

This Policy is aimed at parents, carers; children and young people; relevant council staff involved in travel arrangements and other relevant stakeholders.

In implementing this Policy Dundee City Council aims to:

- assist parents and carers in their responsibility of ensuring that their child attends school safely and on time
- ensure that the right children and young people get the right option for travelling to school
- be responsive to the concerns of parents and carers in the provision of appropriate travel assistance arrangements
- ensure the most effective, safe and economical use of resources by close monitoring of contracts
- keep its arrangements for school travel assistance under continuous review

This document aims to provide information about the provision of home to school travel assistance for eligible individual children and young people, including those with additional support needs.

### **2 LEGISLATIVE REQUIREMENTS**

This policy takes account of the following areas of legislation:

#### **2.1 National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021**

The regulations increase the age range for the new National Concessionary Bus Travel Scheme for Young Persons so that it is open to people aged 21 and under from 31 January 2022.

Article 2 of this Order amends article 12 of the 2021 Order which makes provision as to the reimbursement of operators participating in the National Bus Travel Concession Scheme for Young Persons.

Article 2 of this Order amends article 16 of the 2021 Order to the effect that persons aged 5 to 21 years old are eligible persons for the purposes of the Scheme. Previously persons aged 5 to 18 years old were eligible persons for the purposes of the Scheme.

## **2.2 Education (Scotland) Act 1980 as amended**

Sections 50 and 51 to make such arrangements, as they consider necessary for the provision in respect of children and young people attending schools or other educational establishments.

Section 42 of the Act provides details of eligibility in relation to distance and other exceptional circumstances and conditions.

Section 23 of this act places the responsibility for school transport on the Education Authority in which the child or young person resides.

## **2.3 Standards in Scotland's Schools etc Act 2000**

Section 37 of this act gives discretionary powers to the Director of Education in relation to the provision of transport for children attending pre-5 establishments.

## **2.4 Additional Support for Learning (Scotland) Act, 2004 (amended 2009)**

This act outlines roles and responsibilities for local authorities in relation to the assessment and provision for those children and young people identified with additional support needs. There are no requirements in relation to home-school travel assistance.

# **3 DUNDEE CITY COUNCIL TRAVEL ASSISTANCE POLICY**

## **3.1 Mainstream Travel Eligibility**

**3.1.1 The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021** offers provision of free bus travel to around 770,000 young people across Scotland. In addition to core transport and environmental aims, benefits of the scheme are the promotion of social inclusion (by improving access to education, healthcare, training and employment etc.) and reduction in child poverty, and to embed positive sustainable travel behaviours.

### **3.1.2 Overview of the Scheme**

All young people and children aged 5-21 years can apply for a National Entitlement Card (NEC) or Young Scot NEC with the valid free travel entitlement. Without this card, payment will have to be made for each trip.

Parents/Carers of under 16's must apply on their behalf. Children under 5 years old already travel for free on commercial bus services and do not need a card.

All bus journeys made under the scheme must be recorded so that the Scottish Government can reimburse operators for the fare. This will be done by tapping NEC or Young Scot NEC cards on the ticket machine each time a journey is taken.

### 3.1.3 Applying for a Travel Card

- (i) Apply online at [GetYourNEC.scot\\*](http://GetYourNEC.scot*). Proof of identity and address needs to be uploaded along with a photograph of the young person/child (depending on age). There is also a requirement to upload a copy of the child/young person's original full Birth Certificate, even if you can provide existing NEC details. **This is the preferred and quickest way of applying.**
- (ii) A printed copy of the Application Form can be obtained from School Offices and should be completed and returned to schools. A recent **digital** passport style photograph may be required. School staff can help with this process.
- (iii) The [Young Persons' Free Bus Travel Scheme](#) website has all the information you need to apply.

### 3.1.4 Mainstream Travel Assistance

The National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021 supersedes the need for Local Authorities to provide free travel assistance to those children/young people who live outwith the statutory walking distances as noted in the Education Scotland Act 1980 section 42(4).

### 3.1.5 Health and Mainstream Travel Assistance

Consideration will be given to applications for school travel assistance on health/medical grounds which may prevent, on a permanent or temporary basis, a child or young person walking to and from their catchment school safely, or by using the NEC/Young Scot NEC Travel Card Scheme. In all cases the application must be supported by written confirmation from the child/young person's doctor/consultant. Requests should be made in writing to the ASN Travel Coordinator. **Item 4.2.2** outlines the process for making Applications more fully.

### 3.1.6 Concession Card (C+1)

- (i) National Entitlement Card: The NEC scheme also allows for free travel for companions where required by eligible disabled people of any age (including children under 5). However, Companions can only travel with the NEC Card Holder.

- (ii) Dundee City Council Travel Assistance Concessions: If a family require a responsible adult to travel with a child/young person, they can apply for a C+1 Card. Proof of identity (including photo ID), along with original documentation from the Department for Work and Pensions outlining the benefit the child/young person is in receipt of (ie Disability Living Allowance, Personal Independence Payment etc) should be taken to Dundee House.

Current requirements dictate that applicants must be in receipt of the middle to high rate care element of DLA or the standard rate of care where PIP is awarded.

Cards are issued for the length of the benefit award period, and need to be reapplied for when the award is renewed. If a C+1 Card is awarded, there is no need to apply for free travel as part of the Government Under 22 Scheme.

Responsible adults cannot use local authority C+1 Cards without the child or young person being present, and must fund their own way to pick up their child from school, or return home after they have been dropped off.

- (iii) Dundee City Council Travel Assistance Bus Pass: Responsible adults may be issued their own local bus pass to travel to and from home to school with their child. This will be funded by agreement with the ASN Travel Team and will only be valid for travel on local bus services (ie not for national travel).

## **4. LOCAL AUTHORITY REQUIREMENTS**

### **4.1 Mainstream Travel and Assistance**

#### **4.1.1 Distance**

Distance is determined based on statutory walking distances as noted in the Education Scotland Act 1980 section 42(4) and is calculated from the child or young person's home address to the nearest school gate using the Council's electronic mapping system. For the purpose of this policy statement, a home address is deemed to be the address held on school databases for each child/young person.

Dundee City Council must provide a designated school bus service for primary children where the catchment school is more than 2 miles from their recorded home address.

For secondary school pupils, if the school catchment area is more than 3 miles from the young person's home address, there must be a designated school bus service in place.

#### **4.1.2 Safety**

This applies to specific rural situations within the city boundary only.

Designated school bus services will be provided (for the unsafe element of the route as a minimum) if the route to school is deemed unsafe because:

- the child or young person has to walk a route which does not comply with Road Safety GB 'Assessment of Walked Routes to School' guidance and,
- the alternative safe route is beyond the walking distances specified above. <http://www.roadsafetygb.org.uk/news/2105.html>

Please note that children and young people who live out with Dundee, even though they attend a Dundee School, are not eligible for a designated school bus services provided by Dundee City Council. In this instance, all children/young people should apply to the NEC/Young Scot NEC Travel Card Scheme as outlined in Item 3.1.3 above.

#### **4.1.3 School Placing Requests**

Parents/Carers who apply for and are granted a place in a school which is not their catchment school must accept full responsibility for the transport to and from school. They may also apply for the NEC/Young Scot NEC Travel Card Scheme in order that their child/young person can travel safely to their educational establishment using designated public transport routes.

#### **4.1.4 Change of Address**

If a family moves address during the school year, which results in the existing school no longer being their catchment school and the Parent/Carer chooses for their child to remain at their existing school, Parents/Carers must accept full responsibility for the transport to and from school, or apply for the NEC/Young Scot NEC Travel Card Scheme in order that their child/young person can travel safely to their educational establishment using designated public transport routes.

After a family move, if the address falls into the distance criteria noted in Item 4.1, Dundee City Council should already be providing a designated school bus service.

#### **4.1.5 Nursery Placement Requests**

There is no statutory entitlement for nursery children. In exceptional circumstances, children offered a place by the authority to Frances Wright Nursery may be authorised for travel assistance at the discretion of the Executive Director of the Children and Families Service.



#### 4.1.6 Transport to College or Alternative Placements

Where a young person attends college or a place other than school as part of their educational programme, it is expected they will apply for the NEC/Young Scot NEC Travel Card Scheme in order that they can travel safely to their educational establishment using designated public transport routes.

In exceptional circumstances, requests for travel assistance can be submitted by the Head Teacher or Named Person as part of the support plan agreed at the Team Around The Child (TATC) meeting.

#### 4.1.7 Other Circumstances

Other exceptional circumstances maybe considered on an individual basis and be negotiated depending on individual need. In each case the final decisions lie with the ASN Transport Team.

### 4.2 Additional Support Needs Eligibility for Transport Assistance

#### 4.2.1 Home to School Travel Assistance

Home to school travel assistance is provided based on the additional support needs of the child/young person. The Assessment Process includes input from Dundee's Team Around The Child (TATC) Staged Intervention Framework. The TATC is best placed to assess and support individual needs and to evidence those against the criteria within this Policy. This will include assessment information from school staff, community health and allied health professionals and information from Parents/Carers:

- the child/young person has additional support needs which prevents them from travelling to school with assistance from their Parent/Carer as appropriate in the same way that members of their peer group, who do not have additional support needs, would access their education.
- the child/young person has a physical or sensory impairment or severe, profound or multiple learning difficulty which prevents parent/carer assisted travel and which is assessed as requiring specialist travel arrangements or supervision.
- the child/young person is placed by the Complex and Additional Support Needs Management Group to a non-catchment school which is **within** the mileage criteria outlined above and would therefore be assessed for travel assistance on the basis of **need alone**.
- the child/young person is placed by the Complex and Additional Support Needs Management Group to a non-catchment school

which is **out with** the mileage criteria outlined above and would therefore be assessed for travel assistance on the basis of **distance entitlement**.

#### **4.2.2 Process for Assessing Eligibility Criteria**

It is acknowledged that some children and young people with additional support needs will require supported travel arrangement because of the complexity of their additional support needs.

Many children and young people will be able to make use of mainstream travel arrangements including parent/carer assisted travel which ensures their inclusion and encourages independence. The ability to negotiate journeys as part of this process and where possible independent travel should be encouraged.

This may result in a move away from fully supported travel assistance depending on the child's or young person's abilities or needs. In all cases travel arrangements will be reviewed prior to transition from primary to secondary education.

- The needs of a child or young person may change over time and therefore Parents/Carers are responsible for completing an Annual Travel Assistance Application Form for Children and Young Person with Additional Support Needs.
- Application Forms must be submitted by the due date in order to ensure appropriate arrangements are in place. If the application is delayed this may mean that arrangements are not organised for the start of the new session. In this instance, Parents/Carers will be responsible to ensure their child attends school until an application is received, assessed and confirmed that Travel Assistance is authorised.
- The ASN Transport Team will write to Parents/Carers following Assessment of the Application Form and indicate whether Travel Assistance has been declined or granted. If granted, there will be further communication prior to the next session / commencement date of Travel Assistance detailing the form of assistance that will be provided.
- If Parents/Carers disagree with the decision of the ASN Transport Team then they will have the opportunity to Appeal this decision. The process for Appeal is noted in Item 6 of this Policy.
- Children/young people who move to another school will not automatically receive Travel Assistance. Assessment for eligibility will be based on the above criteria and through the completion of a new Travel Assistance Application Form.

### **4.2.3 Types of Travel Assistance**

In determining the types of travel for those children/young people authorised for Travel Assistance, consideration should be given to the following:

- Distance to be travelled
- Ability for independent travel
- Journey duration
- Nature of additional support needs
- Need for supervision

Travel assistance may take the form of:

- Escorted Walking
- Escorted or Non-escorted transport by Public bus service
- Parental Contract
- Escorted or Non-escorted Private Minibus
- Escorted or Non-escorted Taxi

### **4.2.4 Concessionary Travel**

Education authorities have a statutory obligation to allocate a concessionary space when required where there are vacant seats on a dedicated school transport contract. A concessionary place can be granted and charged for in accordance with the Education (Scotland) Act 1980 as amended in 2003.

The place granted to specific children/young people for whom an application has been made however, must be given up, with immediate effect, if it is required by a child with a legitimate entitlement.

Concessionary travel is not available on registered school bus services or available to the general public. Parents/carers should contact the ASN Travel Coordinator requesting a concessionary space.

## **5 APPLYING FOR TRAVEL ASSISTANCE**

### **5.1 Mainstream Travel**

Item 3.1.3 outlines the process for applying for NEC/Young Scot NEC Travel Card Scheme in order that their child/young person can travel safely to their educational establishment using designated public transport routes.

### **5.2 Additional Support Needs (ASN) Travel Assistance**

#### **5.2.1 Application Process**

The TATC meeting will have discussed the Travel Assistance needs for the child/young person. Parents/Carers who wish to apply for ASN Travel Assistance are required to complete a [Travel Assistance](#)

[Application Form](#) for Children/Young People with Additional Support Needs. In every case, ASN Travel Assistance requests will be considered by the ASN Transport Team. Where the criteria are met and Travel Assistance is awarded the most appropriate form of travel arrangements as noted in Item 4.2.3 will be implemented.

### **5.2.2 Variation to Home Address**

Requests to pick up and drop off at addresses other than the home address will not be accommodated except for children/young people attending Kingspark School. This will only be authorised provided there is no additional cost to the Local Authority.

Consideration will be given to changes of arrangements in situations deemed to be an emergency by Children and Families service staff in accordance with the emergency contact details provided by the parent.

Ad hoc arrangements, however will not be accommodated.

## **5.3 Use of ASN Travel Assistants (Escorts)**

The assessed need for ASN Travel Assistants lies with the ASN Transport Team who have gathered information from key stakeholders including Parents/Carers, TATC Teams and medical professionals.

### **5.3.1 Recruitment and Training**

The recruitment, training and deployment of ASN Travel Assistants is undertaken by the ASN Transport and Sustainable Transport Teams, in consultation with Human Resources officers where appropriate.

### **5.3.2 Administration of Medication**

Medication cannot be administered by ASN Travel Assistants under any circumstances unless there is an appropriate medical protocol in place and the ASN Travel Assistant has been appropriately trained. Drivers are provided with a list of children at the beginning of each year which includes any medical conditions.

## **5.4 Review of Travel Arrangements**

### **5.4.1 Annual Review**

In all cases travel arrangements under this policy will be subject to annual review, although Dundee City Council reserve the right to review travel arrangements, if circumstances change, throughout the academic year.

The provision of ASN Travel Assistance may change or cease as the child grows older or becomes more able to travel independently.

## 5.4.2 Change of Address

Parents/Carers who are awarded Travel Assistance are required to inform the ASN Transport Team if their home address changes during the academic year. Parents/Carers are also required to inform the school of any changes in address.

This change will result in a review of Travel Assistance arrangements, which may revise the travel solution in place.

Parents/Carers are responsible for ensuring appropriate notice is provided to Dundee City Council and the ASN Travel Team to enable a Travel Assistance Review to take place. In the event that appropriate notice has not been provided parents will be responsible for ensuring their child attends school while the appropriate review takes place.

Item 4.1.4 (Change of Address) provides further information.

## 6 COMPLAINTS AND APPEALS PROCESS

### 6.1 Complaints

Dundee City Council seeks to resolve dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations so that, where appropriate, we can make evidence-based decisions on the facts of the case. We expect the majority of complaints will be handled quickly and informally. If the complaint is complex enough to require an investigation, we will clarify the points of the complaint and the outcome sought:

- Complaint acknowledged within **three working days\***
- Complaint resolved or a response provided in **five working days\*** or less (unless there are exceptional circumstances)
- Complaint resolved or a definitive response provided within **20 working days\*** following a thorough investigation of the points raised

\* *Complainants will be notified in writing if the complaint is complex and an extension is required in order to fully investigate the complaint.*

Dundee City Council's Complaints Procedure Policy can be found on our website: <http://www.dundee.gov.uk/complaints/>

Complaints and Appeals against any ASN Travel Assistance decisions may be either verbally or in writing, including face-to-face, by phone, letter or email or online:

#### ASN Travel Team

Children and Families Service  
Dundee House  
50 North Lindsay Street  
Dundee  
DD1 1NL

Telephone: 01382 433848  
Email: [Angela.Fairweather@dundee.gov.uk](mailto:Angela.Fairweather@dundee.gov.uk)

## **6.2 Maintaining Confidentiality and Data Protection**

Confidentiality is important in complaints handling. This includes maintaining the Complainant's confidentiality and confidentiality in relation to information about staff members, contractors or any third parties involved in the complaint. This should not prevent us from being open and transparent, and, when sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information. Examples of situations where a response to a complaint may be limited by confidentiality includes:

- where a complaint has been raised against a staff member and has been upheld, we would not share specific details affecting staff members, particularly where disciplinary action is taken.
- where someone has raised a concern about a child or an adult's safety and is unhappy about how that has been dealt with - we would look into this to check whether the safety concern had been properly dealt with, but we would not share any details of our findings in relation to the safety concern.

## **6.3 Investigating Complaints**

The staff member investigating the complaint will conduct a thorough, impartial and fair investigation and should consider what information they have and what they need to know about:

- what happened? (this could include, for example, records of phone calls or meetings, work requests, recollections of staff members or internal emails);
- what should have happened? (including any relevant policies or procedures that apply); and
- is there a difference between what happened and what should have happened?

In some cases, information may not be readily available. We will balance the need for the information against the resources required to obtain it. If we need to share information within or out with the organisation, we will be mindful of our obligations under data protection legislation (Item 6.2).

If the complaint is of a complex nature or requires input from external organisations or people, we may need to extend the timescales for responses as noted in Item 6.1. We will, however, keep the Complainant updated if this happens, explaining why there is a delay.

## **6.4 Appeals**

If a Complainant is dissatisfied or disagrees with the decisions made by the ASN Travel Team, they may ask for a review or reconsideration of the decision.

Appeals will be escalated to Children and Families Service Managers to review the Complaint in an open, transparent and impartial manner. Service Managers will review all the evidence surrounding the complaint, considering any

Legislative, Procedural or Policy matters that might have originally been overlooked.

Appeal timescales will be dependent on the complexity of the complaint, and will be communicated to the Complainant as appropriate.

If the Complainant remains dissatisfied when a final response has been issued by the Local Authority, they can ask the Scottish Public Services Ombudsman (SPSO) to look at the complaint if:

- they have gone all the way through the Council's Complaints Handling Procedure.
- it is less than 12 months from the complaint, and
- the matter has not been (and is not being) considered in court.

## **6.5 Information about the SPSO**

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. The SPSO is an independent organisation that investigates complaints. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

SPSO  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS

Freephone: 0800 377 7330  
Online: [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)  
Website: [www.spsso.org.uk](http://www.spsso.org.uk)

Independent support or advocacy to help with complaints can be found at:

- Citizens' Advice Bureau
- Scottish Independent Advocacy Alliance

## **7 CODE OF CONDUCT FOR CHILDREN/YOUNG PEOPLE**

The responsibility for ensuring the safe and acceptable behaviour of children/young people travelling on school transport remains with Parents/Carers. Inappropriate behaviour may result in the provision Travel Assistance being temporarily or permanently withdrawn.

In such circumstances, Parents/Carers will be responsible for making their own arrangements for ensuring that their child gets to and from school.

Should consistent and serious inappropriate behaviour whilst on school transport persist, this should be brought to the attention of the Head Teacher and ASN Transport Team who will attempt to resolve the situation.

Children and young people who have additional support needs may sometimes communicate with challenging behaviour, which should be considered during

the risk assessment process. Measures should be put in place to ensure that any risk on transport is minimised.

## **8 EMERGENCY PICK UP**

If a child/young person becomes ill during the school day, the Parent/Carer should be contacted to transport the child/young person home if they need to leave school early. Operators, Drivers and ASN Travel Assistants are not authorised to make any changes to normal transport arrangements unless directed by Sustainable Transport Team in City Development.

## **9 ACCIDENT OR BREAKDOWN INFORMATION**

In the event of an accident, Drivers must abide by guidance contained within the Highway Code. Drivers will immediately, by telephone, contact the ASN Transport Team of the incident, who will then notify the Parent/Carer of the incident at the earliest opportunity. Full records of any incidents will be recorded and retained by the Sustainable Transport Team in accordance with contract specification.

## **10 MONITORING AND IMPROVING PERFORMANCE**

- Transport to school is an important part of a child's education experience and good relationships between Operators, Drivers, ASN Travel Assistants, Parent/Carers and Children/Young People is essential to ensure that this experience is positive.
- Whilst the continuity of transport arrangements, including Drivers and any ASN Travel Assistants will be considered, changes will take place from time to time and Dundee City Council reserves the right to place different Drivers/ASN Transport Assistants on routes as required.
- Changes to staff on routes will be communicated as soon as they are known recognising that short term illness may prevent an early notification.
- The effective operation of Contract Transport can best be achieved by a partnership between Sustainable Transport Team City Development, Operators, ASN Travel Assistants, School Staff and Parents/Carers.
- The Sustainable Transport Team within the City Development Department is responsible for procuring, managing and monitoring the performance of each school transport contract. This is carried out through close liaison with Schools, Parents/Carers and the transport provider. This could also involve Children and Families Service Health and Safety Officer, the Vehicle Inspectorate and Police Scotland.
- The Sustainable Transport Team will, once per contract period, undertake a Service User Satisfaction Survey with Parents/Carers and children/young people.



- Additional documentation is available which provides guidelines for Contractors, Drivers, ASN Travel Assistants, Schools and Parent/Carers. The Sustainable Transport Team, City Development welcomes the views of Parents/Carers with regards to improvements to the travel process.

## **11 COUNCIL, CONTRACTOR, DRIVER, ASN TRAVEL ASSISTANTS: RESPONSIBILITIES**

Dundee City Council is responsible for the general safety and welfare of children/young people during the time they are being conveyed and when alighting/boarding the vehicle at their school.

Bus and Taxi Operators/Contractors are subject to detailed Conditions of Contract, which cover a wide range of requirements relating to the safe and legal operation of transport. In addition, all operators, drivers and ASN Travel Assistants are issued with guidance and should undergo training, which explains how they should perform their duties including the procedures that should be followed in certain emergency situations, such as breakdowns.

Drivers, Contracted Travel Assistants and ASN Travel Assistants (when provided) will take all reasonable steps to ensure the security, safety, dignity and comfort of children and young people in their care.

Contractor Drivers and Contractor Transport Assistants (Escorts) and ASN Travel Assistants, who provide home to school transport, undertake PVG checks in accordance with Disclosure Scotland in addition to appropriate medical assessments.

## **12 OTHER RELATED DOCUMENTATION**

- Code of Practice
- Information leaflet for Parents/Carers
- Manual for Home to School Drivers and ASN Travel Assistants