

# Policy

## School transport

Please note this policy is mandatory and staff are required to adhere to the content

### Summary

The policy relates to fully paid bus services provided by departmentally owned and operated buses, fully paid bus services operated under contract to the department and transport assistance for the transport of students to and from school. This policy is applicable to all Department for Education and Child Development (DECD) employees.

Table 1 - Document details

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Date	Version	Revision description
December 2013	1.3	Minor edit – update text. In 2014-15 a review of the School Transport Policy was undertaken, no major changes were recommended.
22 February 2017	1.4	Minor edit - update terminology and review date
	1.5	Administrative edits to update references to <i>Education Regulations 2012</i> Administrative edits to improve readability and display format Delete Special Interest Schools criteria as approved (DECD 16/6444) and include NDIS.

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# Transport Services

## Statutory provisions

Authority for the transport of school children to and from school is contained in Section 9(8) of the *Education Act 1972* which provides that: "The Minister may, in such manner and to such extent as he thinks fit, provide or arrange for the transport of children to and from any school and may pay the whole or any portion of the cost of transporting children to and from any school".

Section 107(n) of the Act makes provision for regulations (*Education Regulations 2012*, Regulations 79 to 82) on "the transport of children to and from school and the payment of part or all of the costs of transport".

This legislative authority is the basis for the provision of school bus services and the payment of travelling allowances, which are provided within the ambit of Section 9(8) of the *Education Act 1972* and in accordance with the requirements set out in this policy document and as amended from time to time.

## Types of services

- Fully paid bus services provided by departmentally owned and operated buses.
- Fully paid bus services operated under contract to the department. The selection of contractors to operate school bus services is made through the public tender process in accordance with accepted Government principles.

Consideration is to be given to the calling of public tenders:

- for all new school bus services, having regard, however, to the temporary or permanent nature of the service and the urgency of the situation.
  - when private interest is expressed in writing in providing a contract service in lieu of an existing departmentally provided service.
  - when the department considers it necessary to initiate a call for tenders for an existing departmentally provided service.
- Fully paid school bus services using departmentally owned and operated buses, or privately owned buses operated under contract to the department, for the transport of students in specific circumstances, eg for curriculum purposes between schools, servicing of "cluster" schools, joint use of facilities, temporary service to a holding school.

Where departmentally owned and operated buses are used for these purposes, the following conditions apply:

- the particular curriculum program requiring the use of a bus must be approved by the Chief Operating Officer (COO)
- the use of the bus does not interfere with the daily transport of students to and from school
- an approved driver is in charge of the bus
- under no circumstances are departmentally owned and operated spare buses to be used except as a back-up for the prime vehicle (see Spare Buses).

Where a departmentally owned and operated bus is not available, tenders must be sought for the provision of a private bus service.

- Taxi or hire car services (usually restricted to transport for children with disabilities).

## Establishment of a bus service

The COO has delegated authority from the Minister to approve the establishment of a new school bus service.

A school bus service may be established where at least 10 school age students reside 5 kilometres (kms) or more by the shortest most practicable route from the nearest appropriate Government school or school bus service provided by the department, and the majority live beyond 8kms. Although a minimum of 10 students is specified, a higher number is usually required to allow for such factors as movement in population and the high cost of operating bus services. Consideration must also be given to the factors listed below.

In addition, the COO has delegated authority to provide a bus service in specific circumstances, eg for curriculum purposes between schools, servicing of "cluster" schools, joint use of facilities, temporary service to a holding school or other departmental requirements.

## New bus routes and alterations

The COO has delegated authority from the Minister to plan new bus routes and vary existing routes.

In any situation where a new bus service is being considered, the eligibility criteria for the establishment of a new bus service must be met.

The planning of new routes or alterations to existing routes must consider the following factors:

- Consultation with the principal, Education Director, governing council and parents as necessary.
- Distance of place of residence from existing bus route/s and schools (see Eligibility to travel).
- Number and ages of children involved. Preschool children do not have an entitlement to travel but can be considered when establishing a new bus service as a guide to the continuity of the proposed service.
- Nature of the road to be travelled. Only roads certified by local councils and other controlling bodies as being all weather and suitable for use by a school bus are to be used. Councils are not asked to upgrade roads so that they can be used as school bus routes. Neither are councils expected to provide and maintain roads solely for use by school buses.
- If a road used as a school bus route deteriorates to the stage where it cannot be certified as suitable for use by a school bus, then an alternative road may be used having regard to costs and the bus timetable. If no suitable alternative road is available, the bus must not use the deteriorated road.



- Private roads are not to be used.
- Effect of the timetable on existing travellers in the case of a route variation, or proposed travellers in the case of a new service.
- The permanent or temporary residency status of the children. The basis for all calculations must be on the premise that all children will use the bus each morning and afternoon of each school day. Children who only use buses at the beginning and end of each week are not to be counted for the purpose of determining eligible numbers for the establishment, maintenance or variation of a bus service.
- The principle is that the school bus system should be designed to provide an adjacent service to as many families as possible, having regard to costs and the bus timetable.
- Cost of the new service or route alteration and savings, where applicable. Each section of each bus route must be justified on its own merits in regard to costs and the bus timetable, and savings in one section of a route should not be used to satisfy an extension in another area. In assessing costs, consideration should be given to:
  - the average Statewide cost per km of operating departmentally owned and operated buses.
  - in the case of contract operated buses, the actual cost for the particular bus.
- Safety factors, such as suitability of pick up and set down points, geographical conditions and road conditions.
- The merits of authorising a route alteration to advantage some students to the disadvantage of other students.
- The merits of the new route or alteration in the context of the total school transport operation to ensure consistency of decision.
- The relevance of previous decisions.
- The feasibility of double running a bus over the same route, or having a single bus run over different routes (distance and time being the critical factor).
- The existence of established public passenger transport services or privately operated fare paying services and avoidance of duplication of those services thereby creating a competitive situation.
- Whether in some instances the payment of travelling allowances might be the more appropriate means of providing transport rather than the provision of a bus service.
- The availability of appropriately licensed and approved drivers (see Payment to drivers of departmental buses).
- The cost of providing a route extension should not exceed the average per capita cost of transporting students in the school transport system.

Principals may authorise route alterations for buses under their control in emergency situations only, but the circumstances must be immediately reported to the Senior Transport Officer.

Departmentally owned and operated buses and buses operated under contract to the department are not to be alternated between routes without approval from the Senior Transport Officer, except in the case of an emergency where the principal may authorise such change.

## Bus timetables

The preparation of bus timetables is the responsibility of the principal, who should consult with other persons as deemed necessary.

The bus timetable must be displayed in the bus and each parent on a route issued with a timetable, as amended from time to time.

The bus must not leave a pick-up or set-down point before the allotted time.

Principals must advise parents of the need for students to be at bus stops before the scheduled bus departure time.

Buses should be timetabled to arrive at the school no later than 10 minutes before school starting time and leave no earlier than 10 minutes after school finishing time. However, principals may vary these times subject to local conditions and requirements, and agreement with governing council and parents.

The first-on/first-off practice should be observed where possible in the case of circular bus routes. The direction of travel may be reversed to enable early pick-ups and late set-downs to be alternated. However, principals may vary this practice subject to agreement with governing council and parents, and providing there is no additional cost to the department.

Where buses serve more than one school and a school closing time for one of those schools is varied in a one-off situation eg half-holiday, the bus is to make only one run. The principals of the schools concerned must reach agreement as to the time of the one run. If agreement cannot be reached, the service must be provided for the school(s) working to the normal timetable.

In cases where students are dismissed before normal school closing time, eg reception students, the bus is not to make an additional run. Principals must advise parents that in these circumstances it is their responsibility to collect the students.

In cases where a bus serves more than one school, the timetable for arrival and departure should be planned on the basis of the last school visited. The principals of the schools concerned should consult if there is any permanent change to the start or finish times of one of the schools.

There is no prescribed maximum travelling time for children using school buses. The time spent on the bus is determined by the location of the homes of the students and the design of the bus route.

## Withdrawal of bus services

The COO has delegated authority to withdraw school bus services when the eligibility criteria can no longer be met or, in the case of specific services, when the need no longer exists (see Establishment of a bus service).

Any decision to withdraw a service is to be timed so as to cause minimum disruption to the students, but having regard to economies of operation. The timing of the withdrawal of the service should have regard to the merits of end of term or end of school year withdrawal.

## Bus stops

Bus stops should be planned so that buses do not stop more than four times in any 2km section of the route. Principals should consult with bus drivers and bus contractors to establish bus stops, having regard to safety.

Bus stops should, where possible, be off the road on the left hand side, unless a suitable area eg a parking bay, is conveniently located. There is no requirement for a bus to pick up or set-down students on the school side of the road. However, this should be encouraged where practicable.

Students must not be set-down at other than their normal bus stop without specific approval in advance from the principal (see below).

## Eligibility to travel

### General

In the application of the school transport policy, a school bus service provided by the department is deemed to be an extension of the school/s served by the bus and must be used for the purpose of determining eligibility in accordance with the distance criterion.

Eligibility for school bus travel is determined having regard to the place of residence of the student at any given time.

Children living in Victoria are permitted to use departmentally provided school bus services to attend South Australian schools, subject to the following conditions:

- priority is given to the transport needs of students residing in South Australia
- the cost of transporting the children to and from the bus route is not the responsibility of the department
- any request for an extension of a bus route to assist children residing in Victoria is to be referred to the Victorian Education Department for consideration of cost reimbursement. If that department is not prepared to pay such costs, the bus route is not to be extended. In the event of the bus becoming overloaded priority is to be given to South Australian students and a renegotiation with the Victorian Education Department may be necessary. (Buses may cross the border in the application of this policy)

- students resident in Victoria who attend school in South Australia are not to be counted in the numbers required for the establishment of a school bus service.

## Government school students

To be eligible for travel on a departmentally operated or contract provided school bus to and from school, students must reside 5kms or more by the shortest most practicable route from the nearest appropriate Government school.

Students residing within 5kms of a Government school are expected to attend that school. They have no entitlement to transport, but may be given permission to travel to that school on a school bus provided by the department if room is available. In these circumstances, students should not be carried away from that school. In the event of the bus becoming overcrowded with students who are eligible for travel, all ineligible students (ie those within 5kms of the nearest Government school) should be informed that the permission given to them to travel on the bus will be withdrawn.

Students attending Government schools may not use bus services provided by the department to travel past a Government school, unless they meet the following criteria and written approval is given by the Education Director:

- Students attending a school other than the nearest Government school, for whom the Education Director has determined that the school attended is the nearest which offers a course of study which meets the educational needs of the student.
- Students attending a school other than the nearest Government school for whom the Education Director has determined on the basis of specialist psychological and other relevant advice:
  - that the school is the nearest which adequately caters for the particular emotional or psychological needs of the student; and
  - that failure to facilitate attendance at the school would mean the likelihood of the student suffering significant emotional or psychological distress, which would interfere with the student's ability to participate in the curriculum.
- Students directed by the Education Director to attend a specified school because of disciplinary and conflict problems.
- Students who have been before the courts and who, having passed out of the supervision of Families SA, are required to attend or continue to attend a school other than their nearest Government school.
- Students who are required or encouraged by the department to attend an alternative Government school to alleviate overcrowding at the neighbourhood Government school.
- Students enrolled and transported in terms of any one of these criteria will be regarded as eligible bus travellers for the period of their enrolment at the specified or directed school.

Where a departmentally provided school bus service which passes nearest to a student's place of residence provides a service to a school other than the school which is the closest school to the student's residence, the student is permitted the choice of travelling on the nearest school bus service or a school bus service which provides transport to the closest school; and

- where a student's residence is less than 5kms from both school bus services the student is entitled to use the nearest school bus service to their residence as a right.
- where a student's residence is 5kms or more from both school bus services there is an expectancy for the nearest school bus service to be used, however students may choose. If a student elects to use the more distant school bus service that provides transport to the closest school then bus travel in terms of the "choice of Government schools" policy guidelines may be considered for approval by the authorised officers
- Where a bus service is provided by the department for the transport of students between schools for curriculum requirements, other students may be permitted to travel in the bus to undertake subjects or a course of choice (outside formal curriculum requirements) subject to the following conditions:
  - the proposed arrangements are approved by the principals of the schools involved
  - there is available room on the bus
  - in the event of the service being discontinued or room no longer being available, the parents must accept responsibility for any further transport that is desired.

Irrespective of the eligibility criteria, no students are permitted to use school buses without the parents first obtaining the prior approval of the principal who must notify the driver accordingly.

## Non-Government school students

Students attending non-government schools are permitted to use existing school buses to travel to those schools, provided that the buses are not involved in additional travel to visit the non-government school.

Primary and secondary students attending non-government schools and who reside 5 kms or more by the shortest most practicable route from the nearest appropriate Government school, have a right to use existing bus services to travel to that Government school.

Non-government primary and secondary students may also travel past or away from a government school but such travel is subject to there being available room on the bus, and there is no additional cost to the department.

## Choice of schools – Government

### General

School buses provided by the department serve designated areas and travel on approved routes to particular Government schools. Students living in those areas and who are enrolled at that particular Government school are automatically eligible for travel on these buses provided the distance eligibility criterion can be met.

Parents may exercise a choice of school when enrolling their children for schooling, but enrolment acceptance does not give automatic right of travel on a school bus servicing the school of choice. If bus travel is required, parents must apply to the principal of the school at which enrolment has been made, for approval to use the bus. Approval to use the school bus will only be given provided:

- the student is granted enrolment at the Government school which the student seeks to attend
- any approval given to parents to aid a choice of school will not involve the provision of additional bus services
- school bus routes will not be altered to suit the needs of students exercising a choice of school
- the bus has, as far as can be predicted by departmental demographic studies and local information, available room for part or the whole time which the student is likely to continue at the school
- parents are advised by letter from the principal of the availability or non-availability of school bus travel. Any advice of approval and the conditions of travel must be acknowledged and accepted in writing by parents. This procedure must be completed before the enrolment is effected. In some cases, annual approval and review may be appropriate. In other circumstances, approval may be for the whole period of student enrolment at that school.

## Secondary students

The principal of the school having local control of the bus and determining availability of room on the bus, having consulted the chairperson of the governing council, the principal of the student's school of right and the principal of the student's enrolling school, and having been advised of demographic information by the Education Director, is the officer responsible for approving whether the student may or may not travel on the school bus. Any disputes may be referred to the Education Director for adjudication.

## Primary students

The principal, having consulted the chairperson of the governing council, the principal of the student's school of right and the principal of the school having local control of the bus and determining availability of room on the bus, shall recommend travel to the Education Director who shall be responsible for approving whether the student may or may not travel on the bus.

## Preschool children

Preschool children are permitted to travel on departmentally provided school buses subject to the following conditions:



- individual approval is given in writing by the principal controlling the bus
- there is available room on the bus
- the bus is not involved in any additional travel
- the child is considered by the principal to be mature enough to travel safely on the bus and without causing difficulties for the driver
- the child is met at the set-down point/s
- permission may be withdrawn if the bus becomes overcrowded with primary and secondary school students eligible for bus travel.

## School Staff and Volunteers

Teachers and staff employed by the department or the governing council, or volunteers, may travel on departmentally provided school buses subject to the following conditions:

- individual approval is given in writing to the person, the bus driver or bus owner by the principal controlling the bus
- the bus is not involved in any additional travel
- there is available room on the bus
- permission will be withdrawn if the bus becomes overcrowded with students eligible for bus travel.

## Parents

Parents who are authorised to participate in school programs (eg reading tuition) and parents who are involved with department operated preschools may travel on departmentally provided school buses subject to the following conditions:

- individual approval is given in writing to the parent, bus driver and bus owner by the principal controlling the bus
- the bus is not involved in any additional travel
- there is available room on the bus
- permission will be withdrawn if the bus becomes overcrowded with students eligible for bus travel.

## TAFE students

Students attending TAFE Institutes may travel on school buses subject to the following conditions:

- the student is attending a full time approved course at the TAFE institute
- there is available room on existing buses
- the buses are not involved in additional travel
- the student travels under the same rules and conditions applying to school students

- applications for travel are to be handled in chronological order of request
- approval may be withdrawn at any time
- the principal of the school controlling the bus advises in writing the student, the bus driver or bus owner of the approval conditions.

## Students – out of school activities

Students are permitted to travel on buses for out-of-school activities, eg sports training, private visits and after school work, provided:

- there is available room on the bus
- the bus is not involved in any additional travel
- a request in writing from the parent/guardian is received and specific approval is given in writing to the parent of the student, the bus driver or bus owner by the principal controlling the bus.

## Students – work experience

Students are permitted to use departmentally provided school buses to attend work experience locations, subject to adherence to the conditions set out above.

## Drivers' children

Where there is no alternative option, drivers of department owned and operated buses and buses operated under contract to the department, are permitted to take their babies and small children with them on the bus provided this causes no interruption to the normal service. Babies must be in a suitable carrying device appropriately restrained and small children must be of an age where they can sit unattended without the aid of a restraint. Any associated costs are to be met by the driver.

## School buses – principal's responsibilities

### Local administration

Departmentally owned and operated buses are allocated to a specific school and the principal of that school is responsible for their day to day operation.

Principals of other schools served by the bus should liaise with the principal controlling the bus in all matters relating to the operation of the bus as it affects their students.

Contract operated buses are assigned to a specific school and the principal is responsible for associated administrative matters. Principals should liaise with the bus contractor as the owner of the business in relation to service issues. Transport Services can assist in managing contractual matters and changes to services.

## Discipline on buses

### Students



Principals are responsible for the setting of standards of behaviour of students on buses and ensuring that drivers control those standards and report breaches accordingly (see Duties and responsibilities). Principals must follow up reports of misbehaviour and take whatever action is deemed necessary, in accordance with the school policy on student behaviour on buses, including suspension from bus travel, but only after prior consultation with the parent/guardian. Students must never be put off a bus while on route as a disciplinary measure.

## Drivers

Principals are responsible for (department paid) driver demeanour and must ensure that any report of misconduct or any breach of school, departmental or legislative requirements is acted upon immediately and resolved. Any allegations of misconduct of a personal nature must be reported immediately to the Education Director for appropriate action, including legal advice as deemed necessary. Such allegations often have serious and sensitive ramifications requiring prompt attention. The Critical Incident and/or Mandatory Notification Process should be followed as appropriate.

## General responsibilities

Principals of schools which have been allocated departmentally owned and operated buses and/or who have contract operated buses under their control are responsible for the following:

- The selection, approval and supervision of drivers (see Selection and approval).
- Ensuring the availability of relief drivers.
- The general maintenance and upkeep of departmental buses and a general oversight of contract operated buses (see Cleaning of buses).
- Administrative duties, including certification of drivers' log returns and service and repair accounts for departmental buses, and the certification of claims for contract operated buses and other returns as required.
- Regularly advising the Senior Transport Officer regarding the continued efficient and economic operation of bus routes and each section of the routes in accordance with the requirements contained in this policy. Discrepancies, inequalities and opportunities for bus route extensions or deletions must be reported to the Senior Transport Officer.
- The preparation and promulgation of timetables (see Bus timetables).
- The preparation and advice to parents of contingency plans to be employed in the event of bus breakdowns or other emergencies.
- Reporting accidents or any acts of theft or vandalism involving departmentally owned buses to the Senior Transport Officer. Cases of theft or vandalism which can be traced to students, eg a slashed seat, must be followed up with the parents with a view to recovering repair costs.
- Supporting contractors in investigating acts of vandalism.
- Providing feedback regarding the performance of contractors.

- The preparation of submissions for bus route alterations or any other matters pertaining to the operation of school buses (see New bus routes and alterations).
- Ensuring that only approved students or other approved persons travel on school buses (see Eligibility to travel).
- Ensuring that departmentally owned and operated buses are not used or hired by other than departmental schools or preschools (see Hire of buses).

## Bus Drivers

### Accreditation

The Department of Planning, Transport and Infrastructure (DPTI) manages the accreditation process for drivers working with children, vulnerable adults and aged care. This accreditation process includes Department for Communities and Social Inclusion (DCSI) criminal history screening. DECD requires all paid school bus and taxi drivers to have DPTI driver accreditation.

### Licence requirements

#### Legislative requirements

These are specified in the *Motor Vehicles Regulations 2010* under the *Motor Vehicles Act 1959* and apply to all persons who wish to gain a driver licence.

As from 1 November 1998, South Australia adopted the national agreed common licence classes and condition codes developed by the National Road Transport Commission. Under the new licensing system there is no longer a specific bus licence class and the following new licence classes apply:

#### Class LR (Light Rigid)

May drive:

- any motor vehicle covered by class C (eg motor car, tractor);
- any motor vehicle with a Gross Vehicle Mass (GVM) exceeding 4500 kg but not exceeding 8000 kg (eg trucks, vans, buses designed to carry 13 or more seated persons including the driver (ie Toyota Coaster, Mazda buses, etc));
- medium articulated vehicles provided the GVM of the towing vehicle does not exceed 8000 kg.

#### Class MR (Medium Rigid)

May drive:

- any vehicle covered by class LR;
- any motor vehicle with 2 axles and a GVM greater than 8000 kg (eg 2 axle trucks, tippers and buses (ie Hino, International, Bedford buses, etc)).

#### Class HR (Heavy Rigid)

May drive:

- any motor vehicle covered by classes LR or MR;

- any motor vehicle with 3 or more axles (eg trucks and tippers).
- any bus (including articulated buses).

#### Class HC (Heavy Combination)

May drive:

- any motor vehicle covered by classes LR, MR or HR;
- a prime mover to which is attached a single trailer.

#### Class MC (Multi Combination)

May drive:

- any motor vehicle covered by classes LR, MR, HR or HC;
- road trains.

### Minimum age requirement

The department does not prescribe a minimum age, other than that specified in the *Motor Vehicle Regulations 2010*.

### Medical and eyesight requirements

Applicants must declare specific health, medical and eyesight conditions to the Registrar of Motor Vehicles, who may then require the applicant to undergo a medical and eyesight examination prior to issuing the licence.

Also, the holder of a driver licence who suffers during the term of the licence any illness or injury that may impair his or her competency to drive a motor vehicle without danger to the public must, within a reasonable time after the occurrence of the illness or injury, notify the Registrar.

Holders of DPTI driver accreditation (usually applies to buses driven for hire or reward) undergo a medical and eyesight examination.

In providing a duty of care of student bus passengers it is appropriate that all school bus drivers undergo a medical and eyesight examination every 5 years or earlier if deemed necessary by DPTI or on an individual basis by the principal in-charge-of buses. The cost of all such medical examinations are borne by the school bus driver.

Principals in-charge-of school buses are responsible for ensuring that the medical requirements are met when approving new bus drivers and during their service.

### Selection and approval

#### Departmentally owned and operated buses

Principals are responsible for the selection and approval of persons to drive buses, using normal advertising methods, and the approved departmental selection processes (ie merit system, interviews etc). The following criteria must be applied by principals when approving persons to drive buses.

- The driver must hold an appropriate bus unrestricted driving licence, ie Class LR, MR, HR, HC or MC. Conditions for obtaining these licences are prescribed by the Registration and Licensing Division of DPTI (see above).
- Paid bus drivers must have current DPTI accreditation including a DCSI Child Related Employment Screening.
- The driver must meet the medical and eyesight requirements.
- All applicants must complete an Application To Drive a School Bus (Form ED222).
- The principal must be satisfied that the driver:
  - is a responsible, mature person of good moral character
  - has the ability to apply basic supervisory skills in relation to students
  - can communicate effectively with students, parents, and school staff
  - has had recent, satisfactory bus driving experience.

By ensuring that the driver meets all of the selection criteria, the principal has imparted a shared responsibility for the duty of care of student bus passengers on behalf of the Minister.

The principal must obtain from the driver (as provided for on Form ED222) a written undertaking that he/she will:

- advise of any change in licence circumstance
- advise of any conviction of a criminal nature and any offences incurred under the *Road Traffic Act 1961*
- at all times while driving a bus be able to satisfy a zero blood alcohol reading as required by legislation (any breach of this requirement could result in instant dismissal)
- not take any drug likely to impair his/her performance as a bus driver
- advise of any other matter likely to affect his/her ability to continue to drive a bus.

There is no requirement for drivers of departmentally owned and operated buses to be trained in first aid procedures. However, all things being equal, preference will be given to a holder of a current recognised first aid certificate.

**Buses operated under contract to the department for the transportation of children to and from school.**

Principals, in conjunction with governing councils, are responsible for ensuring that drivers employed by contractors satisfy the criteria described in Licence requirements, have completed an ED222 form, meet the driver selection criteria in 'Selection and Approval' and have been approved.

Drivers of buses operated under contract to the department are required to be accredited under the *Passenger Transport Act 1994*, as contract operated school bus services fall within the Act's definition of a "passenger transport service". Accordingly, contractors are responsible for ensuring that their drivers meet this legislative requirement.

## Privately owned buses

Principals may use school owned buses or hire other buses for school purposes. The following conditions apply in these circumstances:

- If the principal engages the drivers, the criteria in licence requirements, medical and eyesight requirements and selection and approval above must be complied with.
- If the private bus operator supplies the driver, the principal must be satisfied that the driver complies with the criteria listed in legislative requirements and holds a current DPTI accreditation authority.

## Public Passenger Transport Vehicles

Drivers of chartered public passenger transport vehicles are exempt from the above criteria in selection and approval.

## Ongoing review of driver performance

Principals must ensure that drivers continue to meet the criteria described above.

Principals must be satisfied that drivers maintain their driving skills by driving buses on a regular basis throughout the year.

## Volunteer Drivers

Departmental schools and preschools may use volunteer drivers to assist with the provision of excursion transportation for students and children. “Volunteer Driver” means:

- a person who provides his or her services as a driver gratuitously (disregarding any reasonable payment for out of pocket expenses incurred in undertaking the driving).
- an employee whose conditions of employment are unrelated to driving a vehicle but who is willing to undertake some driving to assist his or her employer in some respect, and whose salary does not include an amount or component attributable to or based on the fact that he or she undertakes (or may undertake) some driving.

Principals must ensure that the volunteer drivers satisfy the criteria described in licence requirements and selection and approval.

The DPTI driver accreditation requirements do not apply to volunteer drivers who assist with the above-mentioned departmental excursion transportation services. Responsibility for ensuring the fitness and propriety of volunteer drivers rests with the department who is required to implement appropriate assessment procedures. Principals are required to ensure that drivers are appropriately licensed and are fit to drive.

## Duties and responsibilities

Principals must initiate the formulation of a school policy on student behaviour on buses in terms of Regulation 43. Principals must ensure that students, parents and bus drivers are aware of the policy and must provide every possible assistance to drivers in implementing it. (See also School buses – principal’s responsibilities).

### Drivers of departmental owned buses must:

- Ensure the safety and behaviour of students while they are entering, travelling in and alighting from the bus, and report continued or serious misbehaviour to the principal. Drivers must not, under any circumstances, put students off the bus as a disciplinary measure or use any form of corporal punishment.
- Observe the requirements of the *Road Traffic Act 1961* and the *Motor Vehicles Act 1959*, Australian Road Rules, all signs, signals, road restrictions and be courteous to other road users.
- Use discretion in an emergency situation, but on no account leave children unsupervised in such a situation.
- Before each trip, check tyres, coolant level, engine oil level, brakes, horn and steering. Ensure that all lights are operating, and that lenses, reflectors, mirrors, and front and rear windows are clean.
- When carrying students, ensure that the lights are switched on (low beam).
- Constantly monitor gauges and warning systems and stop the bus on any indication of fault. Report the fault immediately to the service garage. Any other suspected or noted faults must also be reported to the garage. In cases of damage to a bus which can be proven to be caused by driver negligence, the Minister reserves the right to recover all or part of the costs.
- Ensure that doors are closed when the bus is in motion.
- Ensure that keys are not left in the ignition when the bus is not being driven, and that the bus is locked when unattended.
- Ensure that the parking brake is engaged when the bus is stationary.
- Fuel the bus (refer to fuelling buses).
- Avoid reversing a bus unless a responsible person is available to provide guidance.
- Ensure that children sit in assigned seats if this procedure has been authorised by the principal.
- Not convey any person other than approved students and passengers (see eligibility to travel).
- Not allow parcels or equipment, other than hand held luggage, to be carried on the bus (see carriage of goods).
- Adhere strictly to the bus timetable (as amended from time to time) prepared by the principal.



- Arrange delivery of the bus for service and repair work as required, issue and sign order prior to the work being performed.
- Complete entries in the Bus Log Book Form (Ed 037) daily.
- Maintain the bus in a clean condition, inside and out.
- Ensure that fire extinguishers are regularly checked and maintained in an effective working order.
- Ensure that first aid kits are maintained in a clean condition and stocked in accordance with the list provided in the kit.
- Report all vehicular accidents immediately (see bus accidents).
- Not drive in bare feet, thongs or derivatives, or high-heeled shoes.
- Not use ear plugs, ear muffs or ear phones while driving a bus.
- At all times while driving a bus be able to satisfy a zero blood alcohol reading as required by legislation (any breach could result in dismissal).
- Not take any drug likely to impair performance as a bus driver.
- Not smoke in buses.
- Not set children down at other than their normal bus stop without specific approval in advance from the principal.
- At all times observe local speed restrictions, exercise judgement and regulate speed according to road and/or weather conditions.

#### Drivers of contract operated buses carrying children to and from school must:

- Ensure the safety and behaviour of students while they are entering, travelling in and alighting from the bus, and report continued or serious misbehaviour to the principal. Drivers must not, under any circumstances, put students off the bus as a disciplinary measure or use any form of corporal punishment.
- Observe the requirements of the *Road Traffic Act 1961* and the *Motor Vehicles Act 1959*, all signs, signals, road restrictions and be courteous to other road users.
- Use discretion in an emergency situation, but on no account leave children unsupervised in such a situation.
- When carrying students, ensure that the lights are switched on (low beam).
- Ensure that doors are closed when the bus is in motion.
- Avoid reversing a bus unless a responsible person is available to provide guidance.
- Ensure that children sit in assigned seats if this procedure has been authorised by the principal.
- Not convey any persons other than approved students and passengers (see eligibility to travel).
- Not allow parcels or equipment, other than hand held luggage, to be carried on the bus (see carriage of goods).

- Adhere strictly to the bus timetable (as amended from time to time) prepared by the principal.
- Not drive in bare feet, thongs or derivatives, or high-heeled shoes.
- At all times while driving a bus be able to satisfy a zero blood alcohol reading as required by legislation (any breach could result in withdrawal of authority to drive).
- Not take any drug likely to impair performance as a bus driver.
- Not smoke while children are in buses.
- Not put children down at other than their normal bus stop without specific approval in advance from the principal.
- At all times observe local speed restrictions, exercise judgement and regulate speed according to road and/or weather conditions.

#### Drivers of private and school owned buses must:

- Ensure the safety and behaviour of students while they are entering, travelling in and alighting from the bus, and report continued or serious misbehaviour to the principal. Drivers must not, under any circumstances, put students off the bus as a disciplinary measure or use any form of corporal punishment.
- Observe the requirements of the *Road Traffic Act 1961* and the *Motor Vehicles Act 1959*, all signs, signals, road restrictions and be courteous to other road users.
- Use discretion in an emergency situation, but on no account leave children unsupervised in such a situation.
- Ensure that doors are closed when the bus is in motion.
- Avoid reversing a bus unless a responsible person is available to provide guidance.
- Not allow parcels or equipment, other than hand held luggage, to be carried on the bus (see carriage of goods).
- Not drive in bare feet, thongs or derivatives, or high-heeled shoes.
- At all times while driving a bus be able to satisfy a zero blood alcohol reading as required by legislation (any breach could result in withdrawal of authority to drive).
- Not take any drug likely to impair performance as a bus driver.
- Not smoke while children are in buses.
- Not set children down at other than their normal bus stop without specific approval in advance from the principal.
- At all times observe local speed restrictions, exercise judgement and regulate speed according to road and/or weather conditions.



## Hours of driving

Drivers of school buses must comply with the requirements set down within schedule 2 of the *Road Traffic (Heavy Vehicle Driver Fatigue) Regulations 2008*. These regulations determine the hours of driving and rest that must be complied with.

The regulations may be summarised as follows:

A person shall not drive a school bus where that person has:

- previously driven for more than 12 hours within a 24 hour period without having taken a minimum of 7 continuous hours of stationary rest time; or
- not had at least 6 nights rest breaks within a 7 day period; or
- previously worked for periods aggregating more than 288 hours within a 28 day period without a minimum of 4 blocks of 24 continuous hours of stationary rest time.

For the purpose of these regulations, the following is taken to be the work time for a driver of a school bus:

- any time spent driving a regulated heavy vehicle (road or otherwise);
- any time spent doing tasks related to the operation of a related heavy vehicle.

Exceptions apply to drivers working under Basic Fatigue Management (BFM) or Advanced Fatigue Management (AFM) accreditation or a work/rests hour's exception. Drivers need to follow this up with the relevant authority to ensure compliance.

The above summary should not be taken as the definitive guide to hours of driving etc and all drivers are required to be familiar with and follow the law as set out in the regulations and other statute.

## Speed limits for buses

Drivers must observe the legislatively prescribed upper speed limit for buses.

Drivers must at all times observe local speed restrictions, exercise judgement and regulate speed according to road and/or weather conditions.

The legislatively prescribed speed past a bus displaying a "School Bus" sign is 25 kph when that bus is stopped on a road apparently for the purpose of allowing children to board or alight.

## Payment to drivers of departmental buses

### Buses

Departmental buses are to be garaged at schools overnight and during the day, unless it is more appropriate for the department to have the bus garaged at the terminus for economic reasons.

In accordance with recognised industrial principle, employees are required to attend a work place designated by the employer. The cost of travel from the employee's home to the work place is the responsibility of the employee.

The designated work place for drivers of departmentally owned and operated buses is either the school, or the bus terminus when a bus is garaged away from the school.

Drivers are not permitted to drive buses between the school and home, the terminus and home, or to and from the school or terminus to any other place for personal use.

Drivers of departmentally owned route service buses are paid fortnightly on the production of a log return (Form ED 037). Payment is based on the route distance travelled on a daily basis in accordance with the prescribed rates. If a bus breaks down on route the driver is paid as for a normal run. If the driver is required to spend time with the bus, beyond that time which the normal run would have taken, then an hourly payment should be made. If a driver presents him/herself to drive a bus and the bus is immobile and a spare bus is not available then the driver is paid for a normal run.

Drivers of departmentally owned and operated buses are not paid if a school, which comes within the provisions of the Locality Award, closes on account of a scheduled holiday as provided for in the Award. In these circumstances, advance notice of such a scheduled closure must be given to the driver.

### Private motor vehicle usage

Drivers are not paid for the use of private vehicles for travel between home and school or home and terminus, except in the following circumstances:

- where a private vehicle is driven from the school along a lineal route to the bus terminus to avoid the bus being double run over the route. In this instance the driver would be eligible to be paid car mileage for the distance travelled from school to the terminus in the morning and from the terminus to the school in the afternoon. Where the distance between the driver's home and terminus is shorter than the distance from the school to the terminus, payment is to be based on the shorter distance.
- where a driver drives a bus from the terminus to the school and uses a private vehicle to return to the terminus, payment is to be based on the distance from the school to the terminus. Where the distance between the school and the driver's home is shorter than the distance between the school and terminus, payment is to be based on the shorter distance.

### Fuelling of buses

Diesel powered buses can be fuelled while students are on board, however the fuelling of buses must be undertaken in such a manner so as not to affect bus timetables.

## Hire of Buses

### Departmental buses

#### Excursions – Departmental schools

Department owned and operated buses may be hired by departmental schools and kindergartens for departmentally approved excursions for departmental students and preschool children.

Before departmental schools and preschools decide to hire departmentally owned and operated bus for excursion purposes they are required to seek quotations from known local bus operators and fairly compare the costs and benefits of all options. Service suppliers should be given an open and fair opportunity to do business with Government; and buyers are expected to consider more than one offer to be sure that they are securing value for money. See hire of privately owned buses.

Fees for the hire of DECD school buses are no longer required to be reimbursed to the department and can be retained by schools.

If schools decide to hire a department owned and operated bus, the following conditions apply:

- Compliance with Government policy which requires the approval of the COO to use Government vehicles outside South Australia.
- The use of the bus does not interfere with the daily conveyance of students to and from school, unless the principal and chairperson of the governing council are satisfied that satisfactory transport arrangements are made for the children who would normally use the bus which has been taken on the excursion. These arrangements must not include the diversion of another bus in the area or the hire of another bus unless at the cost of the school or preschool.
- The use of a bus does not interfere with normal service or repair work.
- Spare buses, which are provided in some areas to facilitate repair work and as back up in the case of breakdowns, are not to be used on excursions, nor are they to be used as replacements to release buses for excursions except as a back-up in the case of a breakdown of the prime vehicle.
- No responsibility is accepted by the department for any expense that may occur in providing alternative transport or accommodation should the departmental bus break down during any stage of an excursion. The department will assume responsibility for repairs to a bus should it break down.
- An approved driver is in charge of the bus and the department is not involved in any associated driving costs.
- The hire of buses is not restricted to the school to which the bus is allocated.
- The calculation of hire costs should include the total distance travelled, including pick up and return distances, in addition to the excursion distance.

- Compliance by the driver with the *Commercial Motor Vehicles (Hours of Driving) Act 1973* (see hours of driving).
- Principals or directors of departmental preschool facilities must ensure that the roads to be used on excursions are all weather and suitable for use by buses and that the driver has had recent experience driving a bus in the type of terrain to be covered by the excursion. Common sense must be exercised by the principal or director in the selection of the location of the excursion, and hazardous areas should be avoided.

## Excursions – preschools

Departmentally controlled preschools and teacher led play groups may hire departmentally-owned and operated buses through the schools at which the centres are based, subject to the conditions in excursions.

## Holiday recreation programs

Department owned and operated buses may be hired by departmental schools for the transportation of departmental students on departmentally approved holiday recreational programs, and by governing council sponsored Out of School Hours Care Program during school holidays, subject to the conditions in excursions.

## Privately Operated Preschools

Departmentally owned and operated buses are not permitted to be hired or used by privately operated preschools.

## Driver training

Departmentally owned and operated buses may be hired for driver training and licence testing by persons who will become regular route or relief drivers, subject to the following:

- the distance travelled in excess of the normal daily route distance must be paid for at the appropriate per km hire rate in accordance with the normal bus hire procedures
- an appropriately licensed and experienced person is supervising the training
- the learner driver and supervisor are the only persons permitted to travel on the bus during the training sessions.

In addition, learner drivers may use buses at no cost where the bus travels on part of its normal route without children on board and subject to the above conditions.

Conditions governing the previous driving experience of the learner drivers and size of bus permitted to be driven are specified in the Regulations under the *Motor Vehicles Act 1959* (see licence requirements).

## Non-Government schools

Departmentally owned buses are not permitted to be hired or used by non-Government Schools.

## Outside organisations

Departmentally owned and operated buses are not permitted to be hired or used by private organisations, Government or semi-Government bodies, school based organisations or teacher bodies.

In the case of a declared State or national disaster, departmentally owned and operated buses may be requisitioned by the person in charge of disaster relief. Principals should acquaint themselves with the local arrangements and the name of the officer responsible for disaster relief in the area.

## Hire of privately owned buses

Principals are permitted to hire privately owned buses for educational or other excursions, subject to the following conditions:

- A firm price quotation is received in advance.
- An inspection of the bus to be used on the trip is made by the principal or delegated person, with particular attention to luggage storage, seat comfort, seating capacity, cleanliness and the company's ability to provide back-up service or assistance in the case of breakdowns.
- The bus is fitted with a current safety label (commonly known as a "safety triangle").
- All costs associated with the excursion and bus hire are borne by the school.
- An approved driver is in charge of the vehicle (see selection and approval).

## Bus Equipment and Fittings

### Seat belts

As part of the increased safety standards for school buses, DECD owned and contracted buses have been replaced with buses fitted with seat belts. With the installation of seat belts, a new policy has been established by DECD to maximise student safety. Whilst the current legislation does not specify that children must use seat belts in school buses (even if they are fitted), DECD expects students to use them in the interest of safety.

Drivers should encourage all students to use seatbelts, but not physically intervene if they choose not to do so. School bus drivers and contractors should report any child who refuses to wear their seatbelt to the principal.

Any damage to seats and seat belts may mean that seats are unusable and the bus may be defected until seats are repaired. Often, seats and seat belts cannot be repaired by local garages and repairs may need to be inspected by an engineer before use. This damage and the associated delays can lead to a loss of service to schools and students, as well as financial losses to school bus contractors.

Repair costs for all seat and/or seat belt damage caused by student vandalism will become the school's responsibility.

Transport Services, DECD will arrange and pay for any seat and seat belt repairs on DECD buses and then invoice schools accordingly. School bus contractors should also arrange and pay for repairs on their buses and invoice schools. Schools should recover these costs from parents where applicable.

## Booster seats

The principal is responsible, in liaison with parents and drivers, for determining whether a smaller child can travel safely on a bus. If the child cannot travel safely because of their size (ie seat belt cuts across their throat), then appropriate action must be taken before travel approval is given. In these cases, parents will be invited to supply a booster seat. It is the parent's responsibility to provide a booster seat which meets Australian Design Rules. Refer to the following website for further information regarding suitable booster seats. [www.infrastructure.gov.au/roads/motor/design/index.aspx](http://www.infrastructure.gov.au/roads/motor/design/index.aspx)

Drivers of school buses are not required to ensure that children wear seat belts or are appropriately secured if a booster seat is in operation. It should be noted that in the case of children under four years of age travelling on school buses the use of capsules or inbuilt seat belt harness is not possible as the busses are not fitted with the relevant anchorage arrangements.

## Seating capacity

Seat sizes are prescribed by legislation as follows:

Where buses are not fitted with seat belts three children up to the age of fourteen years may occupy a double seat of not less than 860mm in width providing that:

- the gap between the seat backs is no greater than 100mm
- the gap between the seat cushions is no greater than 50mm
- the seat backs remain in the upright position when three children occupy the seat.

The seating capacity by these measurements is a guide as to the maximum number of students who can be seated, and depending on the actual physical size of students, the optimum bus seating capacity may or may not be met.

## First aid kits

First Aid Kits are supplied in all buses owned and operated by the department and drivers must ensure that the kits are stocked and left in the bus at all times.

In the event of a complete kit needing to be replaced, it should be ordered through Transport Services.

In the case of vandalism or theft from a locked bus, the replacement cost is to be charged to the Bus Fleet Number.

In the case of vandalism or theft from a bus not locked at the time of the incident, the replacement cost must be met from school funds (see duties and responsibilities).



## Radios and other audio equipment

Departmentally owned and operated buses are not provided with radios, cassette players, mobile phones or any other audio equipment. However, the installation of such equipment is permitted under the following circumstances:

- The equipment is purchased at no cost to the department.
- The equipment is installed in a professional manner and installation and removal cost is not the responsibility of the department.
- The installation does not involve drilling or cutting of the interior or exterior of the bus body.
- Aerial fittings must be the "clamp" type.
- Maintenance and/or replacement is not the responsibility of the department.

Personal radios/tape recorders with ear plugs or ear phones are not to be used by drivers. In the event of bus breakdowns or other emergencies a local school established contingency plan must be actioned.

CB radios are fitted in new department owned buses.

## Fire extinguishers

The Code of Practice for Buses stipulates that every bus registered in South Australia shall carry within it, in such a position as to be readily available for use, an appropriate and efficient fire extinguisher. Every fire extinguisher shall be maintained in an effective working order, having adequate operating instructions displayed.

Fire extinguisher servicing is part of the corporate preventative maintenance program. When schools have their on-site extinguishers serviced, extinguishers on department owned buses must be serviced at the same time.

Replacement fire extinguishers are available from Transport Services, subject to the following conditions:

- In the case of bona fide usage, the replacement costs will be charged against the Bus Fleet Number
- In the case of vandalism or theft from a locked bus, the replacement cost will be charged to the Bus Fleet Number.
- In the case of vandalism or theft from a bus not locked at the time of the incident, the replacement cost must be met from school funds (see duties and responsibilities).

## Curtains

Departmentally owned and operated buses are not provided with curtains. The installation of curtains at windows behind the driver's field of vision, excluding the back window, is permitted under the following circumstances:

- The curtains and installation fittings are purchased at no cost to the department.

- Installation is carried out in a professional manner. The installation and subsequent removal costs is not the responsibility of the department.

## Tinted windows

Windows in buses which are not tinted in manufacture must not be replaced with tinted windows nor have artificial tinting, including sprays or stick-on material, applied. Additional tinting and other window treatment is not to be carried out on windows which are tinted in manufacture.

## Body modifications and accessories

Body and other modifications and the fitting of accessories to buses is not permitted without approval from Transport Services.

## Advertising on or in buses

### Departmentally Owned and Operated Buses

- The fixing of advertising signs, material, stickers, or any other form of advertising is not permitted.

### Privately and School Owned Buses

- No restrictions apply to advertising and other adornments while the bus is being used for departmental purposes, with the exception of advertisements of a political or religious nature.

## School bus signs

The *Road Traffic Act 1961* provides legislative protection for buses which display the words "School Bus" on the front and rear thereof. It requires that persons shall not drive a vehicle at a greater speed than 25kms per hour while passing a school bus that has stopped on a road for the purpose of permitting children to board and alight.

Departmentally owned and operated buses display "Caution School Bus" signs and buses contracted to the department are also required to have such signs affixed while being used for the transportation of school children.

## Tow bars

The fitting of tow bars to departmental buses is permitted only on small buses, subject to the following conditions:

- Schools are responsible for all costs associated with the purchase and installation of an approved tow bar, tongue and light fittings. The cost of removal of this equipment is also the responsibility of the school.
- The installation must be carried out by a qualified person.
- The trailer to be towed behind the bus must meet the conditions stipulated in trailers.



## Trailers

Governing councils are permitted to purchase trailers for use with buses, subject to the following conditions:

- The towing of trailers behind departmental buses is restricted to small buses.
- All costs associated with the purchase, registration and operation are met by the governing council.
- Appropriate insurance cover is effected. Trailers are normally covered by the comprehensive insurance policy of the towing vehicle; however, if a school or privately owned trailer is to be towed behind a departmentally owned and operated small bus, the principal must ensure that the trailer has insurance cover since the Government carries its own insurance risk for buses which does not extend to trailers.

When school owned or private trailers are to be towed behind private or school owned buses, principals must ensure that appropriate insurance is effected.

## Bus Servicing and Maintenance

### Legislative requirements

The *Road Traffic Act 1961* requires that all South Australian registered buses be inspected and safety labelled annually by inspectors from the Vehicle Inspection Section of the Transport SA. The Act also allows for random inspections to be undertaken.

Responsibility for ensuring that buses are inspected for safety labelling rests with the Vehicle Inspection Section. Departmental School Bus Examiners have a legislative delegation to inspect and safety label buses.

The Code of Practice for Buses prescribes for mandatory one monthly, three monthly and twelve monthly inspection schedules with which all bus owners must comply. The Code also specifies standards for bus construction and safety aspects.

No bus is permitted to operate without a current safety label (commonly known as a "safety triangle").

### Departmental buses

The department is responsible for ensuring that departmentally owned and operated buses are maintained to the standards specified in the Code of Practice for Buses and for their continued safe operation and ability to pass the compulsory and random inspections.

The Code of Practice prescribes a regime of Mandatory Maintenance Inspections to be completed at monthly intervals whereby an inspection by a qualified person is completed according to a set list of items to be checked. A Mandatory Maintenance form is completed at the time of each of these inspections and is retained by the school for presentation to the heavy vehicle inspector upon his request.

The maintenance of DECD owned school buses is the responsibility of the Principal of the school at which the bus is located. The Principal ensures that buses are made available to the local garage for their monthly Mandatory Maintenance Inspection and ensures that any faults with the bus which have been reported by the drivers are inspected and, if necessary, repaired by the local garage. The Principal is responsible for providing local purchase orders to garages for this work.

School bus examiners are employed by Transport Services to carry out on-site inspections of departmentally owned buses and they are authorised to issue work orders and instructions to service personnel to ensure the continued efficient and safe operation of the bus fleet. The examiners are required to inspect the buses at least twice a year and prepare a comprehensive report following each inspection. In accordance with their delegation the school bus examiners fit safety labels to buses which pass the prescribed inspection.

In addition to the inspections undertaken by school bus examiners and the inspections undertaken by garages to comply with the legislative requirements, principals and drivers have a responsibility to monitor bus performance and report faults.

## Contract buses

The DPTI Vehicle Inspection Section is responsible for ensuring that contract operated buses are safety labelled in accordance with the legislation. This involves at least an annual inspection by DPTI Inspectors.

Contract operated buses are inspected twice a year by school bus examiners to determine their continued suitability for school contract work, suitability for transfer of ownership, and estimated life.

## Spare buses

Departmentally owned spare buses are located throughout the State to assist the servicing programs of departmentally owned and operated buses and to provide emergency back-up service in the case of breakdowns.

Spare buses are not to be used on excursions, nor are they to be used as replacements to release buses for excursions, except as a back-up in the case of a breakdown of the prime vehicle.

Spare buses are garaged at service centres. Principals requiring the services of a spare bus should contact the Senior Transport Officer, Transport Services Unit. Collection of spare buses and return to the town of allocation is the responsibility of the school using the bus.

The department maintains a small spare fleet in Adelaide to cover for major breakdowns. In addition, new buses awaiting delivery and buses awaiting sale are stored in Adelaide. These vehicles are controlled by the department's Transport Services and allocation is considered on a needs basis.

Spare departmentally owned buses may be used to cover for a contractor's bus which has broken down (see below).

## Bus breakdowns

In the case of a departmental bus breakdown en route an established contingency plan to advise parents should be put into action and one of the following options should be employed:

- if practicable, a departmental or contract operated bus can be diverted to provide assistance
- if a spare bus is available, either departmentally or privately owned, that bus may be substituted for the broken down bus.

In the case of a contract operated bus breaking down en route, an established contingency plan to advise parents should be put into action. It is the contractor's responsibility to provide a replacement bus at his/her own cost. If the contractor is unable to provide a vehicle, no contract payment is to be made for the period involved. However, principals may use a departmental bus to assist, in which case the departmentally employed driver will be paid by the department.

Where a bus breakdown occurs prior to the commencement of a run, the following is to apply:

- in the case of a departmentally owned bus, a spare departmental bus may be substituted, or a privately owned bus and/or driver may be hired subject to approval from the Senior Transport Officer
- in the case of a private contractor's bus, it is the responsibility of the contractor to provide a replacement vehicle at his/her cost. If this cannot be done, the principal may use a departmentally owned spare bus or, if practicable, double run or divert another departmentally owned bus. Where a spare bus is used in these circumstances, the principal is to employ the driver and payment will be made accordingly. The contract will be suspended pending reinstatement of the contractor's bus.

In the case of short term breakdowns involving only one or two trips, the principal may authorise the contingency plan and advise the Senior Transport Officer of that plan as soon as possible. If the breakdown is anticipated to be long term and, if a departmentally owned and operated bus is involved, then Transport Services must also be advised.

## Cleaning of buses

The cleaning of departmentally owned buses inside and out is the responsibility of drivers. Principals should make school facilities and equipment available for such purpose. The cleaning of buses should be performed in such a way that waste water run off does not enter water courses.

The provision of items such as dusters, chamois cloths, brooms, floor mats and other items, eg bins, is the responsibility of the school.

## Bus garaging

The department does not provide undercover parking areas or provide assistance to upgrade any existing facilities.

# Travelling Allowances

## Types of travelling allowance

Persons eligible for travelling allowance payments may receive one, or depending on the circumstances, a combination of the following forms of assistance:

- Car Allowance – payable on a per family basis at a prescribed per day rate.
- Public Passenger Transport Grant – payable on a per child basis in the form of an annual grant.
- Private Bus Service – reimbursement of fares incurred on licensed private bus services.

## Distance criteria

A travelling allowance is payable to the parents/guardians, and in some cases the student direct, (except for students with disabilities. Refer to Transport for students with disabilities) where the usual place of residence of the student is in South Australia and is 5km or more from the nearest Government school or school bus service provided by the department, and the student attends that school on a daily basis.

The distance of a student's residence from the nearest Government school is defined as the distance calculated by the shortest practicable route from the place of residence of the student to that school, or to a transport service provided by the department, whichever is the shorter, unless the student is attending a school other than the nearest Government school for a reason detailed below, in which case the distance is that of the student's residence from the school attended.

## Eligibility

### General

Conditions under which travelling allowances may be paid for students are contained in *Education Regulations 2012* Regulations 80 and 81, except for students with disabilities the conditions for which are contained in *Education Regulations 2012* Regulation 82.

### Eligibility criteria

Students who satisfy the following criteria are eligible to receive a travelling allowance:

- Students attending the nearest Government school who satisfy the distance criterion (see distance criteria).
- Students who qualify under the distance criterion but who attend a more distant Government school. In these circumstances, the allowance is calculated having regard to the distance to the nearest Government school. Where a student exercises a choice of school as defined in Eligibility to travel, the travelling allowance is to be calculated to the nearest school bus route from the student's residence.

Students in the following specific categories, subject to the distance criteria being applied to the school attended can be approved for travel allowance as follows:

- Students attending a school other than the nearest Government school, for whom the Education Director has determined that the school is the nearest which offers a course of study which meets the educational needs of the student.
- Students attending a school other than the nearest Government school for whom the Education Director has determined on the basis of specialist psychological and other relevant advice:
  - that the school is the nearest which adequately caters for the particular emotional or psychological needs of the student; and
  - that failure to facilitate attendance at the school would mean the likelihood of the student suffering significant emotional or psychological distress, which would interfere with the student's ability to participate in the curriculum.
- Students directed by the Education Director to attend a specified school because of disciplinary and conflict problems.
- Students who at the request of Families SA, are required to attend or continue to attend a school other than their nearest Government school.
- Students who are required or encouraged by the department to attend an alternative Government school to alleviate overcrowding at the neighbourhood Government school.

In each of the above specific categories, the school or departmentally provided bus service nearest to the student's place of residence is to be disregarded for the purpose of assessing eligibility for a travelling allowance.

Students attending non-Government primary or secondary schools are eligible for travelling allowances, but the distance criterion is determined as for travel to the nearest Government primary or secondary school or school bus service arranged by the department, or the school which they attend, whichever is the nearer.

In cases where approval has been granted for students to receive a travelling allowance, or travel in a school bus en route to and from school, and such approval has been based on specific circumstances, eg individual educational needs, there is no entitlement for siblings of those students to receive a travelling allowance or be granted approval to travel on the school bus.

Attendance at a school, other than the nearest school or school served by a school bus, by an older sibling does not give an entitlement to a younger sibling to receive a travelling allowance or be granted approval to travel on a school bus to that school.

Where a student is attending a school of choice, eligibility for the payment of a travelling allowance is to be calculated as though the student was attending the nearest Government school or using the nearest school bus service arranged by the department.

Travelling allowances apply only for the year of application and retrospective payments for other than that year will not be made.

## Transport for students with disabilities

Pursuant to the *Education Regulations 2012*, Regulation 82, the Chief Executive may approve payment of the total cost of transporting a child, considered by the Chief Executive to have a disability to that preschool, school, centre or class, or may pay an allowance to a parent who transports his or her child to that preschool, school, centre or class, under such reasonable conditions as he or she may determine.

In accordance with the above, the Chief Executive may provide fully paid services using taxis or buses, or the payment of travel allowances. To support this, transport assistance is available in the following forms for eligible children/students:

- Regular school bus services where appropriate.
- Taxi or contracted bus services arranged by the department at no cost to the parent/carer for one return trip on each school day between the child/student's residence or negotiated pick-up point and the school.
- A daily car allowance paid on account of the use of a motor vehicle for transport between the child/student's residence and the school/pre-school attended.
- The reimbursement of fares paid for travel to and from school on licensed private bus services.
- An annual grant paid in respect of travel to and from school by means of public transport services.

### Conditions

DECD children/students to which this policy applies are eligible for transport assistance, as outlined, if they bypass their local DECD school/preschool (by a minimum of 5kms) to attend the closest/appropriate DECD Special Option, as determined by a DECD special options placement process. If a child/student is attending their local preschool/school, or they live within 5kms of the Special Option attended, transport assistance will not be provided.

Transport assistance is only available between the child/student's home/respite accommodation and school/preschool/out of school hours care.

The most appropriate form of transport assistance will be determined based on the following conditions:

- The availability of a service provider/driver.
- The safety of the child to travel in a taxi/bus with other children/students and without adult supervision. If the department determines that it is unsafe for a child/student to travel in a taxi/bus, then the parent/carer will only be offered a car allowance for the purposes of transporting their child to and from the school.



- A child of non-compulsory age/below the age of six will only be offered car allowance to support early engagement, identify support networks and reduce social isolation; all of which support child protection.
- The duration/distance of the journey – children/students cannot be identified/established, only a car allowance will be offered.
- Students will not be placed on runs alone. If a run with other children/students cannot be identified/established, only a car allowance will be offered.

## National Disability Insurance Scheme (NDIS)

The department has become a service provider for transport under the NDIS, which is administered by the National Disability Insurance Agency (NDIA).

As children/students transition to the NDIS, they will be required to meet the NDIS 'reasonable and necessary' criteria to assess transport assistance. This criteria overrides the departmental criteria; however, once transport assistance is approved under the NDIS, the most appropriate form of assistance will continue to be determined by DECD.

If a child/student has a NDIS Plan, transport must be included as a support item and must be approved by the NDIA in order for families to continue to use the department's Transport Assistance Program.

For new requests for transport assistance submitted by parents/carers, it is important for families to connect with NDIS to establish eligibility, prior to contacting the school/preschool to access the program. The DECD Transport Assistance Application Form will require an NDIS number for processing.

## General

### Road signs

The provision of road warning signs is the responsibility of DPTI and/or the local council controlling the road. Requests for such signs, eg "Children Crossing", "School Bus Stop", are to be made to those authorities.

### Railway crossings

Buses owned and operated by the department, owned and operated by schools, operated under contract to the department or chartered by schools must follow the Australian Road Rules 1999 with regard to level (railway / tram) crossings.

### Ferries

There is no legislative requirement as to whether persons are to remain in vehicles while on board a ferry. In situations where school buses are required to travel on ferries it is recommended that students remain in the bus, but principals may determine policy in this regard.

## Bus stop shelters

The department is not responsible for the provision, maintenance or removal of bus stop shelters.

## Carriage of goods

Legislation requires that buses shall not carry any parcel, goods, luggage, newspapers or mail, weighing more than 20 kgs except in inbuilt storage compartments.

No parcel, goods, luggage (other than hand luggage), newspapers or mail shall be carried in the passenger seating space of any bus. The aisles of buses must be kept clear at all times.

## Smoking in buses

Smoking is not permitted in buses owned and operated by the department, owned and operated by schools, operated under contract to the department and chartered by schools.

## Eating and drinking in buses

Eating in buses is not to be encouraged. However, having regard to cleanliness, comfort of other passengers and local circumstances, principals should determine local policy. This applies also to drinking on buses, but students should be encouraged in the interests of safety to avoid the use of glass containers and the consumption of hot drinks.

## Bus accidents

All accidents involving Government vehicles must be reported to the police within 24 hours of the accident occurring. In addition, the accident must be reported to the principal on a Vehicular Accident Report Form. The report must be sent immediately to the Senior Transport Officer to enable follow-up action, including repairs, to be initiated.

In cases of personal injury suffered as the result of a bus accident, the following is to apply:

- Departmental Bus – An Accident/Injury Report (ED155) must be completed and forwarded to the Manager, Occupational Health and Safety Unit. A copy of ED155 must be attached to the Vehicular Accident Report Form.
- Contract Operated, School Owned and Charter/Hire Buses – Accident/Injury Report (ED155) must be completed in the event of injury to school children and departmental staff and forwarded to the Manager, Occupational Health and Safety Unit
- The Critical Incident process should be followed in the event of a serious accident.

In accidents involving other than Government vehicles (eg contractor operated school buses) the principal must be notified of the accident as soon as possible.

Drivers of departmental buses are not to make any statement about the accident, other than to police officers, unless instructed by the department.

Where damage is sustained to a departmentally owned and operated bus, the driver or other responsible person must determine whether the vehicle is safe to be driven. The damage must be reported as soon as possible to the servicing garage.



In cases where negligence on the part of the driver can be proven, the Minister reserves the right to recover all or part of the repair costs from the driver.

## School owned buses

Governing councils are permitted to purchase buses for school use and they are responsible for:

- all costs associated with purchase, registration, compulsory third party insurance and operation of the bus
- effecting insurance cover as required
- obtaining the appropriate route or charter licenses from DPTI
- ensuring that all legislative requirements pertaining to the owning and operating of buses are met
- the provision of drivers in accordance with the requirements contained in Selection and approval.

The *Passenger Transport Act 1994* provides for the accreditation of persons who operate a passenger transport service. The Act defines a "passenger transport service" as a service consisting of the carriage of passengers for a fare or other consideration (including under a hire or charter arrangement or for consideration provided by a third party).

The *Passenger Transport Regulations 2009* exempt a school transportation service operated by the department to carry school children from the operator accreditation provisions. Departmental governing councils are included in this exemption, provided that they only operate school owned buses to carry school children.

## Luggage storage

Students should be instructed to place bags and equipment, other than hand held luggage, in luggage racks, under seats or in other appropriate storage areas. Racks must not be used to carry or store other items that may put students' or the driver's safety at risk in the event of an unforeseen circumstance.

## Colour of school buses

The internationally accepted safe colour for road vehicles is yellow and the department has adopted that colour for all departmentally owned buses.

## Registration and compulsory third party (bodily only) insurance

### Departmentally owned buses

The department is responsible for the payment of registration and compulsory third party (bodily only) insurance costs. The third party insurance covers all passengers travelling on the bus at any time.

### School and privately owned buses

Schools and private owners are responsible for the payment of the registration and compulsory third party (bodily only) insurance costs. This third party insurance covers all passengers travelling on the bus at any time.

## Comprehensive insurance

### Departmentally owned buses

The Government carries its own comprehensive insurance cover for Government vehicles.

### School and Privately owned buses

There is no requirement that these buses be comprehensively insured. The decision to insure or not rests with the owner and any associated costs are the owners' responsibility.