



Loughborough
University

Strategic analysis of current bus safety issues

A Review

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Executive Summary

Bus safety in England is a key focus for the Urban Transport Group (UTG). However, there are differences between London and the rest of the country in terms of safety policy. This is because of the long-standing franchise model used by Transport for London (TfL), meaning they have authority over, and a wider influence on the delivery of public transport. Outside of London, public transport is the responsibility of the individual local government authorities, who do not have the same influential powers as TfL to demand higher bus safety standards beyond the basic vehicle safety standard.

The Urban Transport Group commissioned Loughborough University's Transport Safety Research Centre to conduct a review of the current approach to bus safety in England outside of London. A desk top analysis of available bus safety documents and relevant information was conducted with supporting interviews of a selection of UTG members from Local Transport Authorities, the Traffic Commissioner and the Driver and Vehicle Standards Agency (DVSA) providing additional material for the review.

The objectives for the review were as follows:

- To understand the strengths and weaknesses of the current system of regulation of bus safety and the role of local authorities and Local Transport Authorities within it.
- To develop best-practice recommendations as to how the regulatory framework for safe bus travel could be improved.
- To provide an overview of the main safety challenges in the bus sector and how they might best be addressed.

The document review found that there are bus safety-related standards and guidance available in many of the areas of bus safety and bus travel, but there are gaps, particularly in the areas of safe vehicle design, monitoring driver performance and investigating/reporting accidents and incidents involving buses. Also, where there is documentation available, it is often only guidance rather than standards or legislation, for example, buses are kept to the minimum legal safety requirements. What was not evident was the Leadership to systematically raise the safety standards beyond the minimum. There are several organisations and individuals involved in attempting to regulate safety for bus travel and a lot of guidance as to how to maintain minimum standards for safety. However, there is currently no clear guidance from government regarding setting safety standards and available evidence comes across as being disjointed through a "patchwork" of publications. For example, there are several recommendations in some areas (e.g., driver training), but very little in others (e.g., accident/incident reporting).

One clear weakness in bus safety in England outside of London is that there is no existing mechanism to push safety beyond the minimum standards which are set nationally, and there is no single organisation who has the authority and power to enable this. Local Transport Authorities have to negotiate with bus operators, and all can specify what minimum safety standards they want in the contracts with the operators, further complicating the review of bus safety outside of London.

Another challenge identified was non coherent communication between all of the main actors (i.e., DVSA, Transport Commissioners, Local Transport Authorities) and bus operators. There is a lack of incident data sharing that could inform bus safety similar to how the Rail, Marine and Air Accident Investigation Branches work.

There however is a will to push for better bus safety with the organisations interviewed and the movement towards partnerships and franchising offers the opportunity to change how bus safety is overseen, although on its own it provides no guarantees that standards will be driven up. Additionally, the Combined Authorities governed by Mayors have greater powers to improve bus safety through establishing similar franchising opportunities as London. Unfortunately, safety was deemed not to be an important inclusion in the latest government publication "Bus Back Better" strategy as it is barely mentioned. The participants interviewed could not see anything in the strategy that would affect safety despite the fact they were aware of many safety-related improvements that are being investigated for example driver behaviour and performance.

It was determined that a national bus safety strategy would be a positive move, but with any new initiative it would need resourcing and a single body such as the Department for Transport, or a subsidiary body, to be responsible for setting safety legislation. Other organisations such as the DVSA and Traffic Commissioners would be instrumental in governing such strategy and the Enhanced Partnerships or franchising processes made easier as all bus operators would have to adhere to the same safety standards outside of London. Importantly sharing bus incident data was considered to be at the forefront of enhancing bus safety across England providing the opportunity to review bus safety incidents and learn from them. However, the issue of the ownership or governance of the shared data would need careful consideration, but it has potential to inform bus safety in the future as well as provide measurable outcomes to assess any implementation of bus safety initiatives. Furthermore, the potential to have a Bus Accident Investigation Branch to independently investigate incident data was also considered to be of value in improving bus safety. If, however, a National Bus Safety Body and Branch for investigating accidents are to be adopted in the future, there will be a need to ensure that it delivers on safety, and therefore close monitoring of safety track-records across the board will be required.

To progress bus safety standards outside of London, a good starting point would be to apply some of the current best practice and standards set by TfL in London and Translink in Northern Ireland, plus those in the rail sector. These practises could be shared and implemented in other areas to level up the discrepancies and variability between different Local Transport Authorities and bus operators.

1 Introduction

Bus safety in England is a key focus for the Urban Transport Group (UTG), however there are differences between London and the rest of the country in terms of safety policy. This is because of the long-standing franchise model used by Transport for London (TfL) meaning they have authority over, and a wider influence on the delivery of public transport. As part of their model, they have set their own expected minimum safety standards for buses and bus operators to adhere to should they wish to operate a bus route in London. These standards are above the basic vehicle safety standard required for buses to be driven on the roads. Furthermore, these standards have been published and are available for the public and stakeholders alike.

Outside of London, public transport is the responsibility of the individual local government authorities who do not have the same influential powers as TfL to demand higher bus safety standards beyond the basic vehicle safety standard. The current local government authorities have an opportunity to work with bus operators using the Bus Back Better strategy recently launched by the Government, although safety is not mentioned specifically in the strategy. It is challenging to position the importance of bus safety outside of London as the current regulatory system is difficult to navigate, mainly because it does not sit under one umbrella advisory body. This is in direct contrast to other public or passenger transport modes including aviation, rail, and marine transportation where in each modality, there are independent bodies which investigate safety-related events (both crashes and near-misses) and recommend safety changes.

To establish what the current approach to bus safety is outside of London, this report provides an overview of the regulatory framework for bus safety in England. Specifically, the objectives are as follows:

- To understand the strengths and weaknesses of the current system of regulation of bus safety and the role of local authorities and Local Transport Authorities within it.
- To develop best-practice recommendations as to how the regulatory framework for bus safety could be improved.
- To provide an overview of the main safety challenges in the bus sector and how they might best be addressed.

To achieve these objectives a desk top analysis of current bus safety documents and other available relevant information was undertaken, and interviews were conducted with a selection of UTG members, the Traffic Commissioner and the Driver and Vehicle Standards Agency (DVSA).

2 Overview of Current Bus Regulatory Framework in England Outside of London

The general regulation of bus safety is difficult to review as there is no overarching advisory board for bus safety nor an independent safety/accident investigation organisation unlike other passenger transport modes, for example, the Rail Accident Investigation Branch (RAIB). The RAIB is an independent body which became operational in 2005 and has a responsibility for investigating accidents and incidents which occur on the UK mainline rail networks (Network Rail and Northern Ireland Railways), London Underground, other metro systems, tramways, heritage railways and the UK part of the Channel Tunnel. RAIB's investigations are focused on improving safety and they have no authority for prosecution or apportioning blame or liability.

Historically prior to 1968, bus travel in the UK was operated by individual local authorities and private companies with very limited co-ordination. Since that time there have been numerous changes to the regulation of bus travel, as outlined in various transport-related Acts of Parliament. The list of Acts which have directly affected bus travel in England since 1968 and the main changes are summarised in Annex A. This section provides an overview of the current bus regulatory framework in England outside of London to determine where responsibilities lie for bus safety.

2.1 Overview of Main Organisations and their Responsibilities in terms of Bus Safety

Although there are numerous bodies and organisations which have an influential role on safe bus travel, there are five which have the greatest influence and responsibility for bus safety in England *outside* of London (i.e., safe buses, safe drivers and bus infrastructure). They are the UK Government/Department for Transport, Office of the Traffic Commissioners, the DVSA, the Local/Regional Transport Authorities and the Bus Operators.

The **UK Government/Department for Transport** are mainly responsible for policy and publishing standards for safe bus travel. They are advised by the Transport Select Committee and other stakeholders/bodies (including passenger groups, drivers' unions and the UTG). They decide ultimately how much funding to allocate to bus travel, based on the departmental spending levels set by HM Treasury in the spending review. The Department for Transport is the Government department which oversees safety on public transport, including bus travel, on behalf of the UK Government, and publishes safety policies, strategies and changes/updates to Parliamentary Acts related to bus travel and bus safety on their behalf.

For bus travel, the **Office of the Traffic Commissioners** is responsible, on behalf of the Secretary of State for Transport, for licencing the operators of buses and coaches, registration of local bus services, granting bus driver vocational licences (Driver Certificates of Professional Competence – CPC) and taking action against bus drivers and operators who are not carrying out their duties legally or safely (e.g., bus maintenance, driver hours/training). They may also hold public inquiries if necessary (undertaken by Deputy Traffic Commissioners). They are currently not an investigatory body – investigations are undertaken by the DVSA (see next paragraph) who then pass on the information to the Traffic Commissioners when further disciplinary action is required. Although the roles of the Traffic Commissioners are appointed by the Secretary of State for Transport, the role of the Traffic Commissioners is partly judicial in nature, with their role as regulator and as a tribunal for the Department for Transport. Also, since the introduction of the Local Transport Act 2008, which introduced changes to the ways the Traffic Commissioners engage with the UK Government, their

independence has been strengthened through the “introduction of a statutory Senior Traffic Commissioner (STC) with new powers”¹.

The Traffic Commissioners publish an annual report which highlights the work they have accomplished throughout the previous year, including the number of operator licence applications, bus services registered, the number and type of disciplinary actions taken, and public inquiries held.² Along with the achievements of the year, any challenges are discussed faced (e.g., in 2020, the challenge of the Covid-19 pandemic), along with plans for the forthcoming year. An annual report is also written to the secretary of state as required in Section 55 of the Public Passenger Vehicles Act 1981.³ In addition to the annual reports, a triennial review of the Traffic Commissioners is undertaken, in accordance with Cabinet Office guidelines.⁴ This consists of two phases: an internal review by the Department of Transport, followed by a second phase, which is an independent review undertaken by external consultants which challenges the findings of the Phase 1 internal review. Following on from the Triennial Review, an implementation plan is then published by the Department for Transport, with the aim of outlining how improvements recommended in the Triennial Review are going to be implemented⁵.

The **Driver and Vehicle Standards Agency’s (DVSA)** main roles in bus travel are: (1) to support the Traffic Commissioners in considering and processing applications for licenses to operate buses and registered bus services;(2) to carry out driving tests for bus drivers; (3) to supervise the MOT scheme and conduct annual tests of buses; and (4) to conduct routine and targeted checks on operators, vehicles, and drivers to ensure compliance with safety standards and conduct post-collision investigations on buses where requested. The DVSA will also investigate reports of unsafe practice from passengers and other sources and will determine whether potential disciplinary action is required. Normally the DVSA will handle such incidents themselves (if it is a single incident) or on other occasions, incidents will be handed over to the Traffic Commissioner if there are repeated or more serious issues, for possible public inquiry. The DVSA have published an array of guidance and policies related to bus safety, including the “Guide to Maintaining Roadworthiness” (2018), “Categorisation of Vehicle Defects” (2019), the “Public Service Vehicle Inspection Manual” (2018), the “PSV Daily Walk Around Check Guidelines”, “Guidance for Drivers: Passenger Carrying Vehicles” (2018), and the “Enforcement Sanctions Policy” (2018).⁶

The main influential roles of Local and Regional **Transport Authorities** (Combined, Mayoral, Passenger Transport Executives) in safe bus travel are limited to their subsidised/franchised routes and they are normally responsible for the bus infrastructure in their area (e.g., bus stops, bus stations and interchanges) together with the safety of the users of these facilities. However, in some areas, bus stops are the responsibility of the district councils and Transport Authorities have more of an advisory role in their safety and upkeep. They currently have no authority over safety of the

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/3573/framework-document-traffic-commissioners.pdf

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/663189/2016-to-2017-traffic-commissioners-annual-report.pdf

³ <https://www.gov.uk/government/publications/traffic-commissioners-annual-report-2019-to-2020/annual-report-to-the-secretary-of-state-2019-20>

⁴

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418268/Triennial_Review_of_the_Traffic_Commissioners.pdf

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/487375/triennial-review-implementation-plan.pdf

⁶ <https://www.checkedsafe.com/dvsa-compliance-guidelines/>

commercial routes in their area (drivers and vehicles) and normally have little say in the routes that are registered in the area or the likelihood of any of the routes being risk assessed before being registered. However, as Enhanced Partnerships and franchising becomes the norm over the coming years, Transport Authorities hope that they will have more of an equal role for all bus routes in these areas. There is also optimism that the local operators will be able to share data with the Transport Authorities (e.g., data relating to incidents and driver performance).

The **Bus Operators'** (commercial, tendered/subsidised, franchised) main role in safe bus travel is to ensure their vehicles are safe, well-maintained and their drivers are trained and are following the rules for drivers' hours. Many of the larger operators have their own incident reporting systems and driver training schemes and strive to have the most up to date vehicles in their fleet which are more likely to be equipped with modern safety systems. Operators need to ensure they are licenced to operate, their drivers are licenced, up to date with CPC training and are keeping within the required maximum drivers' hours, and their vehicles are sufficiently maintained to pass annual and random checks (i.e., standards which draw the line between being safe and not safe). However, operators have no legal obligation to push their safety standards higher than the required minimum level, although some bus operators do strive to have higher standards (e.g. additional safety systems in their vehicle and further safety-related training for drivers). This is variable across operators and across England such that no uniformity of approach exists at national level. Some operators may see some financial incentives if they consider that safe operation saves costs and encourages passengers to use their services increasing their revenue. Bus operators currently have no obligation to share their incident/performance data with their Local Transport Authorities or any other transport bodies, including DfT.

2.2 Overview of Current Standards & Procedures in Bus Safety

An extensive online search was undertaken to identify key current and available documentation with potential relevance to bus safety and safe bus travel, including standards, guidelines, reports and other regulatory publications. The aim was to identify whether standards or any other regulatory publications were available in the main areas of bus travel and bus safety. These were:

- National policies & strategies,
- Guidance and standards for commissioning, operating and monitoring bus services,
- Driver training and performance (e.g., learner, refresher, updates, procedures, monitoring, drivers' hours),
- Bus design (e.g., safety features related to control of vehicle, field of view, conspicuity etc...),
- Bus maintenance (e.g., pre-journey checks, inspections),
- Bus infrastructure design and maintenance (e.g., bus lanes, signage & markings, bus stops, bus stations, interchanges, depots),
- Accident and near miss reporting, plus reporting of accidents in buses (e.g., due to bus movements, trips and falls).

Table B.1 in Annex B highlights the most relevant available documentation found from this search and sorted into different categories, depending on what area of bus travel or bus safety it focusses on. Annex B itself also provides some more detail on some of the documentation listed in Table B.1 and their content.

Considering the amount of documentation that exists, it was evident that there are no overarching documents in each area of safety which present a national approach or guidelines to address 'bus safety'.

The literature search showed that there are bus safety-related standards and guidance available in many of the areas of bus safety and bus travel, but there are gaps, particularly in the areas of safe vehicle design, monitoring driver performance and investigating/reporting accidents and incidents involving buses. Where there is documentation available, it is often only guidance rather than standards or legislation (e.g., “DVSA Guide to Maintaining Roadworthiness”; “DVSA Guidance for Drivers: Passenger Carrying Vehicles (PCV)”). Therefore, there is much advice on how to ensure, for example, buses are kept to the minimum legal safety requirements, but little evidence was found which showed that the safety standards bar is being raised uniformly across England. There are several organisations and individuals involved in attempting to deliver safe bus travel for passengers (e.g., bus operators, Local Transport Authorities) and two main organisations involved in the regulation of bus safety (Traffic Commissioners and DVSA). There is also a lot of guidance as to how to maintain the legal minimum standards for safety (e.g., Public Service Vehicle Inspection Manual, 2018). However, there is currently no clear guidance from government regarding setting safety standards beyond the legal minimum requirements and available evidence comes across as being disjointed through a “patchwork” of publications. For example, there are several recommendations in some areas (e.g., for driver training, “National Standard for Driving Buses and Coaches”, “Guidance for Drivers: Passenger Carrying Vehicles (PCV)”), but very little in others (e.g., accident/incident reporting, apart filling in the PSV112 form on the UK Government website).

This fragmented approach of guidance and apparent gaps in the literature suggests that it would be difficult to work as a cohesive ‘bus safety unit’ to proactively drive-up national bus safety regulations. Other areas, such as London (e.g., the TfL Bus Safety Standard) and Northern Ireland (e.g., DVA Bus Operator Handbook, Bus Stop Design Guide) have established their own guidance specifically addressing safety and are used in absence of available documentation for the rest of England.

3 Overview of Organisational Structures in other Areas/Industries

To better understand where the gaps are in the standards and guidance available in England outside of London, an overview of areas known for having best practice in bus safety was undertaken. These areas were identified as London (Transport for London) and Translink (Northern Ireland). In addition, the Rail Industry was identified as being a good example of best practice in safety and is also considered below.

3.1 London

Transport for London (TfL) is the local government body responsible for most of the transport network in London, including the London Underground, Docklands light railways, taxis, main road routes, the cycling network, trams, river services and, most relevant to this report, London's buses.

Although TfL have to follow the same regulations and sit under the same regulatory bodies as the rest of England (i.e., DVSA, Traffic Commissioners), they have a greater responsibility than other Local Authorities for ensuring safe bus travel for drivers and passengers.

In London, bus travel is operated differently to the rest of England. While deregulation was introduced in 1985 to the rest of England, London Bus companies were governed by the London Regional Transport Act of 1984, therefore deregulation did not happen, but privatisation of buses did. Instead, a system of franchised routes operated by private companies but managed by London Buses Ltd (now Transport for London) was introduced, meaning that London was able to still regulate the private companies providing bus travel.

By having bus operators tendering for franchised routes in London, it meant that operators would have to sign an agreement with TfL to say they would run their routes (e.g., fares, frequency) as stipulated by TfL, which safety standards they would follow (e.g., safety equipment on the vehicles, driver training) and what data they would have to share with TfL (e.g., accident/incident/driver performance) before they are even able to operate a bus route on London's roads. This would be in addition to any of the DVSA/Traffic Commission requirements that they also have to follow to be allowed to register a bus service and hold an operator's licence in the first place. This "extra layer" of "rules" the operators must follow means that TfL are able to demand better safety standards across their fleets and bus operators. This ensures consistency across their operators rather than it being left to each operator to decide their approach to safe bus travel.

One way that Transport for London have been able to push for higher safety standards from their operators is by developing a Bus Safety Programme⁷, which was introduced in 2016. As part of this programme, the Vision Zero strategy is being used for the whole transport network embedded in a Safe System approach. To achieve a Safe System, it needs to have safe speeds, safe vehicles, safe streets and safe behaviour, along with safe and efficient post-collision procedures. The countdown to Vision Zero consists of a number of goals, including a 70% reduction in bus Killed or Seriously Injured (KSI) by 2022, no bus KSI's by 2030 and no KSI's on London's roads by 2041. As part of the Bus Safety Programme, Intelligent Speed Assistance (ISA) was the first safety system required to be fitted to new buses from December 2017 to help ensure "safe vehicles".

Furthermore, as part of ensuring "safe vehicles", TfL have developed Europe's first Bus Safety Standard, which was officially published in 2018. It describes the safety systems that operators will need to have installed on their vehicles as part of their franchise agreement, including driver assist

⁷ <https://tfl.gov.uk/corporate/safety-and-security/road-safety/bus-safety>

systems (e.g., Advanced Emergency Braking, improved direct and indirect vision...), partner assist systems (i.e., systems assisting other road users to avoid a collision with the bus), partner protection (i.e., vulnerable road users) and occupant protection (i.e., the passengers). The introduction of these systems is staggered over several years, but the aim is for all operators to have them installed by 2026. The Bus Safety Standard is expected to evolve further (i.e., Phase 2 will be beyond 2026) and will involve the introduction of new safety systems as technologies advance.

TfL also mandate in their franchise contracts that operators must report “incidents relating to their operational activities”. This includes collisions and slips, trips and falls within the vehicles. Operators must use IRIS (Incident Reporting and Information System) to report their incidents. TfL are also rolling out a new Vision Zero bus driver training course to all 25,000 London bus drivers, which “will teach new skills in hazard perception, better understanding of the risks to pedestrians, cyclists, motorcyclists and passengers as well as ways of preventing driver fatigue.”

TfL also use a Safety Performance Index (SPI) to monitor the safety performance of their bus operators, using a number of “baskets” (e.g., engineering, driving standards, customer safety, staff safety, infrastructure, bus station safety) and Performance components within each of these baskets (e.g., engine fires, CCTV failure in the “engineering basket”).

The franchising arrangement that TfL has with all bus operators within London allows them to adopt a data driven systematic approach to driving up bus safety, being proactive rather than reactive, and to enforce data sharing agreements on their franchisees. This is not something that is possible as part of the current system in the rest of England. Outside of London, bus operators have the freedom to set up bus routes wherever they want without any input from the Local Transport Authorities or requirements for data sharing, as long as they have followed the minimum requirements set by the DVSA and Traffic Commissioners.

3.2 Northern Ireland (Translink)

Translink is the name of the public corporation in Northern Ireland who provide the public transport in the country. Translink is the brand name of the government-owned Northern Ireland Transport Holding Company (NITHC). Northern Ireland railways, Ulsterbus (bus services outside of Belfast) and Metro (bus services within Belfast) are subsidiaries of Translink, along with Glider (a bus rapid transport system in Belfast). The NITHC have a statutory duty to oversee the activities of Translink.

Translink and the NITHC both have links to Northern Ireland’s Department for Infrastructure in that they provide financial assistance to Translink and are responsible for setting targets for the NITHC and monitoring if and how well these targets are achieved. Also, the Chair and members of the NITHC are appointed by the Department for Infrastructure.

The NITHC and Translink have close links with the Driver and Vehicle Agency (DVA), an Executive Agency of the Department for Infrastructure. The DVA’s main responsibilities involve the licencing and testing of both drivers and vehicles, including passenger carrying vehicles, as well as licencing bus services and roadside compliance, which involves enforcing legislation through roadside checks on vehicles and drivers (e.g., drivers’ hours, driver’s CPC, vehicle roadworthiness, emissions).

Translink have the main direct responsibility for ensuring safe bus travel and have recently established many safety-related initiatives for the bus fleets operating in Northern Ireland.

The authors partook in an informative discussion with an experienced member of the Translink team, who provided an extensive overview of the organisation and its role in safe bus travel. An overview of this discussion is outlined here.

3.2.1 Safe Bus Travel within Translink

In Translink, there are three main divisions which have their own safety team, which are the bus division, rail division and infrastructure division. The safety teams within these divisions oversee safety compliance, statistics, and monitor performance, and when needed give guidance around risk assessments and which safety-related actions are required. In addition to these divisions, there is also the Corporate Safety Responsibility Section, which is a small group who guide the rest of the organisation regarding the safety aspects of the Corporate Responsibility Strategy and Translink's overall strategy "Get on Board" (2016-2021). "Get on Board" consists of six values ("SPIRIT: Safety, People, Innovation, Responsibility, Integrity and Teamwork") and four objectives linked to these values, including objective 1 (Operational Excellence), which lists "zero safety incidents", "punctuality" and "reliability" amongst the key goals. In addition, the Corporate Responsibility Strategy includes four additional strands linked to the values in "Get on Board", including "Go Safe", which has a number of safety targets.

Overall, Translink's Safety Management System (SMS) guides everything they do. The SMS is an extensive document which gives guidance on how to approach safety, which is seen as one of Translink's main priorities, as shown from their Strategies. It consists of 14 principles which aim to make sure that everything that Translink does is in accordance with international standards for safety, health and environmental management. The Translink Safety Oversight Committee monitors Translink's safety, health and environment performance and ensures that the principles of the SMS are complied with.

In terms of **reporting and dealing with safety incidents** on the bus network, Translink's bus division hold a weekly brief which is very much focussed on safety and goes into detail about any significant events or emerging issues which have arisen in the previous week and what corrective measures are needed to prevent recurrences. This is a markedly different approach to the more reactive reporting system in England outside of London, where in general, action is only taken when incidents occur. Translink can use the briefings to be proactive in trying to prevent safety incidents in the first place. The discussion of these issues can often involve senior management right up to the Chief Executive of Translink, which shows the importance that Translink puts on safety in terms of bus travel.

To record incidents which happen on the bus network, Translink have the Safety Management Information System (TSMIS), which is a corporate system where every safety-related event, including near misses, are recorded onto the system. For example, in Belfast, any incident is reported to their control office, and they record the information on TSMIS (e.g., driver details, location, nature of incident). The driver then also fills out an accident report and then this is added to the TSMIS record already created. Post-incident investigations are also carried out, which includes the downloading of CCTV footage from before and after the incident. If it is deemed to be a minor incident, it will be followed up with one-to-one coaching with the driver to correct any issues or provide guidance. If it involves something more serious, the driver will be referred to the depot manager, who will decide if informal measures are required, or disciplinary action is necessary. The driver could also be referred to the "Translink Training Academy".

Translink have tried to move away from a blame culture to allow people to fully report incidents without fear of recrimination or discipline and their aim is to try and transform people's approach to driving to make them safer and more considerate bus drivers with a greater level of customer care.

In terms of **training and performance monitoring**, new drivers have mentors, who are other more experienced drivers who support the new drivers throughout most of their career. Translink have recently increased their driving school from 6 to 7 weeks so that more time can be given for route and depot familiarisation. New drivers are generally started on easier routes and rotas to ease them in gently and they are then gradually given experience of the more demanding routes over time, including at night.

Translink have recently introduced on their Glider services an annual in-service assessment for all drivers where an instructor travels with the driver. This is a process that Translink have adopted from the rail counterparts in their area, and this is something they try to do where they can, although it can sometimes be labour-intensive and costly in terms of time and resources to adopt these processes.

On-board telematics, which is fitted into all vehicles, is monitored monthly and up until recently, drivers would receive a performance-based bonus, the size of which depended on their performance level.

Translink do not generally follow an established standard for **bus design**. They tend to deal with the issues that emerge and design them out on the next generation of bus fleets or make modifications to the current fleet if it is possible. Translink tend to learn from the experiences of TfL and adopt a lot of the guidance that TfL uses for their operators. Translink work closely with their local bus manufacturer (Wright Bus) to ensure any new fleet will have many of the safety systems which TfL require for their own fleet. Currently, Translink have on order 100 new buses which will have systems such as driver & pedal assist, acoustics and zero emissions. In addition, on-board telematics will be fitted as this is the standard requirement for Translink.

For the bus-related road **infrastructure**, Translink ensure that any new routes have a risk assessment undertaken on them. This will include a map of the route which highlights all the main hazards and how to mitigate the risk (e.g., overhanging branches, tight corners...). Each driver will receive a copy of the risk assessments and they are continually updated to reflect any changes in the infrastructure. The drivers will also view camera footage of the route to see the hazards and issues for themselves. Translink will work with the Department for Infrastructure, who are responsible for the roads in the region, and the Trade Unions on these risk assessments. Translink has also developed the Bus Stop Design Guide (2010) to ensure all bus stops in the region are up to the same standard. It is Translink who are responsible for installing the bus stops on all routes and maintaining them. Any new or relocated bus stops are risk assessed by the police, Road Service Authority (DfI Roads) and Translink.

By having a single body such as Translink overseeing public transport, including bus travel, across all of Northern Ireland and being the link between the main bus companies in the country (Ulsterbus, Metro and Glider), it enables the same level of safety standards and safety targets to be set across all of the companies and allows Translink to control this in a similar way to how TfL are able to control the safety standards of their bus operators.

In summary, it is clear who has responsibility for each area of safety in bus travel in Northern Ireland. There appears to be close links with Translink and their operators, with Translink having a much greater control over the safety standards of their operators compared with the Regional Authorities

in England. Also, Translink work closely with the Department for Infrastructure to ensure high standards of safety for bus travel in their region. Everyone from the ground level up to the Chief Executive of Translink appear to be kept informed of safety issues and incidents with buses in Northern Ireland and these issues appear to be acted on routinely. It was evident data was key to their organisations safety approach as they have an incident reporting tool and data collection system. Analysis of the data is used as a learning tool and underlies their decision making to drive future safety decisions across their network.

Translink have a clear safety strategy for bus travel which incorporates high specifications for onboard safety systems and measurable targets for reducing collisions. The progress against these targets is monitored weekly to achieve an annual 10% reduction in collisions with the ultimate target being an eventual zero collisions and injuries.

3.3 Rail Industry

Looking beyond the bus industry, within the Rail Industry, there are a number of organisations that have a responsibility for the safety of those who work on the railways and maintain them (track, trains and stations), the passengers who use it and other members of the public who come into contact with railways (e.g., level crossings, bridges). The main organisations are the Rail Safety and Standards Board (RSSB), the Office of Rail and Road (ORR), the Rail Accident Investigation Branch (RAIB), the Rail Delivery Group (RDG) and the Duty Holders. Figure C.1 in Annex C highlights how these five groups with roles in rail safety sit within the main organisational structure of the rail industry.

No single organisation leads on safety, and it is seen as a collective responsibility through collaborations between these main organisations. These organisations support the rail industry as a whole; from those responsible for the rail infrastructure (track and stations), the train manufacturers, to the operators who run these trains, to name just a few.

In addition to these four organisations, Network Rail are responsible for the railway stations across England, Scotland and Wales and have developed a document called “Station design principles for Network Rail” (2015), which includes principles of safe railway station design. In addition, the Department for Transport and Transport Scotland have published the Code of Practice “Design Standards for Accessible Railway Stations” (2015). Alongside the Train Operating Companies (plus freight and contractors) who lease the track and stations from Network Rail, they are known as the Duty Holders. Figure 1 outlines the Rail Safety Leadership of the Duty Holders and the four other main organisations involved in rail safety.

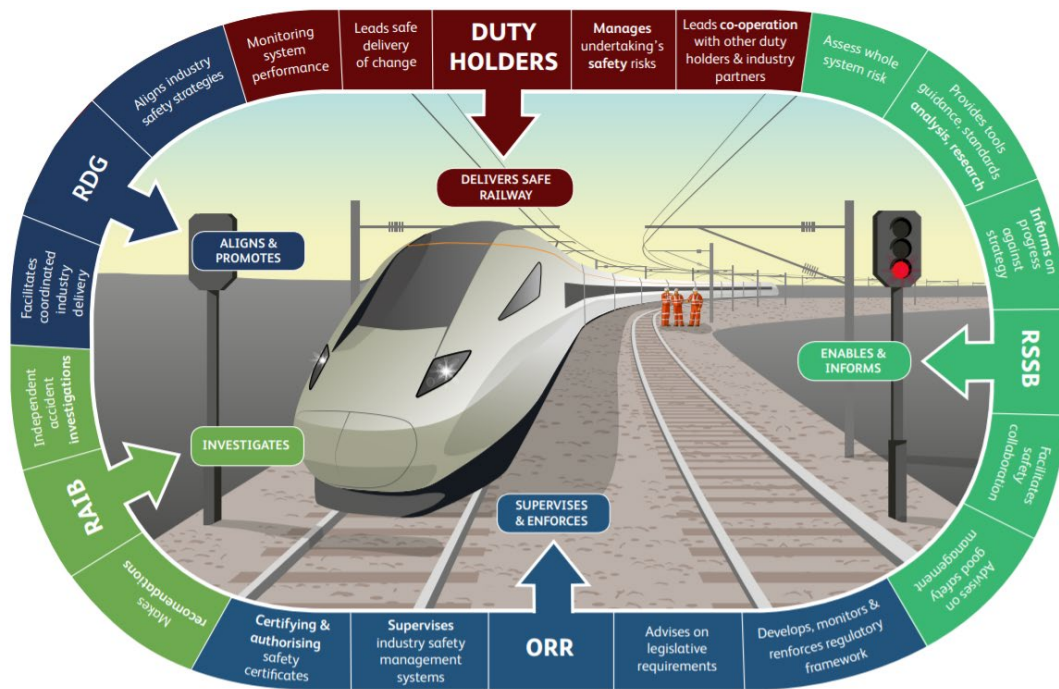


Figure 1: Rail safety leadership roles within the rail industry (RSSB, 2020)

3.3.1 The Rail Safety and Standards Board (RSSB)

The RSSB is a rail industry body that helps the railway become safer and more sustainable, by helping to reduce the cost and risk for all involved in the railway. It enables and informs safety leadership. The RSSB aims to deliver a safer railway through “research, standards and analysis” and has six main objectives, which are: (i) safer rail, (ii) healthier rail, (iii) harmonised rail, (iv) efficient rail, (v) innovative rail and (vi) sustainable rail.

In terms of safer rail, the RSSB aims to gather data to understand better how the industry is performing and this enables them to identify emerging issues as early as possible, so action can be taken. They also investigate and analyse the human factors interactions with technical factors to enable the identification of risks and hazards. The work of the RSSB allows the rail industry to work together as a single system to reduce risk as much as possible, and enables better safety decisions to be made, using, for example, the Taking Safe Decisions model (RSSB, 2019), to ensure all aspects of rail travel are as safe as possible. The RSSB’s work also enables safety investment to be targeted to where it is needed most and provides tools, guidance, standards, risk analysis, research and advice to support the decision making in safety management.

The RSSB originally published the guidance document “Taking Safe Decisions” in 2008, which was re-published in 2014 and revised in 2019. It aims to ensure that all organisations in the rail industry are taking safety into account when making decisions and is structured around these 4 main questions:

- What are your legal responsibilities for safety risk?
- When should decisions be taken?
- Who should take decisions?
- How should decisions be taken?

The report also includes a framework diagram (Figure 2) which shows how the safety decisions are linked and managed including:

- Identifying the need to make a change and implement a decision,
- Deciding what that change should be,
- Making the change safely,
- Checking it was the right decision.

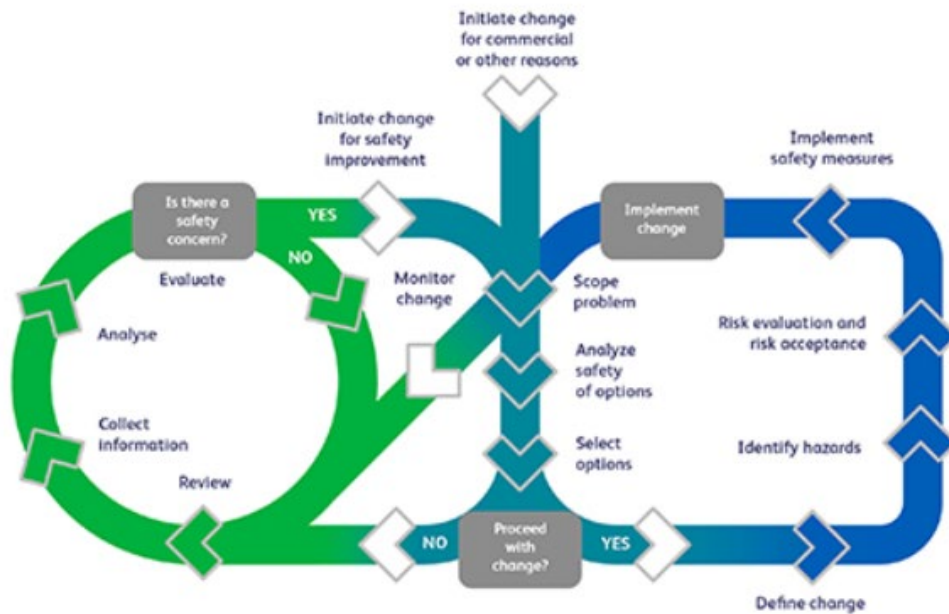


Figure 2: The “Taking Safe Decisions” Framework Diagram (RSSB, 2019)

The RSSB also have a Strategic Business Plan for 2019-2024, including a section for Safer Rail, which includes numerous safety programmes aiming to keep safety at the highest level possible in the rail industry for staff, passengers and other members of the public who use rail infrastructure.

There is also the Rail Risk Toolkit which includes numerous models and tools to ensure safety is prioritised in all areas of the rail industry. For example, the Precursor Indicator Model, which measures the underlying risk from train accidents.

The RSSB have several Safety Reporting and Intelligence Systems which can be used to report incidents in the rail industry, such as the Safety Management Intelligent System, the Confidential Incident Reporting and Analysis Service (CIRAS) and Close Call. A Human Factors Toolkit has also been developed to help identify and manage a wide range of Human Factors issues along with a Safety Culture Toolkit and numerous other publications providing guidance on human factors in the rail industry.

3.3.2 The Office of Rail and Road

The ORR is the health and safety regulator and enforcement authority for the railway, and it supervises and enforces safety leadership. They regulate the rail industry's health and safety performance, they hold Network Rail and HS1 to account, and ensure that the rail industry is competitive and fair. Also, if an operator wants to access the railway network, they must apply to the ORR for a track access agreement and a licence to operate a passenger service. The ORR has published the “Train Driving Licences and Certificates Regulations 2010: Guide to training and examination requirements” (2019) for train drivers, which all operators must follow to ensure their

drivers are at least up to the minimum driving standards and qualifications. Train operators can either use an ORR-approved training centre for their drivers or they can apply to the ORR to be recognised as an approved in-house training centre.

In addition, the ORR publication “The Railways and Other Guided Transport Systems (Safety) Regulations 2006” (ROGS, amended 2020) outlines the safety responsibilities in the rail industry and aims to create a common framework for railway safety across the country. The main areas it regulates for includes safety management systems, safety verification, safety certificates and authorisations, risk assessments, annual safety reports, cooperation, safety-critical work and Entities in Charge of Maintenance (ECM). It sets out who is responsible for carrying out specific duties in these areas.

The ORR’s main safety-related roles in the rail industry are to:

- Provide health and safety guidance and undertaken research to encourage continuous advancements in safety,
- Publish reports on the rail industry's health and safety performance,
- Undertake inspections to ensure that the operating companies and Network Rail manage both passenger and staff health and safety risks to an appropriate level,
- Investigate health and safety regulation breaches,
- Taking enforcement action (either informal or formal), which could include improvement notices and prosecutions.

The ORR have more than 100 safety inspectors and professionals who have significant powers of enforcement and they make sure that the railway remains safe at a reasonably practicable cost.

Each year, the ORR publish a business plan which outlines their aims and objectives for that year, which includes a section on health and safety. In the 2021-22 plan, the use of technology to reduce risk and improve efficiency and customer service, is one safety-related targets, along with risk to passengers at the platform-train interface and signals passed at danger (SPAD). It also mentions “inspections, investigations and statutory activity (such as the issuing of safety certificates, train driving licences and level crossing orders)” being an important aspect of their safety plan. In addition to this, the ORR also published the Health and Safety Regulatory Strategy in 2020, which outlines how they make sure that the health and safety of everyone associated with the railway is protected and mentions their vision of “zero industry caused fatalities and major injuries to passengers, the public, and the workforce.”

The ORR work with other safety bodies to ensure the highest standards of safety in the rail industry, including the British Transport Police, Health and Safety Executive, RAIB, RSSB, and the Railway Industry Health and Safety Advisory Committee (RIHSAC).

3.3.3 Rail Accident Investigation Branch (RAIB)

The RAIB was first introduced in 2005 carries out independent investigations of railway accidents and incidents on the UK main lines and the London Underground and other Metro systems. The investigations are undertaken to improve safety, make recommendations for preventing similar incidents occurring again in the future and informs the rail industry and the public of these recommendations via detailed report, safety digests and bulletins. The ORR then ensures that RAIB recommendations are implemented. Their investigations are solely based on improving safety and they do not apportion blame or liability. The main focus of their investigations is to learn for the future to avoid a similar incident from occurring, but also to increase awareness of why accidents

happen and highlight gaps in the rail industry's "safety defences". The RAIB also share and encourage good practice with other investigatory bodies.

3.3.4 The Rail Delivery Group (RDG)

The RDG is an industry leadership body that includes the passenger train operator and freight train operator groups, and Network Rail. The RDG have two main roles in rail safety, these being to align industry safety strategies and coordinate its members to lead on safety effectively.

3.3.5 Duty Holders

Finally, the Duty Holders, including Network Rail and the Train Operating Companies, are the organisations which are responsible for delivery safe railways at the ground level, by leading the safe delivery of change, monitoring system performance (e.g., drivers, trains, signalling), manage safety risks, and lead the co-operation with other duty holders & industry partners to ensure everyone is keeping up with the same levels of safety. Duty Holders should be encouraging their employees to report safety incidents and ensure follow-up investigations are carried out to prevent similar future incidents from occurring. Duty Holders should be following the standards and guidance developed by the RSSB and enforced by the ORR, including the training of their drivers, and ensuring ECMs (Entities in Charge of Maintenance) have been assigned to their trains. They are also legally required to report incidents to the RAIB and be co-operative when they carry out their investigations, and they have a responsibility for following up on any recommendations made by the RAIB.

3.3.6 Summary

The rail industry's approach to safety across the whole of Great Britain is very extensive and structured and it is clear from the regulations published by the ORR who has responsibility for the various aspects of safety in the rail industry and what is required of each organisation, unlike in the bus industry outside of London.

It is the RSSB who are responsible for undertaking the research and developing extensive guidance for safety procedures in the rail industry, whereas it is the ORR who are the body who publish the guidance and regulations and enforce it and are the regulatory and certificating body for both passenger and freight services. For bus travel, the DVSA and Traffic Commissioners are the closest equivalent bodies to the ORR, but unlike the ORR, they are not fully independent bodies, and some questions have been raised over the strength of their role in enforcing safety in the bus industry, with it seen as being more reactive rather than proactive.

The RAIB investigate accidents and incidents and publish reports with recommendations for preventing similar incidents occurring and it is the ORR who ensure that these recommendations are followed through. For bus travel outside of London, there is no equivalent national independent body which investigates accidents and incidents. Investigations are normally carried out by the individual bus operators, in addition to any criminal investigations the police may need to carry out, but data is often not shared beyond the operator, making it difficult to learn from these incidents or make any recommendations at a national level.

It is the Duty Holder's responsibility to ensure train services are safe, through safe well-trained drivers and safe, well-maintained vehicles and infrastructure, and they also have a duty to report any incidents on their network and take action to prevent similar issues from occurring. In the bus industry, it is often left to the bus operator to determine the levels of safety they operate at, beyond the legal minimum requirements set out by the DVSA and the Traffic Commissioners. Bus operators are required to complete a PSV112 form to the DVSA when one of their buses is involved in a

collision or incident. However, it is unclear how this data is used or to what level analysis is undertaken on this data to learn from the incidents being recorded.

Finally, it is the Rail Delivery Group's responsibility to align and co-ordinate safety strategies at a national level. It is not fully clear in the bus industry who has this equivalent responsibility, but with no independent group currently in existence, it would be the responsibility of the Department for Transport, and in recent years, there has been a noticeable lack of safety strategies at national level specifically for bus travel.

4 Comparison of the Regulation of Safe Bus Travel in England Outside of London with Areas Identified as Having Best Practice for Bus Safety

One of the challenges is the number of documents that exist providing some steerage to safe bus travel but there are no overarching documents in each area of safety that all parties involved in bus safety can adhere to. Tables D.1 and D.2 in Annex D provide a summary of the main standards, guidance and policy documents which help to regulate safe bus travel in these areas, along with the main roles and responsibilities for safety in the bus industry compared with the rail industry.

The aim of this section is to determine the common characteristics in the approach to bus safety using the content from Sections 2 and 3 and Annex D, to highlight how bus safety is regulated in England outside of London compared with other areas with known best practice in safe bus travel (i.e., Translink Northern Ireland, TfL London) and that of the rail industry.

4.1 Data collection

The overarching driver behind the success of Translink Northern Ireland, TfL London and the rail industry is the use of routine data collection to drive forward policies, standards and measurable safety targets compared to the rest of England. In London and Northern Ireland, there are accident reporting and information systems used to record, store and analyse incidents and near miss bus incidents (IRIS in London, TSMIS in Northern Ireland) and it is a requirement for operators and their drivers to make a record of every incident they are involved in. Thus, there is a central coordination of data in these areas enabling a proactive approach to address bus safety issues through a data evidence approach. Conversely the rest of England does not have a centrally coordinated regional source of bus incident data as most data is held at individual operator level and used for their own purposes and very rarely shared, if at all. Unfortunately, this means that the rest of England is reactive in its approach to bus safety and more likely to learn lessons after an event rather than use data to pre-empt any issues.

4.2 Targets and monitoring

In London and Northern Ireland, there are very clear safety targets for reducing bus-related incidents and policies which clearly set out aims for improving bus safety over a specified number of years. These targets are measurable and there is accountability for how these targets are met. The rest of England must comply with a minimum legal safety requirement for buses to run, but opportunities do exist to work above the minimum and push for higher safety standards. However, this push is at a bus operator level and not at regional level as some operators are able to invest in safety features, but this is not a uniform approach and again reliant on data to support their investment and measure the effects.

Both TfL and Translink (NI) have guidance which outlines performance monitoring, which requires the compliance of the bus operators who have routes in their area. This is a step above the Senior Traffic Commissioner's statutory guidance and statutory directions which Traffic Commissioners follow to ensure operators are complying with standards for bus routes/ services as this guidance does not mention any specific methods to monitor the performance of bus services and routes.

4.3 Training

For driver training, the DVSA National Standards for Driving Buses and Coaches already applies to bus drivers in England outside of London, as well as the UK Government's Rules on Driver's Hours,

and this is also applicable in London. In addition to these TfL have developed a Vision Zero bus driver training course as part of their Bus Safety Programme, and every driver is given a “Big Red Book” which guides them in everything they do. TfL also have as part of their Bus Contracting and Tendering Process document some guidance for “Driver Quality Monitoring” and their own Safety Performance Index for drivers and operators. Translink also have an in-depth training programme for their drivers, which includes mentoring after qualification, although no specific guidance document could be found for this. Outside of London and Translink there were no specific nation-wide standards and guidance for monitoring the safety performance of drivers in England, that could be found. It does not mean they do not exist at bus operator level, which might suggest that there could be variation across England between operators depending on any additional driver safety initiatives in existence.

4.4 Vehicle maintenance

For maintaining vehicles and monitoring their safety, DVSA have published several guides to support operators and their drivers in these areas, and these can also apply to London as well as the rest of England. Northern Ireland also has similar publications. In addition, TfL include in their Contracting and Tendering Process document a section regarding Engineering Quality Monitoring. This outlines that regular checks on maintenance and mechanical condition will be carried out on the vehicles on London’s bus routes and “scores” given when issues are found, with the aim being for a zero score.

4.5 Direct approach

One of the main differences that exists in London compared to the rest of England is the very clear and obvious approach to addressing bus safety through TfL’s Bus Safety Standard. The benefit of this Standard is its visibility to all parties involved in bus safety but there are no equivalent standards in the rest of England. Many of the principles in this Standard are also followed by Translink in Northern Ireland. The benefit of adopting a national bus safety standard will challenge all bus operators to comply with at least a minimum standard which could be set at above the current minimum legal requirements. There could still be variability between operators as some may settle at the minimum levels set in the standard compared to others who are more willing to adopt safety initiatives to push for even higher standards. Therefore, a logical next step might be to assess the applicability of existing documentation, such as the TfL Bus Safety Standard, to other areas across England to assess the potential for a National Standard for Bus Safety.

Both TfL and Translink have their own best practice design guides for bus stops and interchanges (TfL). The Local Transport Authorities, have responsibility for the provision of adequate and safe bus infrastructure for bus operators to use and without any national standards on bus stops or shelters, are reliant on using guidance which appears in Manual for Streets 2 (CIHT, 2010) and from the Urban Transport Group (Bus & Coach Station Design and Operation, 2011).

4.6 Control and responsibility

Local Transport Authorities do not have control over the companies/routes operating in their areas, therefore they are also lacking in control over the quality of the services and routes and the safety of the vehicles and drivers operating on them. This is compared to the bus operators in England outside of London who have more individual responsibility in a greater number of areas of safety. They are not just responsible for safety but are also in control of setting the minimum safety standards on their own fleet/routes, often without input from the Local Transport Authorities. In London, operators are still responsible for safety in many areas, but must follow the guidelines set by TfL in their contract. In Northern Ireland, it is Translink who have overall responsibility for safety

in many areas, although the operators need to ensure they are following the safety standards set out in their contract with Translink, similar to London.

When compared to other passenger transport industries, i.e., rail, air and marine, there are no clear individual bodies or organisations which have overall responsibility for safe bus travel, determining regulations and policy with respect to bus safety in England outside of London. Within London, TfL are the main responsible organisation and in Northern Ireland, it is Translink.

In summary bus safety is behind other passenger transport industries because of the fragmented approach to safety across England outside of London. There is a lack of data sharing or even a central coordination body that could use and monitor data to set measurable safety targets and standards and have a concentrated national approach to bus safety like the other passenger transport industries.

5 Overview of Interviews with Stakeholders in Safe Bus Travel

The previous sections presented the desktop review using available documentation which represents what is perceived to happen at the organisational level. The drawback from this approach is that the experiences of those working in bus travel are not considered. Therefore, to understand the role and experiences of bus safety in the organisations a series of interviews were conducted. The aim of these interviews was to identify the challenges faced to improving bus safety.

A convenience sample of UTG members and contacts with other stakeholders were used to identify a study sample for interview. The participants were provided with an information sheet and informed consent was obtained prior to the interview. All the interviews were recorded, transcribed and analysed using NVivo, a qualitative data analysis software.

An interview schedule was developed which included content considered to be of most interest to the UTG. These questions were slightly modified for the Traffic Commissioner and DVSA interviews to account for different role in safe bus travel compared with the Transport Authorities.

In total, eight interviews of approximately one hour each were undertaken to ascertain the main views of the sample of those who have an active interest and role and potential interest in safe bus travel in England outside of London. Six of these interviews were with representatives of Transport Authorities/Executives who are all members of the UTG. One interview was with a member of the Office of the Traffic Commissioners and the final interview was with two members of DVSA whose roles included bus enforcement policy and bus driver hours enforcement policy. The results are presented below for all of the sample.

5.1 Regulation of Bus Safety and Safe Bus Travel in England (Outside of London)

5.1.1 Regulation at the National Level

It was generally agreed that there are relevant “standards” for bus travel but there are “no stringent safety requirements” similar to other forms of transport (e.g., air, rail) and very little consistency in what is regulated and how it is regulated, or if at all.

It was also considered that inconsistencies exist between operators in how safety is regulated and monitored. In general, the larger operators were described as having a more stringent set-up. This involved routine checks on their own vehicles, drivers together with incident reporting systems in place, whereas some of the smaller operators may not have such a rigorous set-up. This observation was also extended to the Local Transport Authorities.

“There’s certainly a lot of expectation from the government placed onto local authorities but, when you deal with local authorities at local authority level there is not an awful lot of consistency as you go through one local authority to the next”

One main reason given for this was repeated by most of the interview participants, which was lack of resources. If greater resources were available (i.e., funding, person-hours), then more proactive and greater levels of checking and investigations could be carried out, rather than measures being more reactive in nature as is generally the case in the current situation.

From the DVSA perspective they also identified discrepancies between regulatory documents which could be manipulated or misinterpreted which makes it difficult to apply rules across the board from large bus operators to private smaller operators.

5.1.2 Regulation Responsibility

For some participants, it was unclear who the overall responsibility for bus safety lies with. For some aspects, it is the operator, but for other aspects (e.g., bus infrastructure), it is the Local Transport Authorities. Ensuring that unsafe operators/drivers are brought to account is the joint responsibility of the Traffic Commissioners and the DVSA, but this is generally done in a more reactive, rather than proactive, way.

5.1.3 Strengths and Weaknesses

Overall, there were more weaknesses than strengths highlighted, as shown in the previous two sub-sections (5.1.1 and 5.2.2). However, one positive view raised by several stakeholders was that there are the “boards of processing and procedures there”.

Other “weaknesses” which were highlighted included:

- “Things are being done locally, but not nationally...”.
- There is a “really inconsistent picture...for safety”.
- To some degree there is a blame culture (i.e., bus drivers are less likely to report an incident as they believe they will get in trouble)

5.1.4 The Role of the Traffic Commissioners and DVSA in Bus Safety

Interviewees from the various Combined Transport Authorities held the general consensus that both the Traffic Commissioners and DVSA play a crucial role in ensuring issues with operators and their drivers are followed up and action is taken against unsafe practices. However, resources were again highlighted as a limitation as there are “*not enough boots on the ground*” which affects how well and how thoroughly they can carry out their role to ensure all reported unsafe operations are being taken to account in an appropriate and timely manner. Also, mainly due to resources, both the work of the Traffic Commissioners and DVSA are thought to be more “reactive” than “proactive”, so inspections/investigations only occur where it is suspected that issues may arise; random checks occur, but they are very limited. Some interviewees stated that they actively arrange their own checks on the vehicles on their tendered networks, with one stating that they work in collaboration with DVSA (VOSA) to carry out these random checks.

These perceptions were also identified by the Traffic Commissioner who claimed that their role is much more restricted since the introduction of Transport Act 2000, although it is also their view that the “operator licencing scheme is still considered one of the best in Europe”. This restriction sees them acting as more of a “consultee” whereas before, “we had a much more proactive role to play”.

They are not an “investigatory body” but are responsible for holding public inquiries for non-compliance issues and subsequent regulatory action against operators, in addition to the registration of bus services. If the bus operator meets all the requirements of operation, the Traffic Commissioners “have got limited ability to say “no, you can’t operate that bus service”. If they receive complaints from passengers regarding a bus service, this will be passed to the DVSA, who are responsible for enforcement and investigating complaints and issues.

Both the Traffic Commissioners and the DVSA have a dual role, with a wide range of operators to register routes for, monitor and inspect, which pushes their existing resource to the limit. Also, because the Traffic Commissioners and DVSA monitor/investigate both bus operators and good vehicle operators, it was felt by some participants that the HGV/LGV sector “gets possibly more scrutiny than the bus industry does” and that there is a heavier focus on freight and HGVs. In fact, when asked how many public inquiries the Traffic Commissioners’ hold for bus operators compared

with goods operators, approximately 2.5% of bus operators ended up at public inquiry each year, compared with 1.18% of goods operators (based on 2019/2020), so nearly double the amount. The Traffic Commissioners main work is focused on goods operators due to the much higher proportion of these on the roads compared to bus operators, but there tends to be more compliance issues seen with the bus operators.

There was also a consensus that more “joined up thinking” was needed between the DVSA and Traffic Commissioner. One example postulated was that of a bus driver who loses his/her car licence or is convicted of an offence that may affect his/her role as a driver; under the present system, there is no automatic mechanism which flags this up to the Traffic Commissioner. Instead, it is up to the bus operator or driver to know about this information, whereas maybe there should be a stronger link between the Courts and the Traffic Commissioner.

It was also felt by some participants that there are no existing official channels for Transport Authorities to report information relating to operator non-compliance to the Traffic Commissioners and vice versa. Sometimes it is “unofficial channels” that are used for reporting and one participant said that in their experience, there were variations between individual Traffic Commissioners in terms of whether they would expect the Transport Authorities to report issues in their area.

GDPR was mentioned as sometimes being a barrier to what information could be shared at a public inquiry, based on what the operator being investigated would voluntarily share.

Currently, most Authorities have no input when a bus operator wants to set up a commercial route in their area and are only consulted if approval is needed for “short notice registrations changes”. Also, it was felt that, apart from ensuring the operator is adhering to the “minimum” standards of safety for the vehicles and drivers (e.g., operator and bus driver licences in place), that a bus service will have its registration accepted. For other safety-related aspects, such as the assessment of the roads on the route, there is no requirement to prove this, as it is a “given” that the bus route has already been assessed to ensure that buses can “safely manoeuvre around” the route.

Conversely, it was mentioned by the Traffic Commissioners that at least one Transport Authority is looking to take bus registration role off the Traffic Commissioners, and it was their view that if this became routine, a “patchwork quilt of regulation within the country” would occur.

DVSA was considered to have a very comprehensive set of standards for bus and bus driver safety compliance. However, it was felt that the standards only highlighted the “minimum standard” which draws the line between a bus or its driver being either safe or not safe (i.e., not road legal) so there is always “that element of risk”. Conversely, those in charge of regulating bus safety should be pushing the safety standards beyond the minimum, by, for example, strongly advocating schemes such as the DVSA Earned Recognition Scheme and the Operator Compliance Risk Score (OCRS) system. Some participants stated that knowledge of these schemes/systems varied across operators.

Some participants felt there was a disparity in the quantity and type of failures by an operator which leads to a public enquiry. For example, one interviewee mentioned that multiple MOT failures for an operator will inevitably lead to a public enquiry, whereas failing to make numerous maintenance standards will not. And there was also some uncertainty as to how often DVSA should be routinely visiting operators “to manage their maintenance regimes”. The participant from the Traffic Commissioners did agree that there are very few public inquiries for bus reliability because DVSA are “given very limited funds to actually monitor bus services”, but when it comes to safety “they will put equal resources into it – proportionately, into buses and HGVs”.

5.2 The Role of the National Bus Strategy and Enhanced Partnerships in Improving Safe Bus Travel

Safety was deemed not to be an important inclusion in the National Bus Strategy as it is barely mentioned, vague, or “rather limited”. And many stated that they could not see anything in the Strategy “that would affect safety”. The participants were aware of many safety-related improvements that are being investigated (e.g., falls to/from buses, driver behaviour/performance/telematics), but none are featured in the Strategy.

A reason given for why safety is not featured much in the Strategy is because it is not “something that we (Transport Authorities) control or regulate” and “Transport Authorities’ powers of remit in that respect can be somewhat limited”. Also, costs and funding availability are given as other reasons. As the focus appears to be on improving route choices, ticketing systems and “passenger experience”, there is little left for improving safety, which is left as an afterthought.

One participant went as far as saying that the “national bus strategy was a missed opportunity”, and it could have been used as a “tool” by DfT to state that safety was going to be investigated through the new Enhanced Partnerships. However, it is also considered to be a missed opportunity to make the Partnerships share safety data between Authorities and operators. Furthermore, it could have been an opportunity for the DfT to say they going to “develop a national bus safety strategy”.

Enhanced Partnerships were considered to be a “step in the right direction”, as safety has the potential to be “embedded in the enhanced bus partnerships”. This would mean that Partnerships could help to reduce the incidences of unsafe/inappropriate routes if they are working together more often with their operators. The development of Enhanced Partnerships and the provision of funding to do this may indirectly help to improve safety, particularly through the ability to invest in better vehicle technologies, potentially leading to improved safety and driver standards. Unfortunately, this is all at the desire of the Partnership needs rather than a legal obligation. The Strategy as it stands was considered to not be “strong enough” to ensure improvements in safety standards happen.

In terms of the likelihood of safety being included in Enhanced Partnerships, a lot will depend on the strength of the relationship with local operators. But as one participant stated, most operators and Local Transport Authorities want safe bus services, but “sometimes practical environments limit the choices available” to them. Also, it depends on what element of safety Local Transport Authorities decide to include in their partnership and whether the differing issues of the urban and rural environment are considered. Also, with Partnerships, it is more of a negotiation between Transport Authorities and the operators, and all of the operators would need to sign up to the same safety standards, which means they would be set the lowest level that all operators could meet (i.e., a “race to the bottom”).

Some Transport Authorities are moving more towards franchising rather than Enhanced Partnerships in the long term, and it was their opinion that the franchising route would lead to agreements between Transport Authorities and operators where the Transport Authority can specify the setting of safety standards and the operators must apply to them. Therefore, Transport Authorities will have “ultimate control” and can demand the sharing of data as part of the franchise and could even set their operators “targets” for safety and reward good safety “performance” to “focus minds”.

5.3 Bus Accident Data and Analysis

Overall, across the authorities, it appears that the only data that is regularly being collected is from operators running their subsidised/tendered bus routes and it was stated that “there is no requirement for (commercial) operators to notify us officially of anything”. Operators will generally handle incidents internally (including accidents within buses) and hold regular internal meetings to discuss them. Some participants stated that “the better operators will let us know if something significant happens on the commercial network”, particularly if they involve road-related issues or incidents that happen at a bus stop or interchange. Although sometimes only anecdotal information is known about incidents on commercial routes (e.g., through service update systems via their subsidised operators who are held up due to an incident; or news reports; or a passenger report). Transport Authorities will generally know more about collisions which occur at bus stops or bus stations/interchanges due to them often having more responsibility for these areas. Meetings may sometimes be held with commercial operators about incidents, but no paperwork regarding the incidents will be shared with “GDPR regulations” cited as the reason. With franchised/subsidised routes, more sharing of data can be stipulated, although from the comments given, it appears it can be more strongly stipulated in a franchise than with a tendered service.

The DVSA will receive reports about incidents on buses if they are serious enough. They stated this is the “regulation rule for PSV operators where if they have an incident on any service, they have to report it to us, and we have a new reporting system as well for that”. There is a new electronic reporting system that operators must fill in which will “generate investigations from our side”. These incidents are only reported if it involves the bus for example if there is a fire or damage to the vehicle itself, rather than passenger injuries caused by tripping whilst boarding the bus.

Regular follow-up/review of accidents do not seem to normally be undertaken by Transport Authorities unless it is “reoccurring highways issues.” Some just do not have the team/resources to do this, and some do not see it as their role to do it, but others were looking to start undertaking more of this in the near future.

5.4 Standards of Buses Operating and the Role of Local Transport Authorities

In terms of operators running commercial services in their area, Transport Authorities generally have very little control over the standards of buses operating in their area. If “it meets the DVSA maintenance standards and they’re meeting their own inspection criteria” the commercial operators can “pretty much use whatever they like”. However, this doesn’t mean that all bus operators are running to the minimum safety standards, and that some do run enhanced safety regimes that have improved over the years. But standards can vary by company and the deregulated nature of the market makes it hard to ensure consistency for the customer.

For tendered/subsidised services, Transport Authorities have somewhat more control and will often have vehicle specifications as part of the tender/subsidised service contracts. For example, CCTV, roadside vehicle checks, auditing of drivers’ hours records. Sometimes it is difficult to make certain specifications. For example, although some operators do have telematics, not all will, and it can be too costly for some of the smaller operators to have this as standard in their vehicles and therefore limit the “entry to market”.

Although Transport Authorities have little say in the vehicle on the commercial routes in their area, safety levels are gradually being forced up via other means. In several areas, Clean Air Zones are being introduced, leading to Euro 6 emission specifications, which means many older vehicles will have to be taken out of service for not meeting these specifications and replaced with newer

vehicles which do meet the specifications and in turn are more likely to have safety systems installed as standard. This is also the case for electric vehicles, which there is a drive for more of these in some areas. As one participant stated, “the newer the vehicle, the better the technologies”.

Many participants hoped that Enhanced Partnerships and in particular franchising “might change this and more could be stipulated”.

As part of the Earned Recognition Scheme (ERS) for operators a license is issued, and operators must attend a seminar delivered by the DVSA on behalf of the traffic commissioner. The DVSA state that “a lot of what we talk about is required by regulation, but a lot of the things of what we talk about is that these are the things that you should be doing as an operator to improve your vehicle standards and safety”. However, they find that many operators will report that they do not have to do the additional things, and this makes it a real challenge if bus safety standards are to be improved.

5.5 The Role of the Transport Authority and Bus Driver Training and Performance Monitoring in Local Areas

All participants were aware of the legal requirements for drivers but had very little, if any, control over training and performance monitoring for the commercial services in their area. The main area of greater control is for the tendered/subsidised networks, although sometimes this is done on an ad-hoc basis.

Most operators “do a lot of that in-house” (e.g., bus driver Certificate of Professional Competence – CPC) and it appears that there is no legal obligation for them to share this information with their Local Transport Authority. However, there is a greater opportunity for this information to be requested from tendered vehicles, although one participant did say that commercial operators who have a good working relationship with the Local Transport Authority are more likely to share their performance data, although an agreement may need to be signed to allow it.

The ways in which Transport Authorities have been able to influence the driver training needs and performance monitoring on the subsidised routes in their area include being able to suggest topics for the driver CPC training (e.g., defensive and safe driving) and support with training in general (using external funding). Where new low emission standards are being introduced, leading to newer vehicles with new technologies being introduced into a fleet on a subsidised route, including performance monitoring-based technology, there is an opportunity for the Local Transport Authority to request this data from the operators.

One participant noted that the big bus companies will look to train their drivers in the right way and stated, “we have regular contact meetings with them as well, just to see how they are doing in terms of performance and if there are notifiable incidents”. And it is in the operator’s best interest to have a good driver training scheme set in place for the CPC, because although it is not a requirement when issuing a licence; if an operator breaches the rules for CPC, it can be part of not having “good repute”, which could lead to greater scrutiny from DVSA and even a public inquiry in the worst-case scenario.

On a side note, another participant also highlighted drivers’ hours and second jobs as being a major safety issue to be looked at, which needs to be “highlighted and explored and managed”. It was their opinion that is something that is not clearly regulated now, and only daily hours are stipulated, so it could be possible for a driver to driver 10 hours a day, as long as they have one day off in two weeks. And if a driver working these hours also has a second job, then fatigue is going to be a big risk. Some operators will go above and beyond the bare minimum standards of safety for their drivers, whereas

others will only look to the bare minimum (i.e., minimum maintenance to keep safe and not get fined/prosecuted) and not take it to the next level (e.g., diagnostics installed; driver assistance systems such as Green Road; monitor slips, trips, falls incidents). The drivers' hours issue highlights how the minimum standards could still involve risks and all operators, not just the "best" ones, should be striving to reach a standard that is greater than the minimum. But without the legal requirements or incentives in place, some operators will not see any reason to push beyond what is seen as the minimum level of safety (i.e., the line between being safe and being unsafe and illegal).

5.6 The Role of the Transport Authority and Bus Infrastructure in Local Areas

As opposed to the vehicle and drivers, Transport Authorities do in general have more control over the standard of bus infrastructure in their area. In particular, the bus stations and bus interchanges, although not always the bus stop facilities, which can be the responsibility of the local district councils.

Those Transport Authorities who are responsible for all of their bus infrastructure said they aim to "keep the bus stop facilities to the high standards" and issues are normally dealt with quickly, and there appears to be a regular upgrading of facilities to maintain these high standards. They are often informed of issues through the operators when the buses pass or use the infrastructure facilities.

Several participants said that they receive far more information about incidents at their bus stations/interchanges than they do of incidents involving buses on the rest of the road network. One participant mentioned about having "bus station user agreements" in place, which involved rules about speeding, reversing, where drivers are allowed to walk, take breaks, use mobile phones and take rests.

Apart from at bus stations and interchanges, very little was mentioned about any regular inspection schedules occurring for bus stops or route risk assessments, and, whether operators undertake this themselves.

As for the rest of the road infrastructure in terms of bus travel, one participant said it is a "really inconsistent picture" for safety and road safety is not seen as a "priority at the moment".

5.7 Perceived Challenges to Ensuring Minimum Safety Levels in Bus Travel

In terms of the main challenges to minimum safety levels in bus travel, one of the main themes that was running across most of the comments was inconsistency, both in resources and minimum safety standards, in different areas of the country. Although the bus operators and drivers themselves are quite well regulated now, "it just doesn't feel joined up". Some participants mentioned they would like to do more to improve the safety of bus travel in their area, but they lack the resources to do it. This implies that lack of resources will drive down minimum safety standards, whereas the aim should be the opposite. Also, insufficient resources at the Traffic Commission and DVSA to enable them to undertake the "depth and breadth of the remit that they have".

Another barrier to ensuring minimum safety levels which was mentioned was the lack of joined up thinking between the main "actors" involved in bus safety (i.e., Transport Authorities, DVSA, Traffic Commission) and in turn their links with the courts. This in turn leads to difficulties in being able to identify where there are safety issues and being able to do something about it. This also requires local input which is not always available in the current system of regulating and monitoring safety, so this was also seen as a challenge.

There appears to be a practise of “reinventing the wheel” over the years, which slows down progress in areas such as safety, along with a “degree of lag across the industry” when it comes to implementing new standards (e.g., audio noise for electric vehicles). The system is there to be able to create a standardised approach to safe bus travel across the country, but it needs a strong role from a leading national organisation to ensure this happens and to ensure a nation-wide approach becomes the “norm” rather than numerous isolated approaches. It was felt that the Department for Transport (DfT) or another similarly “leading” organisation would need to play a stronger role in determining any new safety standards and rolling it out.

There was a perception that bus operators had a lack of knowledge of government schemes and systems (e.g., OCRS, DVSA Earned Recognition Scheme). If they were more widely known about, they could help influence and affect how well scrutinised operators are in terms of compliance (e.g., drivers’ hours, vehicle maintenance) and help drive up safety levels.

The participants mentioned some hesitance by some operators about signing up to inspection routines as part of tenders/subsidised routes/franchises that were taken beyond the DVSA inspections. Another challenge that might hinder safety improvements was the unavailability of accessible incident data from commercial operators, and those who are part of a tender/franchise. Even when this data existed it was considered to be patchy because operators do not ensure every incident is recorded.

5.8 Target Setting for Reducing Accidents Across the Rest of England

Most participants agreed that in theory, setting targets for reducing accidents would be a positive move. In fact, many bus operators will already set their own targets “because it is a cost that they will seek to remove from their business”. However, in practice, it would not be as simple to set targets in the same way as London/TfL, as they have more powers to set standards and targets. Also, the roads the buses operate on across London are mainly in urban built-up environments, whereas there is a much greater variation in the type of road environments bus services operate on across the rest of England, ranging from the urban city-centre to remote rural locations. Therefore, it may need a number of different targets for type of “setting” across the country (e.g., rural/urban, high/low speed roads). However, one participant did state that they believed there should be “consistency” when setting targets and “everyone should be working towards the same targets across the country”.

Another participant stated that it also depends on how the targets are formulated, what they are based on, and it would need to be delivered through a “more central regulated system” and have legislation supporting it through a regulating body. And if targets were to be introduced, there would need to be an “endgame” to them and a “remedy” if targets aren’t met, and it must be made clear who reports this “remedy”. In London, it helps that they have that “overarching body responsible for all things wrong”, and who can put their requirements on top of any requirements for the operator’s licence (although they are still regulated and monitored by the Traffic Commissioners and DVSA), which does not exist in the rest of England.

One participant stated that the targets would need to come from central government (i.e., DfT), but that input from various areas of the bus industry and safety bodies would be needed to set these targets and make them meaningful. They also thought that the targets could be part of the National Bus Strategy, but it would need a “significant support process” to be successful. Enhanced Partnerships and franchising were also mentioned as ways of including “regulated” targets and that there could be some sort of “mechanism” to provide incentives for operators to contribute to

achieving these targets (e.g., financial) and reward “good performance”. However, all operators would need to agree to the same targets, which again would require the targets to come from the “top” rather than set locally, which would then also mean that commercial operators who are not in a franchise and therefore less “controlled” by their Local Transport Authority would also have the same targets.

5.9 Feasibility of Having Nation-wide Standards for Safe Bus Travel

In general, the response was positive to have nation-wide standards for safe bus travel, particularly if the aim is to save lives. One participant commented that “we’re going there already with the prospect of franchising and certainly Enhanced Partnerships”. But that they would like it to go further and for the eventual aim to be that they can tell their operators in the future “if you’re operating this route... the vehicle has to be this (e.g., flooring, safety systems, stanchions) and then we monitor it then”. One main benefit of national standards is that there wouldn’t be a “discrepancy across regions” and consistency would “aid operators”. However, there might not be parity between urban and rural routes as these routes tend to have low numbers of footfall at certain times where smaller buses may be required which might fall outside of the standards.

There were several issues raised about the implementation of national bus safety standards including:

- How do we ensure they are implemented?
- We need to make sure it is clear what is being delivered, how it is going to be measured and what happens if the standards are not followed?
- The “difficulty is getting agreement at where on the scale..., where do we go on that scale?”
- How are variations going to be addressed in common standards (e.g., the design of specific interchanges, the number of standing passengers allowed)? Over-prescription needs to be avoided so that “potential good points” are not designed out.
- “It’s going to cost money”, when currently some bus operators are already not investing in their vehicles (e.g., some operators still struggling with the PSV accessibility regulations after 20 years). It needs the “investment support it”.
- It will need funding from central government and clear specifications from them about what safety equipment is required and what training/monitoring/reporting is needed, for it to be achievable.

Like setting targets, one participant commented that the introduction of new standards for bus safety should have been linked to the National Bus Strategy. And although there is mention in the Strategy of introducing zero emission buses to the fleet, which will in turn increase the number of new vehicles in the fleet, which are likely to be fitted with the latest safety technology, the Strategy could have gone further by specifying safety much more directly. Therefore, there was an opportunity to set safety targets and introduce new safety standards for buses and bus travel, but the opportunity was missed.

Additionally, there are schemes run by the DVSA that operators can sign up to and share data with about bus maintenance and driver hours that could be enforced with all bus operators. This is Owner Recognition scheme whereby the operators that become part of that will become the exemplar operators. This means data is shared with the DVSA and could potentially be a safety measure in the future where “people contracting PSVs will look for whether you are an OR operator? In knowing that, you know that this operator is meeting a higher standard from our point of view”.

One final point which was made was that it is important that any national standards must be able to “evolve and change over time”, so regular reviewing would be needed, and updates made as “technology and best practices evolved and changed”.

5.10 Responsibility for Setting and Enforcing National Standards for Bus Safety

The main organisations/bodies which were mentioned as being the one(s) to have ultimate responsibility were:

- Department for Transport (DfT)/Government,
- DVSA,
- Traffic Commissioner,
- Operators,
- Mayors,
- The co-ordinating body (i.e., Combined Authority).

It was apparent that the Government (DfT) were perceived to be the main body who should set safety standards. One participant commented that they would like to see something from the government that says, “whether you’re an operator, whether you’re a Local Transport Authority, a co-ordinator, we would expect this from you”. It was suggested that the role of the Traffic Commissioners and DVSA should be supporting each other to set and or enforce the safety standards. However, for either body, their role would need to be expanded for this to be feasible, and maybe have a separately funded section in each which focusses only on buses and ensuring safety standards are adhered to.

The participant from the Traffic Commissioners suggested that they would be “ideally placed” to look at the “vehicle and driver” as they are “specialised regulators”, but it would need “resource” and they suggested that the routes are “best placed locally”. However, they said it would need to be a “DfT initiative” because the Traffic Commissioners are “apolitical”. The DVSA stated that any change in regulation that came into their remit “we would have to look at but that is also a new piece of work for us”. This change would also require working with the DfT in terms of resources as “we only have so many examiners” that would be doing this new work.

There is an obvious need to not “reinvent the wheel” and set up another new body overseeing this but work with what is in existence. The key area appears to a need for a more “joined up approach” between the operators, DVSA and Traffic Commissioners and then this would make the implementation of any new standards much more successful.

Although the responsibility for setting the standards should be national, many participants suggested that their local co-ordinating body (i.e., Transport Authority) should play a role in monitoring local bus safety standards and should be given the powers to be able to enforce them. This monitoring could be embedded in the Enhanced Partnership Schemes or through franchise agreements however without a national safety standard there is no compulsion to make this happen.

5.11 Feasibility of a National Safety Body for Bus Travel or a National Branch for Investigating Bus Accidents

In general, the response was positive for introducing a National Safety Body for bus travel and a National Branch for investigating accidents, as it would help to provide a “national picture” of bus safety and there would be an opportunity for data sharing at a national level, not just on bus safety

and driver safety, but also on highways issues related to bus routes. There is a “role for somebody to actually be able to bring the data together” to help “learn the lessons” and learn from “best practice”, but it may take a group to “come together to develop it” to bring in the appropriate “partners” to oversee it. As one participant stated, “rail have, so why should bus not have?” However, it would need to be “an overriding body that’s wholly independent” but it could also expand on DVSA and the Traffic Commissioners’ current role within the industry.

The Traffic Commissioners themselves thought that a National Safety Body would be “possible” and “beneficial”, but the challenge would be “where do the powers start and end compared to say the regulator’s powers start and end?” They thought that there were various bus bodies already and would this be “just another bus body?” It was suggested that buses could be put “into Network Rail as an organisation”. The DVSA were also supportive of a National Bus Safety Body but “having it put in place and having the right people at the table... that’s the difficulty”. They mentioned the existing partnerships that already exist, but they need to be more effective “to work together to achieve that common goal”.

When discussing the feasibility of a National Branch for investigating bus accidents, it was pointed out that by law, if there is an incident on a bus, the operator has to “report it to the Secretary of State”, via a DVSA form. The incident is quoted as being a “failure or damage of a nature calculated to affect the safety of occupants of the public service vehicle or of persons using the road” (Senior Traffic Commissioner’s statutory guidance and statutory directions). These as previously mentioned tend to apply where the bus is faulty and not to the smaller incidents that happen. This was identified by the Traffic Commissioners as being missing as to how to use incident data to identify trends and potential improvements based on these trends.

The Traffic Commissioners also said that even though only 10% of the operators they register are bus operators (compared to 90% goods operators), the issues they normally deal with in buses are normally “far more contentious than HGVs”, mainly because their “loads are people rather than goods”, so it is more “emotive”. This probably means that it is more like “20,30% of their time taken up on buses”. This highlights the need for a separate Bus Safety Body which can focus more on the more complicated issues in bus travel, which the Traffic Commissioners may struggle to have the time to deal with.

A few participants mentioned that to some degree the “framework and bones of that” is already there, mainly for the very major incidents and there would “have to be a threshold above which they became involved, and there already is in that sense”. The DVSA have the ability to compile the main incidents that happen on a new electronic recording system, but they recognise this data would only be a small proportion of incidents collated from the reporting forms. Overall, it was generally thought that not every single incident could be investigated independently in the same way as it is in other transport modes, because there would be just too many to investigate due to the numbers of buses on the nations’ roads. However, it could be possible to collate information from other sources for the less serious incidents (i.e., operators) and obtain supplemental information for the more serious (e.g., police, HSE), and independent investigations would then be carried out on just the most serious or high-profile cases.

Some issues which were highlighted in the interviews included:

- It can’t be “reactive” (i.e., not just look at incidents which have occurred, but also identify risks for potential future incidents).

- The bus fleet in England outside London is too large to investigate all incidents, so a level would need to be set.
- There could be political barriers to introducing this (national and local).
- There will be a cost to the industry (i.e., moving away from “lowest price wins” to better level of quality).
- The national picture might be different to the local ones (i.e., variations in local costs to bring up to a specific standard).
- Some “mechanisms” may be required to “compel, encourage the operators to be a part of it” and they would need to see the benefits/incentives for them to get involved (e.g., financial, reduced monitoring by DVSA) and share data to a national body, or they will not support it
- “Who’s going to pay for it?” There needs to be an investment and it needs to be “nationally funded”.

5.12 Transport Authorities’ Links with their Local Operators

In addition to the specific questions asked, some observations were also made about the Transport Authorities links with their local bus operators from the responses given to many of the questions. In general, most of the interviewees said they had a good working relationship and good communications with their local bus operators, both on their tendered routes and the commercial routes. However, some did note that they knew of other Authorities who do not have as good a relationship with their local operators. There was also an apparent lack of communication in some areas as information about incidents / issues that have been overcome by commercial operators have not been communicated to the Local Transport Authorities to inform their tendered operators, so they are aware of issues before an incident occurs.

The Transport Authorities stated they were able to include safety-related aspects in their conditions of contract with their tendered (subsidised) operators. For example:

- The operators need to notify the Transport Authority of any “significant action” taken by the DVSA or Traffic Commissioners.
- The Transport Authority can request the operators’ maintenance records, so they know if they are a “good” operator.
- Some Transport Authorities are able to specify “Euro 5” engines, therefore ensuring the vehicles on their tendered routes are newer and therefore more likely to have the latest safety systems installed.
- They can request maximum vehicle sizes to ensure the buses are suitable for the roads on the route.
- One participant said their operators were happy to provide information about safety issues, although this is not always the case.
- Transport Authorities can request regular meetings with their operators to discuss performance and any “notifiable incidents”.

5.13 To Summarise

The interviews with the stakeholders provided a very informative outlook on the current situation regarding the regulation of safe bus travel in England outside of London. It was the general consensus that there are currently no stringent safety requirements similar to other forms of transport and very little consistency in what is regulated and how. Inconsistencies exist between

operators in how they approach safety, particularly between the smaller and larger operators and this could also apply to Transport Authorities in the areas of safety they have control over.

Lack of resources was highlighted as one of the major obstructions to having a consistent safety regulatory set-up across the country, which leads to a reactive, rather than a proactive set-up in terms of dealing with safety issues, including at the major actors in bus travel (e.g., Traffic Commissioners, DVSA).

Transport Authorities have very little control over the standards of buses in their area, or the training and monitoring of bus drivers on routes in their local area, and there is no requirement for bus operators to notify Transport Authorities of any accidents or incidents occurring in their area. This type of information is generally kept in-house by the bus operators.

One area which Local Transport Authorities do have more control over, however, is bus infrastructure, particularly bus stations and interchanges.

Overall, the response was positive to having nation-wide standards and safety targets for safe bus travel and to an extent, it was thought that Enhanced Partnerships and franchising are a step in the right direction towards this. The response was also very positive for introducing a National Safety Body for bus travel and a National Branch for investigating bus accidents.

6 Main Challenges in the Regulation of Bus Safety in England Outside of London

From undertaking this extensive review of the regulation of bus safety and safe bus travel in England outside of London, the following were identified as the main challenges to having a well-regulated system:

- Overall, funding and resources appears to be one of the main challenges. Up until recently, bus travel does not appear to have been a priority compared with other forms of travel and transport (i.e., rail, road, air), and the lack of resources has led to safety measures being more reactive rather than proactive.
- There is a distinct problem in the division of roles and the language used in the approach to bus safety with many terms overlapping but with different meanings. Therefore, to direct the future of bus safety there is a need for greater precision in delineating the language of and between 'leadership' on bus safety, 'regulation and enforcement' of bus safety, 'responsibility for provision' of safe bus services and 'responsibility for the operation' of a safe bus service.
- Since bus deregulation in the 1980's, Local Transport Authorities do not have control over the bus operators providing bus services in their area nor are they able to access incident data from operators to be able to monitor collisions and near misses or driver safety performances in their area (often blocked by "confidentiality agreements" put in place by the bus operators).
- There are a number of new strategies and updates to Bus Acts in recent years, but all are focussed on improving the quality and quantity of bus services, but very little focus has been given to safety in any shape or form, whether it be through vehicle safety (design/maintenance), driver training and performance, bus infrastructure (e.g., bus stops/shelters/stations) or incident reporting/accident investigation systems.
- From reading through the literature and searching through the Transport Select Committee sessions (inquiry & non-inquiry), there appears to be some concern of the role of the Traffic Commissioners on being able to monitor the safety of bus operators once registrations have been approved, and to some degree, prior to registration. This is mainly a resource issue, and to some level a result of the high numbers of HGVs registrations that the Traffic Commissioners are responsible for alongside those from the bus industry, which when issues arise tend to be more complicated than those related to HGVs. The Traffic Commissioners' role seems to have become more of a reactive role rather than proactive in bus safety.
- Also, there has been some question marks of how effective communications between DVSA and the Traffic Commissioners are, and indeed with the Transport Authorities, especially when bus operators in their areas are found to have unsafe working practices and are called to public inquiry.
- The Bus Services Act 2017 and more recently the UK Government's Bus Strategy "Bus Back Better" to some level try to give back some control to Local Transport Authorities about the bus services in their area, by ensuring "Enhanced Partnerships" are formed between Local Transport Authorities and bus operators so that they can work together to improve the standards of bus services in the area. However, it does not specify anywhere within this Strategy anything about sharing incident data or driver performance data. As before, it appears that it is up to the Transport Authorities to try and persuade their bus operators to

come to an agreement to share this data with them, or indeed to come to an agreement about the level of safety on the buses the operators use for their services.

- Unlike Rail, Air and Marine, there is no independent body which investigates accidents involving buses.
- There is some good practice in London and Northern Ireland and indeed in the rail industry for accident investigation which could be used as a starting point to set up a national independent accident investigation body for bus crashes. However, it needs an overall body (i.e., DfT) to introduce this and enforce it and make it clear which organisations are responsible for which areas of bus safety and which type of bus incidents should be investigated by the national body.
- Good practice in terms of regulating and monitoring bus safety is also occurring at a local level, with many larger operators and some regional Transport Authorities with franchises having in-depth procedures in place for ensuring safe buses, safe drivers and safe routes. However, safe bus travel is an inconsistent picture across England as a whole, with safety often being an optional extra limited to those who have the funds and resources for it.
- Regulatory documents for bus safety can also be very confusing with concerns regarding the potential for manipulation and misinterpretation. There are also countless numbers of guidance documents available published by various bodies (e.g., DfT, DVSA, Transport Authorities, Trade Unions), which has the potential to lead to confusion as to which documents operators and others in the bus industry should be following.
- In general, safety itself appears not to be looked on as a priority by DfT who have the power to legislate and provide funding for safety. It is currently about increasing the number of customers, particularly encouraging people back on the buses who stopped using them during the Covid pandemic, and it is about increasing the frequency and variation of routes across the country, along with easier ticketing systems to make the passenger experience a lot “easier”. Safety of the driver, passengers and surrounding road users appears to come further down on the list than these issues, which is particularly highlighted in the Government’s Bus Safety Strategy document “Bus Back Better”, in which safety is barely mentioned.

7 Conclusions

It is evident from the desk top review and interviews with various stakeholders that driving up bus safety levels beyond the current minimum legal requirements is not seen as a high priority at national level (outside of the London area). There are minimum safety requirements in place that enable bus operators to provide a bus route for the Transport Authority. This requirement ensures the bus is roadworthy and the driver has a license to drive the vehicle. However, there is no additional requirement for bus operators to improve the safety on board their buses for passengers or for their drivers. Only more serious accidents or incidents involving bus failures are reported to the Traffic Commissioner via the DVSA incident form. Where reports of poor maintenance or persistent offences by bus operators occur, they will attend inquiries led by the Transport Commissioners. There are minimum standards and a level of reporting that takes place but the opportunity to work towards a common safety target is missing. This impacts the bus operators as there are no requirements to improve the safety beyond the minimum requirements unless these are imposed by national standards or at Local Transport Authority level. Unfortunately, the recent National Bus Strategy was considered a missed opportunity to drive up bus safety standards for operators and Transport Authorities alike.

Very little detail about safety was presented in the National Bus Strategy, which means that the Local Transport Authorities (LTA) have the responsibility to embed safety in contracts with bus operators as part of the Enhanced Partnership schemes or in franchise agreements. This approach continues the imbalance across England about bus safety as each LTA can set their own agreements and continue proliferating the “patchwork” approach to bus safety. It is recognised that resources are required to deliver bus safety across England and to enforce any regulations or agreed standards. Again, unless there is a desire to deliver nationally set targets the resources will not necessarily be diverted to bus safety. Certain safety improvements will occur by default if LTAs are following a green agenda as newer buses will need to be on commercially operated routes to adhere to low emission targets. However, the discrepancy in safety will perpetuate itself as old bus stock is likely to be moved to rural routes to deliver low emissions from the newer buses in the cities.

It is apparent that bus safety is an important issue for those interviewed but any additional bus safety agendas have to be led by the local teams and will be reliant on resources and other agencies to regulate. Thus, without a national directive or a joining up of relevant agencies to work together to drive up and develop national bus safety standards, the likelihood of success will be limited and remain “patchy”. One of the main challenges for bus safety regulation is the need to join together a number of organisations and actors in a harmonious structure, which currently does not exist.

8 Best Practice Recommendations – How the Regulatory Framework for Bus Safety Could be Improved

The main recommendations from this report to help improve bus safety suggests that any improvements must be instigated through regulation of improved minimum safety standards ensuring all parties have a common goal. However, as an initial step, an agreement must be made as to what the minimum bus safety standards should be for England outside of London.

- As a starting point, the TfL bus safety strategy should be reviewed and from this, key minimum requirements should be agreed on that would derive a national bus safety strategy for the rest of England. This strategy should include clear targets for improving safety and reducing casualties involving buses, plus setting clear roles and responsibilities for bus safety in England outside of London.
- The regulations should be developed to allow Transport Authorities to have a greater and clearer role in safe bus travel and the commissioning of new bus routes/operators in their area, using best practice from both London (TfL) and Northern Ireland (Translink) to develop standard protocols for safety (e.g., route risk assessments, accident data collection, performance monitoring) in their area. The guidance for developing this should be standardised across the whole of England.
- There should be one main body in charge of safe bus travel within England (i.e., separate from HGVs). In theory, having a single body that determines regulations and policy with respect to bus safety has many potential benefits, including consistency and clarity within the industry together with a general lack of ambiguity, which should appeal to the operators. It would also ensure that best practices are adopted across the entire industry, whereas multiple approaches through de-centralised regulation could cause different safety strategies to emerge with the possibility of safety prioritised in some, but not all regions. However, if this is the approach to be adopted in the future, there will be a need to ensure that it delivers on safety, and therefore close monitoring of safety track-records across the board will be required.
- Alongside a National Safety Body for bus travel, there should also be a National Branch for independently investigating accidents and incidents, similar to other modes of travel (e.g., RAIB, AAIB, MAIB). Both the National Safety Body and Branch for investigating accidents/incidents could be developed from existing organisations provided with the additional resources to have separate branches specifically focussing on bus travel and bus safety.
- The Government (DfT) needs to set specific minimum requirements in a bus safety standard for operators and Transport Authorities to adhere to and start “joining” the agencies together for a common goal (as mentioned in the previous point). In terms of developing a bus safety standard, DfT should be looking at the TfL Bus Safety standard as a starting point. The benefit of adopting a national bus safety standard will challenge all bus operators to comply with at least a minimum standard which could be set at above the minimum legal requirements. There could still be variability between operators as some may settle at the minimum levels set in the standard compared to others who are more willing to adopt safety initiatives to push for even higher standards.
- For driver training and performance monitoring, the UK Government should be looking at how Translink have adapted training and monitoring procedures from the rail industry to

develop their own rigorous processes for training and monitoring their drivers (e.g., annual in-service assessment for all drivers).

- Under the current regulatory system, the Traffic Commissioners and DVSA's roles to regulate the minimum safety standards for bus travel must be clearly defined and the resources to enable this should be made available.
- Bus safety regulations should be stating that Local Transport Authorities need to be embedding minimum bus safety requirements into their Enhanced Partnership schemes or franchise contracts with bus operators.
- Bus operators must adhere to the developed safety standards and provide evidence of this when competing for contracts and agree to follow minimum safety standards when contracts are signed.
- There should be a requirement for bus operators to sign up to the DVSA Earned Recognition scheme and/or the Operator Compliance Risk Score (OCRS) system. This would incentivise operators to achieve better than the minimum legal requirements for safety (i.e., drives up safety to a higher level).
- There should be a data sharing agreement between operators, Transport Authorities and DVSA to enable incident and driver performance data to monitor bus and passenger safety. The use of data is fundamental to the success of many of these recommendations as it will provide the quantitative evidence from which to measure success, set goals and safety targets.
- A National Incident Report Systems, similar to IRIS used by TfL and TSMIS by Translink, should be developed and introduced for all bus operators and Transport Authorities across England to record incidents and accidents involving buses, and it should be a requirement that all incidents are recorded into this system, with regular reviews of this information taking place by the National Bus Safety Body. This should be in addition to the investigations undertaken by the National Bus Accident Investigation Branch, whose aim would be to undertake in-depth investigations on the more serious cases in the same way that RAIB do for all rail incidents.
- A "blame" culture should be avoided in terms of drivers reporting incidents, to allow drivers to feel comfortable in reporting incidents they are involved in without fear of being penalised in the first instance. Support and further training should be encouraged prior to more serious actions being considered.

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Annex A: A Brief History of Acts Related to Bus Travel in England and Deregulation

- Transport Act 1968 – The first Passenger Transport Authorities (PTAs) and Passenger Transport Executives (PTEs) were established in 5 areas (4 in England, 1 in Scotland), taking over bus operations from local councils.
- Local Government Act 1972 – As part of a reorganisation to reform local government, this Act led to two new English PTEs being created in 1974 in the same name as the newly created Metropolitan counties. PTAs were abolished.
- Transport Act 1985 – PTAs were recreated when the Metropolitan County Councils were abolished. This Act had two main parts: (i) deregulation and (ii) privatisation of bus operations. Deregulation meant that service licencing was replaced with a system of registration and PTEs and PTAs were no longer in control of licencing bus operators to operate routes in their area. Instead, “bus services” in general became a free market, with operators able to choose where and when to operate routes and how much to charge passengers. They could also stop or change a service at any time. The only requirement to set up a bus service was for bus operators to register their intention with the Traffic Commissioners, bypassing the local Transport Authorities. Privatisation also meant that publicly owned bus services were moved into the private sector, with the aim of increasing competition to increase revenue, drive down fares and improve services although this did not happen as intended.
- Because London Bus companies were governed by the London Regional Transport Act of 1984, deregulation did not happen in London., but privatisation of buses did. Instead, a system of franchised routes operated by private companies but managed by London Buses Ltd was introduced, meaning that London was able to still regulate the private companies providing bus travel.
- Transport Act 2000 – This Act outlined the responsibility of local Transport Authorities to prepare and publish Local Transport Plans (LTPs) and develop bus strategies for carrying out their bus functions. It also provided for a type of Quality Partnership Scheme (QPS) or Quality Contract Scheme (QCS) between the bus operators and local Transport Authorities.
- Local Transport Act 2008 – One of the main aspects of this Act that relates to bus travel concerns local Transport Authorities being given more powers to improve bus service quality, particularly in relation to the measures set out in the DfT report “Putting Passengers First” (DfT, 2006). It sets out proposals for a more consistent approach to local transport planning, and this included changing the name of PTAs to Integrated Transport Authorities (ITAs). The Act also made it easier for operators and local Transport Authorities to enable non-statutory agreements between them, but also, due to the low uptake since 2000, attempted to make the formation of QPSs and QCSs easier and more appealing to bus operators and local Transport Authorities. In addition, this Act made some changes to the role of the Traffic Commissioners by removing “the link between Traffic Commissioners and traffic areas and created the office of Senior Traffic Commissioner”.
- Bus Services Act 2017 – This Act allowed local Transport Authorities to strengthen arrangements with bus operators and presented them with new powers to form more structured partnership schemes with bus operators than outlined in previous Acts. These

strengthened arrangements were in the form of Advanced Quality and Enhanced Partnership schemes aimed to improve bus services. It also allowed the introduction of more advanced ticketing schemes. Additionally, the Act provided Mayors in Combined Authorities with equivalent powers to in London by enabling them to have similar franchising Authority which replaced the previous Quality Contract Schemes. However, this Act prohibits local Transport Authorities from reversing complete bus deregulation by forming a company for the purpose of providing local services.

Table A.1: Bus Travel and Bus Safety related publications Identified from the online search

Types of documentation	Publications identified for potential relevance to safe bus travel in England outside of London
<i>Policies & strategies for safe bus travel</i>	<ul style="list-style-type: none"> • Bus Back Better: national bus strategy for England (2021)⁸. • A Better Deal for Bus Users (2020) • The Road Safety Statement 2019: A Lifetime of Road Safety. • The Bus Services Act 2017⁹.
<i>Commissioning of bus routes/services</i>	<ul style="list-style-type: none"> • DVSA PSV Operator Licencing: Guide for Operators (2011). • Office of Traffic Commissioner- Operating registered local bus services in England (except London) and Wales: Guide for Operators. • The Bus Services Act 2017: Guidance on the Registration of local bus services in an Enhanced Partnership Area.
<i>Running of bus routes/services</i>	<ul style="list-style-type: none"> • Bus Back Better; national bus strategy for England (2021)¹⁰. • The Bus Services Act 2017¹¹.
<i>Monitoring of bus routes/services</i>	<ul style="list-style-type: none"> • Senior Traffic Commissioner’s statutory guidance and statutory directions
<i>Driver training and performance</i>	<ul style="list-style-type: none"> • DVSA National Standard for Driving Buses and Coaches • The UK Government Rules on Driver’s Hours • The Driver Certificate of Professional Competence (CPC) • DVSA Guidance for Drivers: Passenger Carrying Vehicles (PCV) • DVSA Safe Driving for Life • The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990
<i>Monitoring of driver performance</i>	<ul style="list-style-type: none"> • None found, apart from The UK Government Rules on Driver’s Hours (section on Rules for Employers)
<i>Safe vehicle design</i>	<ul style="list-style-type: none"> • None found, although the TfL Bus Safety Standards is used as a reference by some Local Transport Authorities for their subsidised/franchised routes in absence of any other guidance
<i>Vehicle maintenance</i>	<ul style="list-style-type: none"> • DVSA Guide to Maintaining Roadworthiness (Dec 2020)
<i>Monitoring of vehicle safety (e.g., inspections for design /maintenance issues)</i>	<ul style="list-style-type: none"> • DVSA Guide to Maintaining Roadworthiness (Dec 2020) • DVSA Public Service Vehicle (PSV) Inspection Manual (2018) • DVSA Categorisation of Vehicle Defects (2019) • DVSA Enforcements Sanctions Policy

⁸ No specific mention of safety in this

⁹ Mentions safety but suggests sharing of incident data from operators a good idea in a franchise, but does not enforce it

¹⁰ No specific mention of safety in this

¹¹ Mentions safety but suggests sharing of incident data from operators a good idea in a franchise, but does not enforce it

<i>Bus infrastructure (e.g., stops/shelters/stations)</i>	<ul style="list-style-type: none"> • Manual for Streets 2 (2010). • Bus & Coach Station Design and Operation: Guidance for the safe design and operation of bus stations and interchanges (UTG, 2011). • Local (e.g., Metro (Leeds) Bus Stop Infrastructure Standards)
<i>Investigating accidents/incidents</i>	<ul style="list-style-type: none"> • Reporting an accident involving a PSV (DVSA)

Annex B: Overview of Current Standards & Procedures in Bus Safety

B.1 Policies and Strategies for Safe Bus Travel

The Bus Services Act 2017

The Department for Transport (DfT) Bus Services Act (2017) focussed on simplifying and improving bus services but specifically bus safety was not mentioned. Subsequent DfT guidance publications between 2017 and 2019 provided explanations of the Bus Services Act in more detail.¹² and in the later guidance for “new powers and opportunities”, there is a section discussing “improving the safety of bus services”.¹³

The Road Safety Statement 2019: A Lifetime of Road Safety

This is a general road safety policy document published by the Department for Transport.¹⁴ It mentions using a “safe system approach” and having an “integrated approach to safety” and discusses “actions over the next 2 years” (i.e., from 2019 onwards). There is only one specific mention of buses in this publication (the “Tyred” campaign), where, based on this campaign, a ban on tyres 10 years and older has been proposed on all buses, coaches, Heavy Goods Vehicles (HGVs), minibuses, and private hire vehicles. The publication discusses HGVs, and therefore some of this also has the potential to be relevant to buses (e.g., driver vision, use of old tyres, side guards, driving for work, bridge strikes, safer users...).

A Better Deal for Bus Users (February 2020)

This online guidance published by the Department for Transport in 2020 highlights the UK Government’s commitment to improving bus travel and bus users’ experience in England. This first mentions the introduction of a National Bus Strategy which would eventually be outlined in more detail in the publication “Bus Back Better” in March 2021.¹⁵ It also mentioned investing more in bus travel, prioritising buses and bus routes, air quality and emissions, improving passenger information and publicity, improving fares and payment systems and supporting on-demand services. However, there is no mention of any safety-related issues being included in the Government’s plans.

Bus Back Better: National Bus Strategy for England (2021)

After some delay, in part due to the Covid-19 pandemic, the Government eventually published their much-awaited National Bus Strategy, “Bus Back Better” in March 2021.¹⁶ The main aim of this National Strategy is to persuade people to make greater use of buses by making bus services more appealing, affordable, convenient and accessible. Furthermore, it makes Enhanced Partnerships mandatory between Local Transport Authorities (LTAs) and bus operators in the local area, apart from those who had already formed a franchise(s).

The Government expected all LTAs to commit to establishing Enhanced partnerships by June 2021, apart from those Mayoral Combined Authorities (MCAs) who have already started the process of franchising. It will still be possible to set up a franchise, but the LTA/MCA must establish an Enhanced partnership in the meantime while the franchise is being set up due to the long lead time in setting up a franchise.

¹² <https://www.gov.uk/government/collections/bus-services-bill-overview>

¹³ <https://www.gov.uk/government/publications/bus-services-act-2017-new-powers-and-opportunities>

¹⁴ <https://www.gov.uk/government/publications/road-safety-statement-2019-a-lifetime-of-road-safety>

¹⁵ <https://www.gov.uk/government/publications/a-better-deal-for-bus-users/a-better-deal-for-bus-users>

¹⁶ <https://www.gov.uk/government/publications/bus-back-better>

Currently, franchising powers are only available automatically to MCAs, but through secondary legislation, they can be provided to other LTAs. Thus, franchising and Enhanced Partnerships are two ways for LTAs to obtain more power over the bus operators working in their areas than they may currently have.

The Government is “encouraging” either Enhanced Partnerships or franchises to be fully up and running by April 2022, by giving the financial incentive that from that date, only established franchising schemes and Enhanced Partnerships will be able to access new discretionary forms of Government bus funding and the reformed Bus Service Operators Grant.

Table B.1 shows the main differences between an Enhanced Partnership and a franchise in terms of the roles the operators and Local Transport Authorities (LTAs) would have and how that may influence the standards of bus safety in the local area.

Table B.1: Main difference in terms of safety between Enhanced Partnerships and Franchising

Enhanced Partnerships	Franchising
Operators working alongside Local Transport Authorities (LTAs), but also have more control over being able to restrict the safety data they share as it is a joint agreement.	Operators working for LTAs can be made to share safety data as part of the franchise agreement.
LTAs have less control over being able to set their own safety standards and request safety data from operators.	LTAs have more control over being able to set their own safety standards and request safety data from operators.
More “flexible” joint agreement, but it is therefore more likely that the safety standards “agreed” will be at the “minimum” level because operators will be reluctant to “agree” to higher safety standards in a partnership (e.g., due to costs).	Less “flexible”, because operators will have to agree to the LTA’s safety standards before a franchise is agreed, so there is more opportunity for higher safety standards with a franchise.

Embedded in this was the fact that all LTAs were expected to publish a Local Bus Service Improvement Plan (BSIP) before the end of October 2021. These BSIPs discuss improving services for passengers (routes, timetables, punctuality, pricing etc.), but the only mention of safety is related to roadside infrastructure (i.e., bus stops/shelters). There is no mention in BSIPs of providing safer vehicles, better trained more safety aware drivers or better accident and incident reporting systems. Unfortunately, this is a missed opportunity to ensure that any incidents, including near misses, are logged, and reviewed to ensure lessons can be learned for the future safety of all passengers and other road users. Moreover, if Enhanced Partnerships are meant to ensure a joint agreement is in place between the LTA and the bus operators, or within a franchise scheme, then these should also include a joint agreement about the setting of minimum safety standards (beyond the minimum prescribed by the Government) and the sharing of accident/incident information between operator and LTA.

B.2 Commissioning, Running, and Monitoring of Bus Routes/Services

Various other guidance exists which helps to inform safe bus travel from different perspectives.

Public Service Vehicle Operator Licencing: Guide for Operators

This publication from 2011 is a guide rather than a standard, but it provides a comprehensive overview of the procedures for obtaining a Passenger Service Vehicle (PSV) operator's licence (e.g., application process, requirements) and how to keep the licence (e.g., types of services allowed, hiring from other operators, additional requirements...).

Office of the Traffic Commissioner: Operating Registered Local Bus Services in England (except London) and Wales – Guide for Operators

This is a guide produced by the Traffic Commissioners (2018) to “explain about local bus services and their registration” and to “understand the requirements of running a local bus service” and what is required under the legislation and provides guidance on how to run a reliable bus service.¹⁷

Although it does not specifically mention safety, by following the guidance outlined with the guide, there is a greater likelihood that the bus services being operated will be safer and more reliable.

Senior Traffic Commissioner's Statutory Guidance and Statutory Directions

The Senior Traffic Commissioner's statutory guidance and statutory directions are a series of publications “explaining the legal basis and the way traffic commissioners will approach the exercise of their statutory functions”.¹⁸

The sections on “Good repute and fitness”, “Local bus services in England (outside London) and Wales” and the “Principles of decision making and the concept of proportionality” are the most relevant to bus safety. There is a note under “Good repute and fitness” which reminds operators of their duties under section 20 of the Public Passenger Vehicles Act 1981.¹⁹ to “report to the Secretary of State as soon as practicable, any failure or damage of a nature which has been calculated to affect the safety of occupants of a public service vehicle owned by them or of any persons using the road”. There is a form (PSV112) on the UK Government's website which can be used for reporting an accident involving a bus (PSV) via the Driver and Vehicle Standards Agency (DVSA).²⁰

B.3 Driver Training and Performance

National Standard for Driving Buses and Coaches (2013, updated 2014).²¹

This DVSA standard “describes the skills, knowledge and understanding needed to be a safe and responsible driver of a category D vehicle”. Therefore, this is focussed on just the safe driving of buses. It links the work of the DVSA, People 1st (who set the Passenger Carrying Vehicle Driving National Occupation Standards) and the providers of driving related vocational qualifications. There are 5 main areas which highlight the main roles of a driver of a Category D vehicle:

- Role 1 – Prepare vehicle and its occupants for a journey;
- Role 2 – Guide and control the vehicle;
- Role 3 – Use the road in accordance with the Highway Code;
- Role 4 – Drive safely and responsibly in the traffic system;
- Role 5 – Review and adjust driving behaviour over lifetime.

¹⁷ <https://www.gov.uk/government/publications/local-psv-service-registrations-psv353a>

¹⁸ <https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions>

¹⁹ <https://www.legislation.gov.uk/ukpga/1981/14/section/20>

²⁰ <https://www.gov.uk/government/publications/report-an-accident-involving-a-psv-psv112>

²¹ <https://www.gov.uk/government/publications/national-standard-for-driving-buses-and-coaches>

The Driver Certificate of Professional Competence (Driver CPC)

This is a qualification for professional bus, coach, and HGV drivers²². It was first introduced for bus and coach drivers in 2008 (HGV drivers in 2009) and has since been introduced across Europe with the aim of improving road safety and maintaining high standards of driving. All drivers need to complete 35 hours of periodic training every five years on an ongoing basis to keep driving for a living.

The UK Government Rules on Driver's Hours

The UK Government has set out rules for drivers of goods vehicles and passenger-carrying vehicles²³. There are EU rules, GB domestic rules and separate rules in Northern Ireland. Rules for maximum bus driver hours were first introduced in the Transport Act 1968 and further rules were introduced by the EU in 2002 (Directive 2002/15/EC) and in 2006 (Regulation (EC)561/2006). The rules set out limits for daily driving, length of working day, daily duty, breaks (number and length), rest periods and exemptions.

Guidance for Drivers: Passenger Carrying Vehicles (PCV)

Further guidance specifically for drivers of passenger carrying vehicles was provided in this UK Government online publication, which was most recently updated in 2020.²⁴ It contains information regarding driver conduct, the driver CPC card, the driver tachograph card and driver licencing and medical conditions.

DVSA Safe Driving for Life Online Information Source

This online resource published by the DVSA and reintroduced in 2021²⁵ includes a section specifically for bus drivers which includes advice and guidance on passing the driving test, the basics of driving a bus, tips on developing bus driving skills, advice regarding the bus driving experience (e.g., dealing with a collision/breakdown, driver and passenger safety...) and information regarding basic maintenance, vehicle documents, responsibilities and drivers' hours rules.

The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990

These UK government regulations include a section for the "conduct of drivers, inspectors and conductors"²⁶, including the statement that drivers and conductors "shall take all reasonable precautions to ensure the safety of passengers who are on, or who are entering or leaving, the vehicle". This is an old document and most buses do not have conductors on board anymore.

B.4 Vehicle Maintenance and Monitoring of Vehicle Safety

The DVSA have published an array of guidance and policies related to bus safety to assist both drivers of buses and the operators in ensuring the vehicles they are using on their routes are safe and are achieving at least the minimum safety standards to ensure no sanctions are taken against them by the DVSA and/or the Traffic Commissioners. The publications include the "Guide to Maintaining Roadworthiness" (2018), "Categorisation of Vehicle Defects" (2019), the "Public Service

²² <https://www.gov.uk/driver-cpc-training>

²³ <https://www.gov.uk/drivers-hours/gb-domestic-rules>

²⁴ <https://www.gov.uk/government/publications/guidance-for-vocational-drivers/guidance-for-drivers-passenger-carrying-vehicles-pcvs>

²⁵ <https://www.safedrivingforlife.info/advice/bus-driving/>

²⁶ <https://www.legislation.gov.uk/ukxi/1990/1020/made>

Vehicle Inspection Manual” (2018), the “PSV Daily Walk Around Check Guidelines”, “Guidance for Drivers: Passenger Carrying Vehicles” (2018), and the “Enforcement Sanctions Policy” (2018).²⁷

B.5 Bus Infrastructure Provision

The local/regional Transport Authorities have responsibility for the provision of adequate and safe bus infrastructure for bus operators to use. However, it appears that there are no national standards in England on bus stops or shelters, apart from guidance which appears in Manual for Streets 2 (CIHT, 2010)²⁸. Most guidance is published by the individual Transport Authorities for their area. London has their own Accessible Bus Stop Design Guidance, while Northern Ireland has their own Bus Stop Design Guide. Another document which has been developed by the Urban Transport Group is the “Bus & Coach Station Design and Operation: Guidance for the safe design and operation of bus stations and interchanges” (2011).²⁹.

The CIHT also published a guidance document in 2018 titled “Buses in Urban Developments”³⁰ which is aimed at transport planners, highways and traffic engineers to be used as reference for ensuring efficient bus travel and for bus operators to be aware of what is expected from the local Transport Authorities. Safety and accessibility are mentioned several times in the publication, mainly focussing on the safety of pedestrians and cyclists on bus routes and at bus stops. The safety of passengers on the buses is also mentioned on one or two occasions, with one example being the recommendation for straighter alignments on routes, leading to better visibility and therefore a smoother and safer ride for passengers.

B.6 Reporting and Investigating Accidents/Incidents

As mentioned in the earlier section (B.2), under “Good repute and fitness” of the Senior Traffic Commissioner’s statutory guidance and statutory directions, there is a note which reminds operators of their duties under section 20 of the Public Passenger Vehicles Act 1981 to “report to the Secretary of State as soon as practicable, any failure or damage of a nature which has been calculated to affect the safety of occupants of a public service vehicle owned by them or of any persons using the road”. There is a form (PSV112) on the UK Government’s website which can be used for reporting an accident involving a bus (PSV) via the DVSA. However, it is not clear how well this is followed up, or how these reports are utilised after a form is submitted, or indeed whether any review or analysis of this information is carried out. Beyond the PSV112 form, there are no other national standards or legislation regarding reporting and investigating accidents and incidents involving buses. Apart from data collected by police at the scenes of injury accidents involving buses, accident data is generally collected by the individual operator and there is no obligation for the operator to divulge this information to any other interested party, apart from the police and the HSE. However, there is opportunity to agree to share the data either through a partnership or more likely, a franchise, where the local Transport Authority has more control over setting operator requirements.

B.7 Other Publications, Reports, and Useful Information

Transport Committee (UK Parliament)

A report published in May 2019 by the Transport Committee (“Bus Services in England outside London.³¹”) outlined their recommendation for a Bus Strategy and mentioned bus safety as part of

²⁷ <https://www.checkedsafe.com/dvsa-compliance-guidelines/>

²⁸ <https://tsrgd.co.uk/pdf/mfs/mfs2.pdf>

²⁹ <https://www.urbantransportgroup.org/system/files/BusandCoachStationDesignGuide.pdf>

³⁰ https://www.ciht.org.uk/media/4459/buses_ua_tp_full_version_v5.pdf

³¹ <https://publications.parliament.uk/pa/cm201719/cmselect/cmtrans/1425/1425.pdf>

this, along with improving services, recruitment and retention, skills and apprenticeships. And that “bus operators, trade unions and other stakeholders” should be encouraged through a “national forum” to “examine and share information” on these “issues”. Long hours for bus drivers are also highlighted as a safety concern and the Transport Committee encourage the government to determine “whether legislation governing bus drivers’ hours in Great Britain is still fit for purpose, or whether it should be amended, for example as is proposed by the Bus Drivers (Working Hours on Local Routes) Bill 2017–19. (Paragraph 97)”. There was also a recommendation to add a “specific customer service training module...to the Certificate of Professional Competence syllabus for Public Service Vehicle drivers of local bus services”.

The Government also published a response to the Transport Committee’s recommendations later in 2019, in which they fully agreed with eight of the 21 recommendations, and partly agreed with ten, and fully disagreed with three³². The recommendations which were partly agreed with included the one recommendation to add a training module to the CPC. The government felt that there was no need to include a mandatory customer service module in the CPC, because passengers are reporting “very high levels of satisfaction with their journeys” and therefore it should be left to the bus industry to decide on whether to include this type of training in their drivers’ CPC syllabus. The government also partly agreed with the recommendation of possibly amending the drivers’ hours legislation. A review conducted in 2009/10, concluded that the current GB rules are “appropriate” in ensuring the “safety of drivers and others on the road”, and that “any further restrictions would risk imposing unreasonable burdens on industry. The Government has no current plans to make changes to the GB domestic drivers’ hours legislation.” The Government also partly agreed with developing and adopting a bus strategy but would not commit to a timetable at that point in time and would not further specify whether the issues listed would be included in the strategy when it was eventually published (which was in 2021: “Bus Back Better”³³).

In addition, there were a number of Transport Committee sessions and inquiries between 2018 and 2021 in which either the National Bus Strategy or other aspects of bus travel were discussed, including safety issues, and these are listed in the References section at the end of this report.

National Audit Office: Improving Local Bus Services in England Outside London

This is a report published by the National Audit Office in 2020. It mainly highlights that bus funding has reduced considerably over the years.³⁴

Handbooks published by Bus Drivers’ Unions

A number of handbooks and guidance documents have been published by Unions representing bus drivers to support them in their work. These include the Bus and Coach Road Safety Handbook (International Road Transport Union, 2009)³⁵ and the National Union of Rail, Maritime and Transport Workers “Bus Workers Handbook” (RMT, 2015)³⁶.

The Parliamentary Advisory Councils for Transport Safety (PACTS)

PACTS are a registered charity and they support the All-Party Parliamentary Group for Transport Safety. “Its aim is to advise and inform members of the House of Commons and of the House of Lords on air, rail and road safety issues”. In March 2017, it reported that the Bus Services Bill passed

³² <https://publications.parliament.uk/pa/cm201919/cmselect/cmtrans/110/11002.htm>

³³ <https://www.gov.uk/government/publications/bus-back-better>

³⁴ <https://www.nao.org.uk/wp-content/uploads/2020/10/Improving-local-bus-services-in-England-outside-London.pdf>

³⁵ http://www.busandcoach.travel/download/best_practices/e0314en_bc_safety_handbook_web.pdf

³⁶ <https://www.rmt.org.uk/news/public-document-library/bus-workers-handbook/>

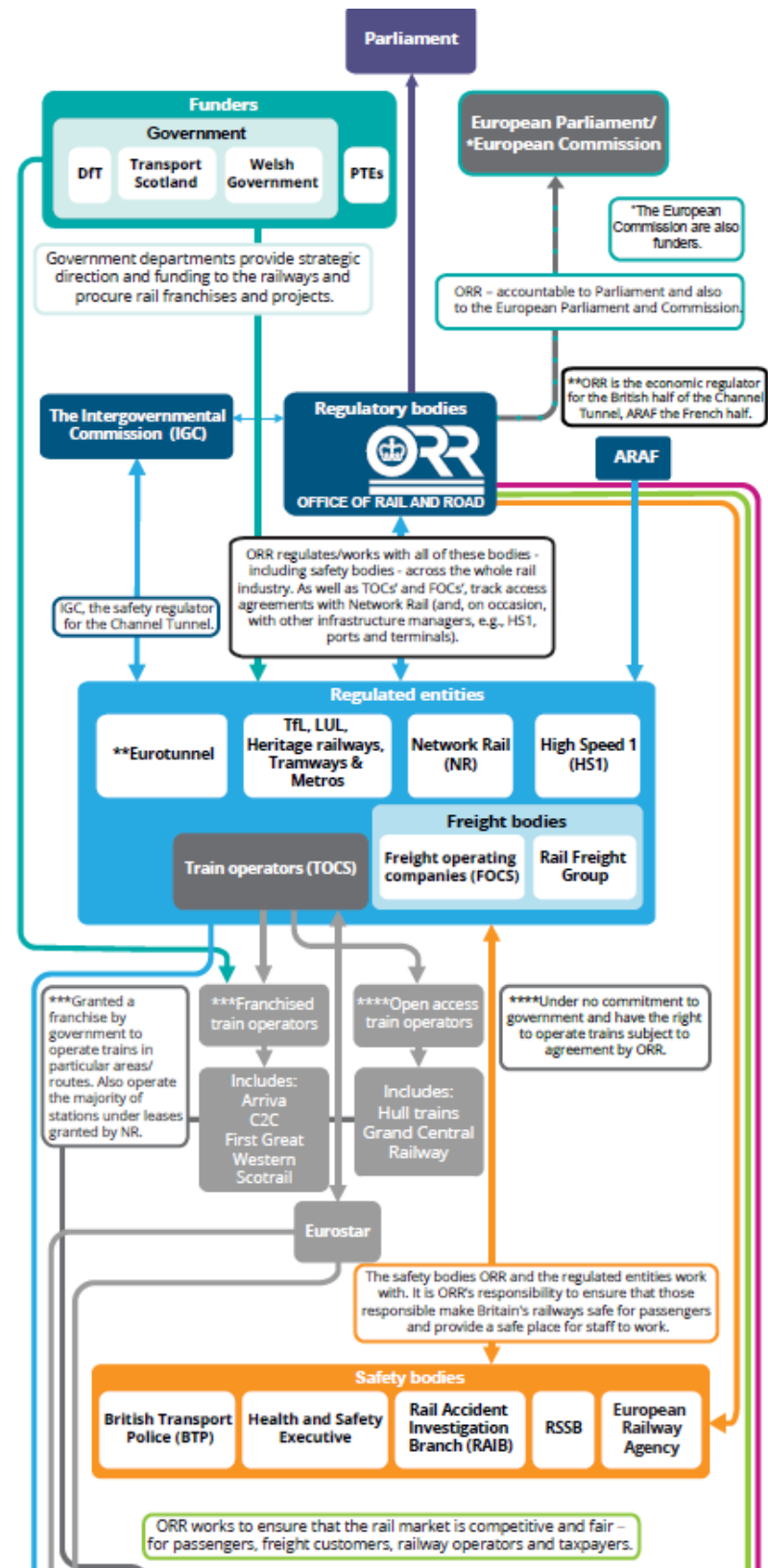
through its Third Reading in the House of Commons and that PACTS tried to push through an amendment which would have “added a clause that would have required bus operators taking part in any scheme to subscribe to a confidential incident reporting and analysis system (such as CIRAS) and to make bus casualty data available to local Transport Authorities at least monthly. It would also have required local Transport Authorities to publish that data quarterly. The amendment was voted down in both the House of Lords and the House of Commons.”³⁷

Road Safety Minister Andrew Jones MP responded to the amendment in the House of Commons by stating that bus companies would be “encouraged” to consider the benefits of confidential reporting systems, as outlined below:

“If a franchising authority wishes to stipulate a system such as CIRAS as part of its conditions of contract, it is of course free to do so—that is what TfL has done here in London. Authorities that negotiate partnerships could also include bus safety measures as part of such an arrangement, so I will explore through guidance how we could encourage operators and local Transport Authorities to consider the benefits of an independent confidential reporting system, but we will probably limit that only to a franchising or partnership scheme to start with.”

³⁷ <https://www.pacts.org.uk/bus-services-bill-passes-through-third-reading-in-the-house-of-commons/>

Annex C: Rail Industry Organisational Chart



38 <https://www.orr.gov.uk/media/12376>

Annex D: Comparison of the Regulation of Safe Bus Travel in England compared with “Best Practice” Sectors

Table D.1: Overview of Standards and Guidelines Related to Bus Travel and Bus Safety for England, London, and Northern Ireland

Standards/ guidelines	England (outside London)	London (TfL)	Northern Ireland (Translink)
<i>Policies & strategies for bus travel</i>	<ul style="list-style-type: none"> • Bus Back Better (no specific mention of safety in this) • The Bus Services Act 2017 (mentions safety but suggests sharing of incident data from operators a good idea in a franchise, but does not enforce it) 	<ul style="list-style-type: none"> • TfL Bus Safety Programme (2016) • Mayor’s Transport Strategy (2018) (70% KSI reduction involving buses by 2022, zero killed by 2030) 	<ul style="list-style-type: none"> • Translink Strategy – “Get on Board” (2016-2021) • Translink Group Corporate Responsibility Strategy (2017-2021) • Safety Management System (SMS)
<i>Commissioning of bus routes/services</i>	<ul style="list-style-type: none"> • DVSA PSV Operator Licencing: Guide for Operators (2011) • Office of Traffic Commissioner- Operating registered local bus services in England (except London) and Wales: Guide for Operators • The Bus Services Act 2017: Guidance on the Registration of local bus services in an Enhanced Partnership Area 	<ul style="list-style-type: none"> • London Service Permit Guidance Document (Greater London Authority Act 1999 Section 185) 	<ul style="list-style-type: none"> • Commercial Bus Service Permits: guidelines for operators (2015) • Bus operator handbook – a guide for bus operators (2021)
<i>Running of bus routes/services</i>	<ul style="list-style-type: none"> • Bus Back Better • The Bus Services Act 2017 	<ul style="list-style-type: none"> • TfL Guidelines for Planning Bus Services (2012) 	<ul style="list-style-type: none"> • Commercial Bus Service Permits: guidelines for operators (2015) • DVA The Safe Operator’s Guide (2017)
<i>Monitoring of bus routes/services</i>	<ul style="list-style-type: none"> • Senior Traffic Commissioner’s statutory guidance and statutory directions 	<ul style="list-style-type: none"> • “TfL’s “London’s Bus Contracting and Tendering Process” document includes “Measuring Quality of Performance” • TfL Bus Network Safety Performance Index (SPI) 	<ul style="list-style-type: none"> • Commercial Bus Service Permits: guidelines for operators (2015). <i>Section 17 outlines “Monitoring and Compliance with the Service Permit System”</i>
<i>Driver training</i>	<ul style="list-style-type: none"> • DVSA National Standard for Driving Buses and Coaches • The UK Government Rules on Driver’s Hours 	<ul style="list-style-type: none"> • DVSA National Standard for Driving Buses and Coaches • The UK Government Rules on Driver’s Hours • “Big Red Book” 	<ul style="list-style-type: none"> • DVA The Safe Operator’s Guide (2017) (<i>section on driver monitoring, training, hours</i>)

	<ul style="list-style-type: none"> • Driver Certificate of Professional Competence (DVA) 	<ul style="list-style-type: none"> • Vision Zero bus driver training course (as part of Bus Safety Programme) 	<ul style="list-style-type: none"> • Driver Certificate of Professional Competence (DVA)
<i>Monitoring of driver performance</i>	<ul style="list-style-type: none"> • None found, apart from the DVSA rules on driver hours on the gov.uk website 	<ul style="list-style-type: none"> • TfL's Bus Contracting and Tendering Process document includes "Driver Quality Monitoring" • TfL Bus Network Safety Performance Index (SPI) 	<ul style="list-style-type: none"> • DVA Bus Operator Handbook • DVA Rules on Drivers' Hours and Tachographs - Passenger Vehicles in Northern Ireland and Europe
<i>Safe vehicle design</i>	<ul style="list-style-type: none"> • None found 	<ul style="list-style-type: none"> • Bus Safety Standard • London Bus Vehicle Specification 	<ul style="list-style-type: none"> • None found (Translink follow TfL guidance)
<i>Vehicle maintenance</i>	<ul style="list-style-type: none"> • DVSA Guide to Maintaining Roadworthiness (Dec 2020) 	<ul style="list-style-type: none"> • DVSA Guide to Maintaining Roadworthiness (Dec 2020) • TfL's Contracting and Tendering Process document includes "Engineering Quality Monitoring" 	<ul style="list-style-type: none"> • DVA Guide to maintaining roadworthiness (Nov 2020)
<i>Monitoring of vehicle safety (e.g., inspections for design /maintenance issues)</i>	<ul style="list-style-type: none"> • Same as above • DVSA Public Service Vehicle (PSV) Inspection Manual (2018) • DVSA Categorisation of Vehicle Defects (2019) • DVSA Enforcements Sanctions Policy 	<ul style="list-style-type: none"> • Same as above 	<ul style="list-style-type: none"> • Same as above
<i>Bus infrastructure (e.g., stops/shelters/stations)</i>	<ul style="list-style-type: none"> • Manual for Streets 2 • Bus & Coach Station Design and Operation (UTG) • Local (e.g., Metro (Leeds) Bus Stop Infrastructure Standards) 	<ul style="list-style-type: none"> • Accessible Bus Stop Design Guidance • Interchange Best Practice Guidance 	<ul style="list-style-type: none"> • Bus Stop Design Guide (2010)
<i>Investigating accidents/incidents</i>	<ul style="list-style-type: none"> • Reporting an accident involving a PSV (DVSA) 	<ul style="list-style-type: none"> • Reporting an accident involving a PSV (DVSA) • No standard found as such, but as part of their franchise, operators are expected to use TfL's IRIS system & NIMI to report and flag up accidents and incidents involving their buses. 	<ul style="list-style-type: none"> • Translink have the Safety Management Information System (TSMIS), where all incidents, including near misses, are reported and recorded. However, there are no specific standards or guidance beyond this.

Table D.2: Overview of who is responsible for Bus Travel and Bus Safety in England, London, Northern Ireland and a comparison with the rail industry

Who is responsible for...	England (outside London)	London (TfL)	Northern Ireland (Translink)	Rail industry*
<i>setting policies & strategies for bus (*rail) travel</i>	DfT/UK Government	Mayor of London	NI Assembly Infrastructure Committee	UK Government/ OSS/ Network Rail
<i>setting standards for safe bus (*rail) travel</i>	DfT/UK Government (Transport Committee)	Mayor of London; TfL	Department for Infrastructure	ORR & RSSB
<i>commissioning bus (*rail) routes/services?</i>	Traffic Commissioners	London Bus (for TfL) and Traffic Commissioners	DVA	UK Government/ORR
<i>running bus (*rail) routes/services?</i>	Bus operators	Bus operators under franchise to TfL	Translink (Glider, Metro & Ulsterbus)	Train Operators (TOCs)
<i>monitoring bus (*rail) routes/services?</i>	Bus operators, DVSA and Traffic Commissioners (if disciplinary action is required)	Bus operators, DVSA, Traffic Commissioners & TfL	Translink	ORR
<i>safe bus (*rail) travel overall?</i>	<i>No clear individual body</i>	TfL	Translink	RSSB/ORR
<i>driver training?</i>	Bus operators (following DVSA standards)	Bus operators (following DVSA standards)	Translink	ORR/TOCs
<i>monitoring driver training & performance?</i>	Bus operators and DVSA (e.g., drivers' hours)	Bus operators, DVSA and TfL	Translink	ORR/TOCs
<i>ensuring buses (trains*) on routes comply with minimum safety design standards?</i>	Bus operators	Bus operators & TfL (Bus Safety Standard & London Bus Vehicle Specification)	Bus operators & Translink	TOCs
<i>vehicle maintenance?</i>	Bus operators (following DVSA standards)	Bus operators (following DVSA standards & TfL guidance)	Translink	TOCs
<i>monitoring vehicle safety (e.g., inspections for design/maintenance issues)</i>	DVSA/Bus operators (following DVSA standards on inspections and roadside checks)	TfL/Bus operators (following DVSA standards)	DVA/ Translink	ORR
<i>bus(*rail) infrastructure (e.g., stops/shelters/ stations)</i>	Local Transport Authorities (Combined, Mayoral, Passenger Transport Executives), also sometimes District Councils	TfL (also bus lanes on "red routes")	Translink	Network Rail (owned & some managed by)/TOCs (many managed by)

<i>Investigating accidents/incidents?</i>	Bus operator (report to DVSA); local Transport Authority (if infrastructure-related); Police (if injury-related); HSE (if serious injury-related)	TfL; Bus operator (use TfL's IRIS system); Police; HSE (if serious injury related)	Translink; Police; HSE (if serious injury related)	RAIB (independent investigations), ORR, RSSB, TOCs, HSE (if serious injury related), British Transport Police, Network Rail (if infrastructure related)
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