

DIRECTIVE 2003/20/EC – USE OF SEAT BELTS AND CHILD RESTRAINTS BY CHILD PASSENGERS ON BUSES AND COACHES

Thank you for inviting **pteg** to respond to this consultation. This response from **pteg**, which represents the six English Passenger Transport Executives (with Leicester City Council, Nottingham City Council, Transport for London and Strathclyde Partnership for Transport as associate members) has been put together by members of **pteg's** Bus Operations Group.

We note the background to this consultation, and we understand that the current element of the consultation relates only to passengers under 14 years of age travelling on the rear seats of buses and coaches of over 2,540kg unladen weight.

PTEG broadly supports the second of the two approaches under consideration i.e. not to have a criminal sanction but to impose a duty on operators to take all reasonable steps, and to provide for the Traffic Commissioner to be able to specify the actions required from operators and impose financial penalties for non-compliance.

It is our view that, in determining the actions required by operators to demonstrate that they are taking 'reasonable steps', the Traffic Commissioner should be permitted to differentiate between children of primary and secondary school ages in relation to the provision of home-to-school transport services.

Children of secondary school age

- For children of secondary school age we consider that 'reasonable steps' for operators would be to provide clear signage.
- While it may be desirable for the driver to issue a verbal reminder prior to each journey in the case of journeys such as baths or school trips, we do not feel that this proposal is always workable, especially on home to school services with numerous boarding points.
- We would however like to see the Traffic Commissioner encourage operators to have formal reporting procedures in place for drivers so that any flagrant disregard by children of the seatbelt regulations could, with the support of schools, be acted upon. As an example West Yorkshire PTE has developed a system for its Mybus Yellow Bus and other bespoke school special services whereby a driver will issue a 'slip' to any child who repeatedly fails to adhere to an individual instruction to wear his/her seatbelt. This information is brought to the attention of the school and sanctions may include a temporary suspension from the service. This has resulted in a very significant reduction in the number of incidents of children refusing to wear their seatbelts on this group of services. We recognise

however that repeated occurrences can probably only be identified where there is a regular driver.

- Where applicable we would also favour the Traffic Commissioner encouraging use of a code of conduct such as that agreed by all students as a condition of travel on Yellow School Buses in Greater Manchester. This document, signed by both students and parents/guardians requires that students sit in their allocated seats and fasten their seat belt quickly for the whole journey.

Children of primary school age

- For children of primary school age we consider that, in addition to the steps referred to above, the Traffic Commissioner should be able to specify that operators participate in school or local authority led safety training initiatives, where these exist. As an example, where dedicated school services are provided for primary schools, West Yorkshire PTE, together with operators, provides a training programme for children, many of whom are travelling by bus for the first time. In addition to safe boarding and alighting, children are taught the correct use of seatbelts.
- A further example is WYPTE's Junior SAFEMark scheme which is designed to support the transition from primary to secondary school and covers the safe and responsible use of bus services, including the wearing of seatbelts. In the 2010/11 academic year this was delivered to over 4,300 children in 123 schools throughout West Yorkshire. This encouraged children who had not travelled to primary school by bus to use seatbelts from the moment they begin travelling to and from secondary school.

Although the requirements outlined above would inevitably place an additional burden on operators and drivers we consider that they are reasonable, particularly given the potential benefits in terms of a reduction in injuries. It should be noted also that, in any case, these or similar requirements form part of many existing contracts between tendering authorities and operators for the provision of home-to-school services.

Please advise if you require clarification on or elaboration of any of the points above.

Regards,

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