

Home to School Transport Code of Conduct

January 2023



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This edition of the Code of Conduct builds upon the previous versions which were developed in partnership with schools, bus operators and transport users. It includes a small number of minor revisions, all of which are designed to make the document easier to read and understand.

Since the previous edition was issued, there has been increasing focus on behaviour, both nationally and locally, not just on transport but across all areas of society. Kent County Council takes its responsibilities very seriously and sees this document as a valuable tool in promoting a co-ordinated strategy. We will continue to work with our partners to reduce crime and the fear of crime.

We ask you all to read this document carefully and note its contents. We hope that by promoting clear standards of good behaviour we can work together to improve the home to school journey for everyone.

Phil Lightowler
Head of Public Transport

Introduction

Many students in Kent are entitled to receive free or assisted travel between home and school and most travel on public transport or on vehicles contracted by the County Council. The vast majority of students behave responsibly whilst travelling but poor behaviour by some students is a source of concern to parents, schools, other passengers and all those involved in arranging and providing transport.

The purpose of the Code of Conduct is to provide a framework to help students manage their own behaviour and thereby create a comfortable and safe environment for everyone.

This Code of Conduct outlines the roles that parents/carers, students, transport providers, schools and Public Transport staff can play to ensure that home to school transport is safe and welcoming for all passengers. The Code also identifies categories of misbehaviour and explains the actions which may be taken in response to incidents of misbehaviour. These sanctions are designed to be easily understood and easily implemented. Every parent/carer and student will have access to a copy of this Code of Conduct and, for most students, it will be easy to follow.

Young people from the age of ten can be held criminally responsible for their misbehaviour. The Crime and Disorder Act (1998) means that the Police, Rural Community Wardens, Police Community Support Officers, and other officials may have powers to act and intervene where necessary. Anti-social behaviour includes vandalism, bullying (especially racist or homophobic bullying), or any other type of disorderly behaviour.

This Code of Conduct applies to all students who receive transport arranged by the Public Transport department. It is, however, understood that for some students with Special Educational Needs and disabilities (SEND), certain elements of the Code may not be relevant. This does not mean that misbehaviour will be accepted but allows for an individual's circumstances to be considered.

Resolving concerns for SEND pupils may require additional support from families, schools and the transport operator due to the complexity of the pupils needs demonstrating challenging behaviours. It may be necessary to implement further strategies to support the child on their journey. In such cases the Public Transport department will engage with all relevant parties to ensure agreed adjustments are made.

Kent County Council wants everyone's journey between home and school to be safe, comfortable and incident-free and not to impact on other passengers travelling. Please help us to achieve this aim by studying this Code of Conduct and putting it into practice every day. By applying for and accepting the transport provided, you accept the Code of Conduct as the terms and conditions under which your transport is provided.

Key partners

Parents/Carers

Parents and carers have a vital role to play in ensuring that their children behave appropriately. Parents/carers are responsible for ensuring that their child is at the train station or bus stop at the appropriate time to board the vehicle. However, children should not arrive too early; incidents of misbehaviour are more likely to arise where a large number of students are congregating for a prolonged period. Parents/carers remain responsible for their children's safety and behaviour whilst travelling from home to the transport pick-up point.

Parents/carers should ensure that their child has the correct travel pass with them and that it is not damaged or defaced. A student without a valid travel pass, or money to pay the appropriate fare on public buses or trains, will usually be refused travel.

Incidents of misbehaviour may be reported to the Public Transport department by the driver/operator of the vehicle, an Inspector employed by the vehicle operator or the Public Transport department, school staff, other passengers or members of the public. We will respond to each reported incident based on its individual circumstances. It is particularly important that parents/carers support any action which is taken in response to misbehaviour; it is better to deal with minor incidents early rather than have to take more serious action in the future. In cases where students are responsible for damage to property, including the vehicle itself, parents will be held responsible for meeting any costs incurred in repairing the damage. This would be in addition to any action taken by the Police.

Students

A student's behaviour says a lot about them as an individual. Poor behaviour reflects badly on them, their parents/carers, their school and their friends. Whenever a student is in school uniform, they are seen as ambassadors of their school. Any misbehaviour is more likely to be reported to the school if the students are easily identifiable by their uniform or if they are on a bus which serves a particular school. All passengers have a right to travel in comfort and safety and no student's behaviour should cause offence to anyone else.

Students should remember that they must arrive for their transport at the correct time, wait in an orderly fashion, show their travel passes on request and abide by the conditions of carriage applied by the transport operator. At the end of the school day, the vehicle will be expected to leave on time and will not be able to wait for students who are late leaving school. Conditions of carriage may prohibit eating and drinking on the vehicle, and it should be remembered that all vehicles operate a strict 'No Smoking' policy.

Transport Operators, Drivers and Staff

Transport operators are usually commercial companies that provide the vehicles and staff on behalf of the Council. The services may be scheduled commercial buses or trains where the Council purchases season tickets for students to travel or may be buses which are hired by the Public Transport department specifically for home to school journeys. Vehicles are only usually hired where there are no suitable commercial services available. Each transport operator may have their own conditions of carriage in addition to the requirements of this Code of Conduct.

Transport operators must make sure their staff report all incidents of misbehaviour, no matter how minor, in order that appropriate action can be taken. It is unhelpful if a number of incidents are ignored as that demonstrates to students that unacceptable behaviour is being tolerated. Transport operators should instruct holders of faulty or non-scanning passes to contact the Public Transport department who will arrange for a replacement to be provided.

Transport staff, in addition to having the responsibility for the safety of the vehicle and their passengers are responsible for the day-to-day management of students travelling on the vehicle. Staff must therefore ensure that they respond to incidents of misbehaviour in accordance with the requirements of this Code of Conduct. Staff must present a positive image and always act in accordance with the highest professional standards in order to maintain the respect of the passengers.

Schools

Schools play a key role in ensuring that students remain aware of the need to behave appropriately when travelling between home and school. In some cases, the school curriculum can incorporate many of the points raised in this Code of Conduct.

Schools also have the power to exclude students from school if they behave inappropriately when travelling between home and school. Schools can provide considerable support if it becomes necessary to investigate serious incidents of misbehaviour and can also suggest approaches to managing behaviour in consultation with transport operators, parents/carers, the Education Office and the Public Transport department.

The Public Transport Department

Staff at the Public Transport department have the responsibility to ensure that each student is provided with suitable transport. This includes ensuring that all students are issued with an appropriate travel pass (where necessary) and ensuring that all parents/carers, students, schools and transport operators are aware of this Code of Conduct. Public Transport staff will follow up any incident of misbehaviour which is reported and determine what action is necessary.

Transport Eligibility Team – Fair Access

Staff in Transport Eligibility determine entitlement to travel and may, in response to serious or repeated incidents of misbehaviour, withdraw that entitlement, either temporarily or permanently.

Key Responsibilities

It is important to remember that we all have a role to play in ensuring that home to school transport operates safely and comfortably. By ensuring that this Code of Conduct is kept at the forefront of students' minds, and making swift responses to incidents of inappropriate behaviour, we can continue to ensure that journeys are safe and reliable.

Parents/Carers Should:

- Apply for transport by KCC's published deadlines
- Ensure that their child is ready for the transport at the right time
- Ensure that their child has a valid travel pass
- Reimburse the transport operator for fares due when a valid travel pass was not shown by their child
- Arrange for a responsible adult to meet their child at the end of the day
- Ensure that their child is escorted to and from the vehicle (for those accessing hired services i.e. a taxi or minibus only)
- Notify transport operators in advance if their child is unable to attend school on any given day (for those accessing hired services i.e. a taxi or minibus only)
- Co-operate with transport operators in responding to incidents of inappropriate behaviour including meeting the costs of any damage caused by their child
- Remind their child of the requirements of this Code of Conduct and the need for them to behave in a safe and responsible manner
- Inform KCC if their child's circumstances change or if they have changed their contact information

Transport Providers and Staff Should:

- Ensure that all vehicles are correctly licensed, clean, in a good state of repair and compliant with relevant legislation.
- Ensure that all staff are appropriately qualified, licensed, trained and checked as necessary.
- Act in a professional manner, including being of smart appearance, courteous and punctual, obeying all regulations and not smoking.
- Drive safely and considerately.
- Check all passes on every journey and only allow those students to travel who hold a valid pass or pay the appropriate fare.
- Never leave a pupil stranded away from home.
- Provide a point of contact for parents/carers, schools and Public Transport.
- Make every effort to contact parents/carers when their child is not present to board the vehicle (for those accessing hired services from their home address i.e. a taxi or minibus). Report all incidents of misbehaviour and comply with the requirements of this Code of Conduct.
- Comply fully with any investigations undertaken by Public Transport, the Licensing Authority or Police.

Students Should:

- Arrive for the transport punctually and with a valid travel pass.
- Act in a responsible manner when awaiting the vehicle – not congregating in large groups or standing in an unsafe place.
- Board the first available vehicle for which they hold a valid pass.
- On buses, occupy seats (on both the lower and upper decks) before standing. Standing passengers must do so safely, on the lower deck only (not on the stairs) and rearwards of the driver's cab and must not distract the driver. Bags and equipment must not be placed on seats.
- Show their pass to the driver, or other official, on demand.
- Comply with all instructions from the driver, Inspector or other official at all times, especially in an emergency.
- Wear seatbelts, where fitted.
- Disembark safely, at the correct stop, and cross roads with care.
- Look after their pass and ensure that it is replaced if it is damaged or does not scan (if issued as a Smartcard).

Public Transport Staff Should:

- Ensure that all that all transport arrangements are made promptly and are appropriate for the students travelling.
- Provide timely information to parents/carers and schools regarding transport arrangements.
- Regularly review all transport arrangements to ensure that they remain efficient and cost-effective.
- Monitor the operation of services to ensure that transport operators are meeting the conditions of their contract.
- Investigate any complaints and ensure that appropriate action is taken where necessary.
- Liaise with statutory agencies to ensure that appropriate legislation and regulations are followed.

Schools Should:

- Have a named contact for all home to school transport matters.
- Supervise students when alighting/boarding at school.
- Assist transport operators' staff if pupils display challenging behaviours
- Respond to concerns and complaints regarding school transport issues, in conjunction with the Public Transport department.
- Regularly raise school transport issues with students at assemblies, induction events and any other forum they see fit.

The Code of Conduct

We recognise that it is important that all students are made aware of the behaviour which is expected of them whilst using transport. To do this, we have set out basic expectations of behaviour and what students must do to comply with the Code of Conduct. All students who follow this Code of Conduct should have a happy and safe journey between home and school.

Students who choose not to follow this Code of Conduct will receive sanctions which may include temporary or permanent bans from travelling. In most cases, students will receive several warnings before any ban is applied; however, in more serious cases, it may be necessary to issue a permanent ban with immediate effect. In the most serious of cases, or where it is considered that there may have been a breach of the law, it is expected that the transport provider will report the incident to the Police.

The following explains behaviour which we all expect from the young people who receive travel assistance from Kent County Council. We believe that all young people will want to behave appropriately when away from the family home and we trust that, once students are made aware of the expectations placed upon them, they will respond positively.

The main points to be remembered are:

1

Arrive for the transport punctually and with a valid travel pass.

Make sure you know the time that the bus or train is due to arrive – be there on time! Make sure you have the correct ticket for the journey and that it is not damaged or defaced. Drivers may confiscate an invalid or damaged ticket and require you to pay the appropriate fare. If you need a replacement ticket, one can be obtained from the Public Transport department upon payment of a fee (currently £10). If you use someone else's ticket, or allow them to use yours, it will be treated as fraud. In that case, you may both be refused travel and the Police will be informed.

2

Act in a responsible manner when awaiting the vehicle – not congregating in large groups or standing in an unsafe place.

Do not get there *too* early, as large numbers of students congregating in one place can be unsettling for local residents who might be disturbed by excessive noise. More importantly, make sure that you wait in a safe place and do not attempt to board the vehicle until it has come to a halt. Remember that pushing and shoving will not help you get to school any sooner and will only cause delays. It is also extremely dangerous. Of course, if you arrive too late, you might miss the bus or train and be late for school. In some cases, where there is only one school service per day, you will have to make alternative arrangements to get to school that day.

3

Board the first available vehicle for which you hold a valid pass and, on buses, occupy seats (on both the lower and upper decks) before standing. Standing passengers must do so safely, rearwards of the driver's cab and must not distract the driver. Bags and equipment must not be placed on seats.

If you are travelling on a scheduled public transport service (as opposed to a hired school bus or coach), it is important that you board the first available vehicle. This will ensure that you can get to school on time and will also help to ensure that you can meet any connecting service where this is necessary. If you deliberately miss the first bus or train, you may find that later services are already full, and you may not be able to get on. Whilst on the vehicle, sit quietly and ensure that bags and possessions are stored in a safe place e.g., under the seat or in a luggage rack. Do not block aisles or gangways. Do not damage the vehicle, light fires, write graffiti or act in any way that will cause damage. Remember, that in an increasing number of cases, vehicles may be fitted with CCTV and evidence obtained may be admissible in a court of law. Any person found to be responsible for damage will be reported to the Police in addition to any action taken by the bus or train company and the Public Transport department. Any damage caused must be paid for. If you do need to stand, do so in a safe place. On buses, it is a legal requirement that you stand away from the driver's cab and do not distract him/her. Do not stand upstairs or on the stairs. Anyone who distracts a driver, either by talking/shouting or by attempting to interfere with the controls, is putting the safety of all passengers at risk.

4

Show your pass to the driver, Inspector or other official on demand.

All students who travel by bus should have a valid pass for the journey and it is part of the driver's duty to inspect passes regularly. Sometimes, there will be inspectors on the bus who will also want to check passes. This helps us to monitor the number of students travelling to ensure that vehicles are not overloaded and that only students who are entitled to travel are doing so. You cannot rely

on the driver to remember that you usually have a pass and let you onto the vehicle if you do not have it with you when asked. Students who travel on the wrong vehicle, or without permission of the Public Transport department, may be banned from travelling.

5

Comply with all instructions from the driver, Inspector or other official at all times, especially in an emergency.

Sometimes it may be necessary for drivers to instruct students to sit in a particular seat or to leave the vehicle at a different stop. In an emergency, the driver will know exactly what to do and will give you clear instructions. For your own safety and the safety of others, it is important that you follow those instructions carefully.

6

Wear seatbelts, where fitted.

Hired vehicles, and some service buses, will be fitted with seatbelts for your safety. It is important that you wear the seatbelt and ensure that it is not damaged. Report any damaged belts to the driver. Remember that you are required to wear your seatbelt; if you refuse to wear your seatbelt, the driver will refuse to allow you to travel.

7

Disembark safely, at the correct stop, and cross roads with care.

Do not try to get off the vehicle until it is safe to do so. Wait until the vehicle has stopped before you stand and then leave the vehicle in an orderly manner. Remember to take all your bags and equipment with you and do not leave any litter behind. Do not get off anywhere other than at the correct stop. After leaving the vehicle, do not walk across in front of it; the vehicle may move away suddenly and without warning. Cross only at a safe place, using pedestrian crossings where possible. *Do not run!*

Responding to Breaches of The Code of Conduct

To ensure that good behaviour can be maintained, drivers should report all incidents of misbehaviour to their supervisor/manager who will forward details to the Public Transport department. All transport operators are provided with 'Incident Forms' which enable incidents to be reported accurately and promptly. All incidents are followed up and staff at the Public Transport department, in consultation with colleagues at the Education Office, will decide what action to take. In most cases, we will discuss the matter with the transport operator and may seek to involve the school in determining the appropriate action to take. The response to misbehaviour will consider the particular circumstances surrounding the incident and, in particular, the extent to which the safety and welfare of others may have been jeopardised. We will also consider the age of the student, whether other students were involved and whether the student has misbehaved whilst travelling before. Parents/carers will always be notified when there has been a report about their child's behaviour on a vehicle.

It is our intention that all sanctions should be applied fairly and consistently. Similarly, students should be aware that sanctions will be applied and will be applied *swiftly*. In most cases, there will be a number of warnings before a student receives a ban from the vehicle. There will, however, be cases where an immediate ban is applied. Whilst a student is banned from the vehicle, it is the parent/carer's responsibility to make alternative arrangements for their child to attend school.

It is important to remember that the driver may not observe every incident of misbehaviour but will report all that are observed. Children are expected to accept responsibility for their own behaviour and any consequences of misbehaviour. Therefore, excuses such as *'I wasn't the only one doing it'* or *'I only hit him because he hit me'* will not be accepted as justification for misbehaviour.

We know that parents will want to support us in trying to ensure their child behaves appropriately and we seek their support in reinforcing those sanctions at home. Where a student is banned from travelling, either for a fixed period or permanently, the child's parent/carer will become responsible for making alternative arrangements for their child to travel between home and school. Any such arrangements would be at the parent/carer's own expense.

Transport operators should co-operate with the Public Transport department in any investigation. It is not expected that transport operators will ban students from travelling without authorisation, however if operators feel it is not safe to continue to transport a pupil they may refuse until such time as a resolution has been sought. In addition to the above, commercial bus and rail companies have, in accordance with their conditions of carriage, legal powers to refuse anyone from travelling on their services.

Breaches of the Code of Conduct are dealt with in accordance with their seriousness and we have therefore identified four separate categories of misbehaviour. To promote fairness and consistency, sanctions will be applied depending upon the category of misbehaviour which is identified.

Category 1 – Nuisance or offensive behaviour

This includes irritating and unpleasant behaviour which, whilst not necessarily a threat to safety, may significantly impair the comfort of others. Such behaviour includes:

- Failing to respond appropriately to the driver or inspector, such as refusing to show a valid travel pass or pay the appropriate fare.
- Eating or drinking on the vehicle
- Smoking
- Spitting
- Using foul or abusive language
- Making excessive noise
- Putting feet on the seats

Category 2 – Dangerous behaviour

This includes behaviour which may present some potential or actual threat to the physical safety of others and includes:

- Standing on the vehicle steps or in the doorway
- Leaning out of the window or door
- Harassing or verbally abusing other passengers or the driver
- Bullying
- Running around inside the vehicle or climbing on seats

Category 3 – Destructive or very dangerous behaviour

This category includes behaviour which causes or has the potential to cause physical injury to others or damage to the vehicle, such as:

- Fighting
- Threatening physical violence to other passengers or the driver
- Throwing objects around or out of the vehicle
- Breaking windows
- Interfering with the operation of the doors
- Graffiti, including etching glass
- Spraying aerosols
- Damage to seats, seatbelts or other equipment
- Other serious misbehaviour, including of a sexualised nature

Category 4 – Highly dangerous or life-threatening behaviour

This category includes behaviour which is likely to cause severe injury to others and includes:

- Physical assault on the driver or other passengers
- Lighting fires including igniting aerosols
- Threatening physical violence with a dangerous weapon
- Interfering with the vehicle controls

As mentioned above, each reported incident will be dealt with on its own merits. However, the course of action to be followed when considering the sanction to be applied will follow the procedures described below.

Category one

First incident: The transport operator submits a written report to the Public Transport department who, after discussion with the transport operator, school or other party if necessary, may ask the Education Office to give a WRITTEN WARNING to the student via their parent/carer.

Second incident: As above except that the warning is a FINAL WARNING. The school also receive a copy of the warning for their information.

Third incident: The student is issued with a FIXED PERIOD BAN for up to one week.

Fourth or subsequent incidents: The student is issued with an EXTENDED BAN of up to one month, the duration of the ban being determined on the basis of the misbehaviour.

Category two

First incident: The transport operator submits a written report to the Public Transport department who, after discussion with the transport operator, school or other party if necessary, may ask the Education Office to give a WRITTEN WARNING that the student might receive a ban from the vehicle if behaviour does not improve.

Second incident: As above except that the warning is a FINAL WARNING. The school also receive a copy of the warning for their information.

Third incident: The student is issued with a FIXED PERIOD BAN for up to two weeks.

Fourth or subsequent incidents: The student is issued with an EXTENDED BAN of up to one term, the duration of the ban being determined on the basis of the misbehaviour.

Category three

First incident: An IMMEDIATE FIXED PERIOD BAN of up to one week whilst any further investigations are conducted. This might lead to an EXTENDED BAN of up to two terms.

Second or subsequent incident: An EXTENDED BAN or a PERMANENT BAN may be applied.

Third incident: A PERMANENT BAN may be applied.

Category four

First incident: An IMMEDIATE FIXED PERIOD BAN of up to one week whilst any further investigations are conducted. This might lead to an EXTENDED BAN or a PERMANENT BAN.

Second or subsequent incident: A PERMANENT BAN may be applied.

Other Useful Information

Lost passes

If you lose your KCC-issued pass, or it is stolen or damaged/defaced, you will need to pay for a replacement by applying online at:

<https://webapps.kent.gov.uk/KCC.SchoolConcessionaryTravelPasses.Web.Sites.Public/LostPass/ApplicationDetails.aspx>

An administration fee of £10 will be charged for a replacement ticket. You will be liable to pay any fares until your replacement ticket is received. Up to three replacement tickets may be issued in any one school year (but only one rail pass); if you lose the replacement ticket, you will have to pay the full cost of travel until the ticket's expiry date.

Adverse weather or other school closures

Notice of school closures due to adverse weather or other exceptional circumstances are usually broadcast on local radio, so you should make sure that you listen out for any information. The Headteacher of the school will usually decide in advance if a school should not open due to severe weather, heating failure or if the school needs to close early. The school should always try to give parents/carers and transport operators as much warning as possible, although sometimes decisions have to be made immediately.

Transport operators are to use their discretion in severe weather. If the transport operator believes that part or all of the journey might be hazardous and might put the safety of students or others at risk, they will reserve the right not to operate the service. Transport operators should use their best endeavours to provide information to parents and schools in such circumstances.

