

PE1098/V and PE1223/S

Alison Wilson
Assistant Clerk to the Public Petitions Committee
TG.01
The Scottish Parliament
Edinburgh
EH99 ISP

Your ref:

Our ref:

Date:
29 September 2010

Dear Alison

Thank you for your letter of 21 June to Carron Pollock at Transport Scotland seeking written responses for the Public Petitions Committee on PE 1098 and PE1223. The Committee asked for written responses to 5 specific questions reproduced below in bold followed by the responses.

In the light of recent accidents will you consider requiring local authorities to insert particular provisions into their contracts with school bus providers in terms of seat belt provision and improved signage?

As the Committee is already aware, primary legislation currently places the provisions of school contracts firmly with local authorities and Ministers cannot, therefore, dictate what these provisions should be. We will, of course, look closely at any recommendations from the fatal accident enquiries for a change to devolved legislation. To this end Keith Brown, Minister for Skills and Lifelong Learning has written to ask for a meeting with Mike Penning, Parliamentary Under-Secretary of State for Transport to discuss seatbelt legislation.

Can you provide any update on the school bus sign pilot scheme being run by Aberdeenshire Council.

The school bus sign pilot is one of several strands of work being undertaken on school bus safety by Aberdeenshire Council with funding support from the Scottish Government through Transport Scotland.

The trial of the new school bus signs took place from November 2009 to July 2010 and is currently being evaluated by the Council. The Council has said that a motorist questionnaire revealed positive results about the new sign in relation to the existing one. Aberdeenshire Council will provide further feedback to Scottish Government in due course. My response of 22 April 2010 to the Committee already explained how we intend to use the results of the evaluation by feeding them into a future school travel safety good practice information pack currently being developed by TRL.

The purpose of the pack which is anticipated for completion in late autumn 2010, is to develop guidance to local authorities that makes it clear what they must be doing regarding transport safety in terms of existing policy and options for what they could possibly be doing to improve safety via the use of good practice case studies (i.e. act as a 'toolkit' from which local authorities can draw ideas). The Committee may wish to note that the Petitioner, Ron Beaty, has accepted an invitation from Scottish Government officials to comment on the draft of the toolkit before it is finalised.

What are your views on the issue raised by Petitioner PE1223 in his recent submission to the Committee (PE1223/Q)? In particular the points made on the whether or not you have asked local authorities what safety measures they take and what they consider to be safe working practices.

We have not asked local authorities whether or not they comply with each of their statutory responsibilities in regard to safety. Local authorities are independent corporate bodies and it is for them to satisfy themselves that they are meeting their legislative responsibilities. Scottish Ministers have no remit to intervene in their day to day business. Whether a local authority is meeting its statutory duties is ultimately a matter for the courts to decide.

The committee has, however, been informed in previous responses that local authorities regularly discuss road safety through SCOTS (The Society of Chief Officers of Transportation in Scotland). I have noted that the Committee have on this occasion written to SCOTS and invited them to give evidence on 26 October in regard to any discussions it has had on school bus safety issues.

What discussions are ongoing with local authorities in relation to the provision of school transport safety measures?

As stated above, we are working in collaboration with Aberdeenshire Council on a range of initiatives which will feed into a future good practice pack which we will then share with all Scottish local authorities. As part of the collaboration we have met with Council officials and with TRL's researcher to agree the project remit. We have also spoken with SCOTS in regard to the toolkit brief.

Can you also provide a response in relation to Petitioner PE1223 in respect of the question he has raised on what action you have taken (and how) with regard to Scotland's Road Safety Framework to 2020?

This question again ties in with our partnership work with Aberdeenshire Council. We have provided funding assistance to Aberdeenshire Council for their pilot initiatives which investigate new means to addressing the safety of children taking a school bus. These include the '1 second 1 life' initiative, the new school bus signs and pick up and drop off point evaluation. The Committee has already been provided with more detail of these initiatives for its previous meetings. Reporting the findings of the initiatives and their implementation will be delivered through the production and distribution of the new toolkit which we are funding.

The Committee may wish to note that one of the underlying principles of the Framework is to help ensure robust testing and evaluation of new road safety initiatives so that local authorities can choose to invest in initiatives knowing what the outcomes will be, the cost and their effectiveness.

Jill Mulholland
Road Safety Team Leader