

PE1223/LL

Petitioner Letter of 7 March 2012

PETITION 1223

Members of the Petition Committee

With the greatest respect to Transport Scotland ,it appears that they seem centered around seat belts, where as in fact it is about school safety transport overall.

All I seem to read is the price, the cost, nothing about safety concerns.

How do you place a price on a pupil's death or in fact serious injury when the family or child has to supported thought out their lifetime.

I accuse local authorities (LAs) of lacking in minimum safety standards and placing those on school transport at risk to injury and sadly death.

I lay much of the blame re school bus safety on LAs, bus companies, drivers and in fact the police, more can be also done by Transport Scotland I am sure the answer to school bus safety lies in the fact that these problems are usually linked to poor understanding and education of reducing risks. Skill levels plus regulations that are not coherent and in fact unenforceable.

This is an absolute disgrace in every meaning of the word, they are in fact treating pupils with less safety than a school janitor who is covered by H&S regulations, thereby treating them as second class citizens.

LAs all use their own standards with minimal costs, not always value for money. Have little interest in improving school bus safety, which is apparent by there refusal to increase the size of signage , ensuring signs are displayed correctly or in fact removed when not being used by pupils.

All this can be done at little cost and in some instances at no cost, so why is there no movement on this in the last 30 years and more, it seems they do not care to do so.

Often a lack of knowledge regarding there own contract systems, and worst of all, standing back and not making safety decisions that should at the heart of all safety, allowing bus drivers and bus companies to place safety signs where they wish with no regard to pupils safety, no one being accountable or wishing to make a decision in case it backfires on their career it seems.

All these considerations can, according to Mike Penning MP be written into transport contracts.

It all needs a better and clearer understanding of best systems and operations, the police could do more as regards signage not clearly visible under lighting regulations.

Daily I see service buses displaying the safety sign whilst not on school runs, thereby ensuring the signs effect is made irrelevant and totally diluted, is it any wonder other drivers pay little heed to it, this happens all over Scotland.

Questions asked by Transport Scotland seem to relate quite simply to cost, with no mention of safety, injuries or deaths, as in how much extra do you estimate that this would cost per financial year?

What is the likely availability of suitable vehicles in your area?

Approximately how many distance entitled children are transported each day?
The implications being are there enough buses and what's the cost

There we have it!! Does all this really matter; one fatal accident and this will come back and haunt us all.

The minimum cost for one fatal accident is now over £1.5 million; sadly one fatality would ensure the cost would be covered.

If I can remind Transport Scotland and the petitions committee what Mike Penning said at his meeting here in October 2010 over a year ago and not just about seat belts!!

Mike Penning: I was really surprised by some of the comments from local authorities, not just in Scotland but around the UK, about what they can and cannot do, because the legislation is specific on that. A minimum standard is required under UK law for the transportation of pupils, whether to and from school or to and from any other activity.

Clearly, I need to send out guidance to local authorities once again and tell them in no uncertain terms what they are required to do.

[If he has done so ,no one is listening]

There are areas on which we need to tighten up, one of which is signage. Some of the photographs and things that I have seen for myself show that there is confusion, complacency, ignorance or even unwillingness to apply the law when it comes to etc etc.

I ask Transport Scotland, ATCO or COSLA if they would ever support pupils being transported to school under differing safety rules? Every pupil or in fact child has the same right to safety as the next, regardless of where they live or are transported.

COSLA already supported our position at the start of the petition in 2006

I also read ATCO clarified that all coaches and minibuses which transport schoolchildren are, by law, are required to have as a minimum lap belts fitted, irrespective of the age of the coach or minibus.

Can I ask this is clarified NOW,

If this is in fact the case, LAs and coach companies are running contractually illegally today.

LAs appear to have little concern for the positioning of the safety sign, nor do the police, if the sign is not clearly visible, its illegal under lighting regulations, most signs on the front of school transport are on the passenger side and the smallest sign available yet no one questions this, it can be any size, it is not clearly visible to approaching traffic as it is usually placed on the passenger side door, why would you possibly even consider that!!! Propped up in many instances by books, papers, at times almost laid flat.

The police whose job it is to uphold the law in this instance are clearly not doing so! If I was speeding I would be stopped and charged, yet the question of signage not displayed properly goes unheeded.

This is a ridiculous situation and this casual approach to school bus safety needs to change urgently, the police it appears are unwilling to do so.

Do the police even know about the regulations regarding the school sign, as they simply pass the buses by?

Bus drivers and bus operators should not be allowed to decide where the sign is placed this should be properly safety assessed, it has never been!

As I have pointed out in the past Northern Ireland is far ahead of us re school bus signage and therefore safety, please check out 'The Road Vehicles Lighting (Amendment) Regulations (Northern Ireland) 2011',

If we are to use retro signage, which means that the reflective light is stored and then is reflected back out, the sign should not be used behind glass, because it must lose its refraction, nor can it be used behind tinted glass for the same reason; it has to be on the side of the vehicle that approaching drivers can see,

and that the sign to the back of the bus is not too low or in fact too high and then out of a driver's normal line of vision, not hidden by pupils as they get off the bus and move to the back, and it must be taken off when the vehicle is not transporting pupils.

Simple safety measures that one would consider common sense, yet daily it appears not.

I ask Transport Scotland and Keith Brown MSP, and Transport Minister, to ask each local authority why school bus safety signs are not clearly displayed as the law insists and why LAs are allowing the minimum safety standards to fall.

Why police are not involved when it's displayed illegally!

We are constantly told LAs have the power to change the way signage is displayed and other measures, in fact a LA can write anything it wishes into a school contract it seems, yet many don't bother.

Aberdeenshire told the committee new larger safety signs would be rolled out within the region, in fact this is not the case, only a few firms display them a year on.

Signage is every bit as important as seat belts, this is what gives school buses the visibility they need to perform their function safely, the sign is to inform other road users pupils can be leaving the bus.

Sensible safety agreements are required.

Why would any LAs have differing safety rules, or none as regards the display of the safety signs.

We allow LAs to operate a safety postcode, yet we don't allow a health postcode!!

Why do some LAs make a ruling that minibuses with more than 8 seats have seat belts, yet those under don't require them, the same with the safety sign, there is no basis in law for this, only someone in an LA who has not thought this through, as normal!

Small flashing led lights could be incorporated in the sign, electrics are very cheap, why are larger signs not used, they can be without any change of law, it already exists.

From where I am standing I see very little common sense in much of what LAs do, or in fact Transport Scotland!.

They have had years to improve safety as has the UK Government, yet after each accident we hear there will be changes, when in fact nothing happens.

This petition is of paramount importance and has been so since the start, I find Transport Scotland assumption that it cannot progress at a faster pace hard to believe, when other legislation can be rushed through as in no smoking in doors in public places and other legislation.

By stalling this ensures that safety measures for school pupils are being avoided, LAs and Parliament need to ensure proper safety measure for all pupils, safety is not about post codes, it's about lives and injuries. This needs a debate within Parliament as well to ensure all MSPs are aware of what is taking place.

This is so common, this sign is all a driver approaching a school bus sees, or in many cases doesn't, this is a mini bus local to myself, it however happens all over Scotland and I expect many of you have seen this, how can any driver make an safety assessment approaching a school bus coach if the sign is not prominent, it's impossible and it's also illegal, yet happens daily.

I realize local authorities are local government, but when safety fails to register on their radar, our Scottish Government, petitions committee and Transport Scotland, plus the UK Government need to step in, or do we simply accept this cannot be accomplished, I don't think so.

"As regards the school safety signs displayed on service buses, Aberdeenshire council tell me "as you know we have no real sanction or locus when it comes to vehicles operating on commercial services".

This seems at odds to the statement by Mike Penning MP and under sec of state for transport, and this seems to be the opinion of most LAs, we can't change, this needs highlighted.

As I continually state, this committee has the power to ensure safety changes for the better, pupils lives depend on your understanding of this and we thank you for the work and support you have given this petition over the last years, we trust school bus safety can be changed, often with simple sensible steps, that LAs fail to recognize.

Please help us to ensure change will happen and is happening.