



Eich cyf/Your ref P-05-748
Ein cyf/Our ref KS/00262/18

David John Rowlands AM
Chair - Petitions committee.

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31 January 2018

Dear David,

Thank you for your letter of 25 January regarding petition P-05-748 - School Buses for School Children.

The Welsh Government undertook a recent review of learner travel policy. This resulted in the publication of the revised Learner Travel Statutory Provision and Operational Guidance in 2014 which included more information about education policies which related to or impacted upon learner travel. The Welsh Government also produced new guidance on the risk assessment of walked routes to school which extended the criteria by which walked routes are judged to be unsafe by including social dangers. Last year, the Welsh Government produced the revised All-Wales Travel Behaviour Code ('the Code') which set out the standards of behaviour learners aged 5-19 are expected to adhere to on the journey between home and school regardless of the mode of transport. The Code also includes advice on safe travel. The Welsh Government will keep learner travel policy and legislation under review on an ongoing basis.

Under current learner travel legislation, primary learners are entitled to free home to school transport if they live 2 miles or further from the nearest suitable school while secondary learners are entitled to free transport if they live 3 miles or further from the nearest suitable school. Local authorities decide which school is the nearest suitable school by referring to a range of criteria, such as age, ability, aptitude, including any learning difficulties. Local authorities operate a spare seat policy under which learners who are ineligible for free transport may purchase a seat on dedicated learner transport; however, such seats have to be surrendered to those learners who are eligible for free transport once they start using or re-using the service.

The Safety on Learner Transport (Wales) Measure 2011 includes the provision that seat belts must be fitted to every seat on dedicated learner transport buses used to transport

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.


We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

learners between home and school. This provision had to be met by local authorities by 1 October 2014. There are learners who travel between home and school on public service buses, however the Assembly may not legislate in relation to public service vehicles. This is the responsibility of the UK Parliament at present.

Under the Safeguarding Vulnerable Groups Act 2006, the drivers of buses used for dedicated learner transport must be checked by the Disclosure and Barring Service ('DBS'). The DBS only covers those who may have regular or close contact with children and vulnerable adults - such activities are described as 'Regulated Activities' in the legislation, that is, work that a barred person must not do in relation to children.

All vehicles used for learner transport are required to comply with UK road safety and transport legislation requirements. The Welsh Government's learner travel guidance recommends that local authorities and the Governing Bodies of maintained schools liaise with the Driver and Vehicle Standards Agency, the Health and Safety Executive and the Traffic Commissioner about any suspected or alleged breaches of legal safety standards. This guidance also recommends that local authorities should put in place robust monitoring and evaluation procedures to ensure that all current legislative requirements are met and clearly set out in their contracts.

In 2016-17 local authorities in Wales spent £117,409,000 on home to school transport.

Yours ever,


Ken Skates AC/AM

Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth
Cabinet Secretary for Economy and Transport