

## ASSISTED SCHOOL TRAVEL PROGRAM

### Important Information for Contractors and Drivers – 2013

This information aims to provide contractors and drivers with comprehensive background information on the aims and operation of the Assisted School Travel Program and to provide advice on your role and responsibilities as a contractor or driver. Also included is information in respect of the responsibilities of other parties in the provision of transport services. The Department has and will continue to provide similar detailed advice to parents/carers and schools.

As a contractor, you must ensure that information provided within this document is also provided to all transport drivers working under your contract.

#### Assisted School Travel Program

The NSW Department of Education and Communities engages transport contractors to provide daily transport services for school students who meet the eligibility criteria to access education services. While the great majority of students travel successfully on transport without adult supervision, the Department also engages Assisted School Travel Officers (ASTOs) to travel with students whose medical or behavioural needs require additional support while in transit. All transport runs and services are regularly reviewed to ensure operational efficiency and to meet the changing needs and circumstances of students with disability. A transport run allocated to a contractor may not necessarily continue through to the end of the school year or subsequent years. Alternatively a contractor may be asked to transport increased or decreased numbers of students during the year.

As the management of the program is a complex organisational exercise it requires the active cooperation of all parties concerned to fulfil their respective roles and responsibilities. Your cooperation is greatly appreciated in ensuring that the program provides the best possible service for eligible students.

#### Child Protection Employment Screening of Drivers and Assisted School Travel Officers

In order to meet contractual and statutory child protection requirements all transport drivers and ASTO's must submit the relevant *Working With Children Employment Screening Forms*, prior to commencing any work that involves working with children. Completed forms including identification must be forwarded to the Assisted School Travel Program (ASTP) to facilitate screening prior to engagement.

All runs are required to have relief drivers available to cover the absences of the regular driver in circumstances such as sudden illness or incapacity. These relief drivers are also required to be screened prior to commencing transport services.

**Drivers and Assisted School Travel Officers cannot commence services on a transport run until they have been screened and approved by the Department in accordance with current child protection legislation.**

**Any enquiries regarding the screening and approval process should be referred to the ASTP on telephone 1300 338 278 or email [generalenquiries.astp@det.nsw.edu.au](mailto:generalenquiries.astp@det.nsw.edu.au)**

Should any contractor engage a driver on a run without prior screening and approval, that run will be immediately reallocated to another contractor and the contract may be terminated. Please note that if a driver has not been nominated by a contractor as the driver or relief driver on a specific run for up to three (3) months, that driver's approval will expire and they will have to be re-screened prior to commencing services.

It is the contractor's responsibility to notify the Department in writing within twenty four (24) hours details of any charge or conviction related to criminal, traffic or any other offence by a contractor or any person engaged by the contractor in relation to the Service (please refer to clause 11.1.3 of the *Contract for the Provision of Assisted School Travel*).

In consideration of the nature of students' disabilities and to provide familiarity for parents/carers the Department asks that, wherever possible, the same driver is allocated to the same run and any changes are kept to a minimum. It is understood that due to the size, complexity and nature of some contractors' runs, this may not always be possible.

However, it is the responsibility of the contractor to advise the ASTP, schools and parents/carers prior to any change being made to the driver or vehicle. Parents/carers who have any doubts about the identity of unfamiliar drivers have been encouraged to ask for identification. The contractor must ensure that all vehicles are fitted with a device suitable for holding the driver's Driver Licence Card and must advise drivers that if parents/carers or school staff ask to see their licence they must comply with the request.

### Safety of Students

Contractors and drivers have a direct responsibility under the *Child Protection Legislation* to ensure that students are not placed at risk. Drivers should:

- not leave the immediate vicinity of their vehicle if students are present, subject to the presence of an ASTO. Even under these circumstances, drivers should only leave the vicinity of their vehicle in an emergency;
- immediately notify the ASTP should the vehicle be involved in an accident while students are travelling in the vehicle to or from school;
- not make any unauthorised stops when transporting students to or from school, **particularly at the request of students**. Drop-off and pick-up points can only be authorised by ASTP staff;
- not allow any unauthorised persons to travel in the vehicle while students are being conveyed to or from school;
- not use the vehicle to undertake any other business while it is being used to provide transport services; and
- not come into any unnecessary physical contact with students.

Further information on supporting students and managing emergency situations are included in the *Assisted School Travel Emergency Action and Procedures* card. All contractors must ensure that a copy of this card is retained in the vehicle at all times. Please contact the ASTP if additional copies of the card are required.

### Pick-Up and Drop-Off of Students

Parents/carers have been advised that they must be present, or arrange for another responsible person to be present at the agreed pick-up and drop-off times for students and for a 15 minute period either side to take account of traffic variations. All instances of parents/carers not being present at the agreed times must be immediately reported to the ASTP.

In the morning, if the student is not ready at the agreed time, drivers are to be advised to wait a maximum of 3 minutes before proceeding to the next location. In the afternoon if there is no parent/carer present, drivers should contact the ASTP for advice on the appropriate action to take which may, if there is no other alternative, involve conveying the student to the nearest Department of Family and Community Services office.

Many parents/carers request that the pick-up and drop-off times for students be designed to accommodate work times or other commitments. Regrettably due to the size and complexity of organising services across the state these requests can not be accommodated if they impact on Clause 6 of your Contract that deals with transporting students by the shortest practical route.

**Under no circumstances should drivers leave students unattended or take them to any location that has not been authorised by the ASTP.**

### Accompanying Students to and from the Transport Vehicle

It is the parent/carer's responsibility to accompany the student to and from their home to the transport vehicle, and to ensure that they are safely seated. This includes providing any additional equipment that may be required for their safe transport, such as a harness or booster seat.

Parents/carers also have the responsibility to assist students in and out of seats and to ensure seatbelts and/or safety harnesses are correctly fastened. The parent/carer may seek the driver's (and if appropriate, the ASTO's) assistance, and every measure of co-operation should be provided. Where the student travels in his/her wheelchair, the driver must ensure that the chair is correctly positioned and secured within the vehicle.

School principals have been asked to ensure that appropriate supervision is arranged at the agreed arrival and departure times from schools and to assist students on and off vehicles.

### Training and Information on Students' Needs for Drivers and Assisted School Travel Officers

If a school identifies that a student requires an ASTO to support his/her travel under no circumstances should the student travel without the ASTO unless the ASTP has advised the contractor of the change to the arrangements. Contractors and drivers cannot refuse or discourage the allocation of an ASTO to travel with a student on a transport run.

Please note that ASTO's are allocated to travel with an individual student or students and if all of the students who have been allocated an ASTO (as identified on the run card) are absent there is no requirement for the Assisted School Travel Officer to travel on the transport run.

As the knowledge and expertise needed to provide specific assistance to individual students is held by parents/carers and school staff, they are best placed to arrange any necessary support and advice for drivers and/or ASTO in respect of the needs of students in transit. Where applicable, schools will provide drivers and/or ASTO's with copies of health care or behaviour management plans and provide advice to support the implementation of the plan. Under no circumstances are drivers or ASTO's to administer medication to students without the arranged authorisation of the ASTP after consultation with the school, family and relevant health care professionals.

Drivers who are concerned that the behaviour of any student on the vehicle is posing a risk must contact the school and the ASTP for advice and support. Drivers are encouraged to continually liaise with school staff and the ASTP in relation to seeking assistance or discussing concerns they may have in regards to better managing challenging behaviours or health care needs of individual students. In addition, parent/carers have been encouraged to explain any special needs or characteristics of students particularly when a new driver or ASTO has been allocated to a transport run.

### Notification of Changes of Address and Other Variations

Any changes to formal transport arrangements for a student conveyed under the program must be authorised and approved by ASTP staff. Contractors/drivers must not enter into local or alternative arrangements with school staff or parents/carers.

In instances where the pick up and drop off addresses for a student varies for any reason, the school principal or his/her delegate will liaise with ASTP staff to determine the most appropriate transport for the student.

Parents/carers have been advised to contact the contractor or driver in advance to notify all occasions when the student will not be attending school or will not be requiring transport.

### Stoppages or Temporary Variations to School start/finish Times

Increasingly, individual transport services are accommodating students from more than one school to maximise efficiency of the service. In the best interests of all parties concerned it is not possible for the ASTP to allocate additional services or change the normal pick-up and drop-off times for students to meet temporary or one-off variations to start/finish times of schools. Accordingly, transport services must operate at regular times on these occasions unless the ASTP provides advice that schools have cancelled individual services for the morning or afternoon journeys. Should contractors ignore this advice and operate outside normal times without authorisation payments for those journeys will be withheld.

### Driver information, Vehicle Registration, Insurance and Safety

Drivers must hold a full driver's licence (provisional licence holders cannot be employed) in the required licence class for the vehicle they will be driving. The contractor must only employ such persons who are experienced drivers and skilled in the provision of transport for students with disabilities. The contractor must ensure that the driver, with the exception of licenced taxi or bus drivers, completes a *Roads and Maritime Services RAMS (formerly known as Roads and Traffic Authority) Consent to Driver Licence Checks* form before the contractor engages the driver in terms approved by the Department.

Contractors must ensure that their vehicles meet all regulatory standards set by Transport for NSW and the RAMS. The contractor is required to provide the ASTP with copies of current vehicle registration, *RAMS Consent to Vehicle Checks* form completed and signed by the registered owner and current "business use" comprehensive motor vehicle insurance papers for all vehicles used to provide services in relation to the contract. Vehicle details and relevant documents must be provided to the ASTP for approval prior to a vehicle being used to transport students. Please note that the Department may seek the assistance of the RAMS in verifying information provided by contractors.

The Department has developed a close working relationship with RAMS and Transport for NSW and if concerns are raised about the safety or condition of any vehicle used to provide transport services, details will be referred to RAMS and an inspection requested. Parents/carers and school staff have been encouraged to inform ASTP immediately if they have any concerns about the safety or condition of vehicles.

### Warning Signage

Buses with a seating capacity over 12 seats (including the driver) used to convey students to or from school on weekdays between the hours of 7:00 a.m. to 9:30 a.m. or 2:30 p.m. to 5:00 p.m. or used solely for the purpose of conveying children to or from school must be fitted with appropriate warning signage. These requirements are in accordance with Clause 94 of the *Road Transport (Safety and Traffic Management) Regulation 1999*. The ASTP is required to and will inform the RAMS of any contractors who are not complying with the legislation.

Details of the technical specifications for fitting warning lights and signage to buses used to transport school students (Technical Specification 142) can be obtained from your local RAMS office or the RAMS Internet web site [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au) under Registration.

### Child Restraints and Booster Seats

Contractors must comply with and the Department will enforce the March 2010 changes to safety regulations regarding the use of child restraints and booster seats. These changes require child restraints and/or booster seats to be used to improve the safety of children travelling in motor vehicles for children up to seven years of age. For students accessing transport services parents are required to provide a child restraint for students less than four years of age or a child restraint or booster seat for students who are four years old but less than seven years of age. For information regarding child restraints, visit the Roads and Maritime Services website at [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au) or call 1800 060 607.

### Seat Belts and Student Seating Arrangements

The Department considers it a reasonable expectation that contractors will take every available safety precaution when transporting students. You are reminded that seat belts, harnesses and wheelchair tie-downs must be kept in optimal condition.

The fitting and use of restraints and hoists must be in accordance with the relevant Standards to minimise the risk of injury in the event of an accident:

- Australian Standard AS 2942-1994: Wheelchair Occupant Restraint Assemblies for Motor Vehicles.
- Australian/New Zealand Standard AS/NZS 3856:1998 – Hoists and ramps for people with disabilities – vehicle mounted
- Australian/New Zealand Standard AS/NZS 4370: 1996 – Restraint of children with disabilities in motor vehicles
- Australian/New Zealand Standard AS/NZS 1754: 2004 – Child restraint systems for use in motor vehicles

Any amendments and updates to these Standards must also be taken into account and contractors are responsible for ensuring that vehicles fitted with restraints and hoists are compliant. Retro-fitted seat belts and anchor points are required to be installed in accordance with the relevant standards and to be certified by a recognised engineering signatory (refer to the RTA Vehicle Inspectors Bulletin No 49 and 50). For wheel chair vehicles contractors are required to provide the ASTP with a certified copy of the engineering certification not more than three years old for any such modifications.

Contractors must support the safety of students travelling in motor vehicles by following the requirements stated in the amended NSW Road Rules. The regulations include the following requirements:

- children between six months and four years must be secured in either a rear or forward facing restraint;
- children between four and seven years must be secured in a forward facing child restraint or booster seat;
- children younger than four years cannot travel in the front seat of a vehicle with two or more rows; and
- children between four and less than seven years cannot travel in the front seat of a vehicle with two or more rows, unless all back seats are occupied by children younger than seven years in a child restraint or booster seat.

### Workers Compensation Insurance and Public Liability Insurance

The Department requires contractors with employees who are employed in connection with the provision of transport services to maintain a current workers compensation insurance policy as required under the provisions of the *Workers Compensation Act 1987* or any other relevant legislation.

You can obtain information on your responsibilities as an employer to hold a current workers compensation insurance policy by contacting WorkCover NSW on 13 10 50 or by visiting [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

The Department also requires contractors to maintain a current legal liability (or public liability) insurance policy indemnifying the contractor for the death or injury of any person or the loss, damage or destruction of any property arising out of the services covering an amount of not less than \$20,000,000 in respect of any one claim.

Contractors must provide a certificate of currency for both types of insurance within seven days of the date the policy is due for renewal.

Please contact the ASTP on telephone number **1300 338 278** or email [contractors.astp@det.nsw.edu.au](mailto:contractors.astp@det.nsw.edu.au) if you have any questions or concerns in relation to your provision of transport services for the Department of Education and Communities.