



Behaviour Protocol: Access to Transport

Introduction

The Amey – BCC Client Contract acknowledges that in limited, specific circumstances, transport may be suspended / withdrawn. Amey operate within the policy framework set by the County Council. The relevant section of the contract is:

4.4 *Suspension of Services to Pupils*

4.4.1 *As a result of a Critical Incident the suspension of Services to a Pupil may be necessary to protect the health and safety of other Pupils, Drivers or Passenger Assistants. The suspension of Services to a Pupil shall be a last resort. The Contractor will discuss the issue/incident with the appropriate officers of the Authority to seek a solution and the outcome may be to temporarily suspend the Service to a Pupil if:*

- (a) *the health or safety of other Pupils, Drivers or Passenger Assistants would be compromised by the continuation of the Service to such Pupils; and*
- (b) *No immediate solution can be found.*

4.4.2 *The Contractor in consultation with the Authority's Contract Manager will explore all reasonable options to restore Services to a Pupil which have been suspended as soon as possible provided that:*

- (a) *the risks to other Pupils, Passenger Assistants and Drivers can be reduced to levels acceptable to the Authority and to the Contractor;*
- (b) *the new arrangements can be made within the guidelines provided by the Authority's Transport Policy;*
- (c) *the Family and where reasonable the Pupil is consulted about any new arrangements.*

Protocol

1. Principles

- 1.1 Where behaviour is unacceptable transport may be withdrawn but this should be a matter of last resort.
- 1.2 Health & safety must be taken extremely seriously and must not be compromised.
- 1.3 Any response must appropriately take into account the personal circumstances of the pupil and their mental capacity.
- 1.4 If a parent or carer puts children at risk as a result of their behaviour this may be a factor in determining whether or how their child can be transported.
- 1.5 If transport is withdrawn, it remains the parents' responsibility to ensure the pupil gets to school.
- 1.6 Schools / parents/pupils should be made aware of the Protocol.

2. Definition of "Unacceptable Behaviour"

Behaviour which is likely to significantly offend, or endanger, others including:

- 2.1 Serious damage to the vehicle by the pupil
- 2.2 Actions which may constitute a health and safety risk
- 2.2 Assaults on others
- 2.3 Verbal abuse of other people including swearing, taunting, racist, sexist, homophobic comments, threatening behaviour
- 2.4 Incitement of others to engage in misbehaviour
- 2.5 Making repeated malicious allegations of mistreatment requiring investigation
- 2.6 Serious misuse of a bus pass
- 2.7 Failure to comply with the reasonable instructions of the driver, passenger assistant, member of Amey Client Transport staff, authorised member of school / establishment staff.

3. Process

3.1 Decision-Making

- Decisions are made by the Transport Operations Manager who must consult with the school and the BCC Contract Compliance Manager.
- In the absence of the Transport Operations Manager, decisions are made by the Contract Manager (CM). In the absence of either person, a decision may be made by a Senior Transport Officer.
- In the absence of the BCC Contract Compliance Manager a senior manager in Children's services must be consulted, usually the Divisional Manager for Commissioning

3.2 The Decision

The relevant officers noted above can determine:

- That a written warning is sent
- Temporary suspension of transport pending further investigation
- Continued transport pending further investigation
- Immediate withdrawal of transport

Where further investigation is being carried out this should be:

- Explained in writing to the parent
- Completed in as prompt a time-scale as possible proportionate to the circumstances

It is up to the relevant officers to determine who should best investigate the matter.

3.3 The Period of Transport Withdrawal

This is for the relevant officers to determine but it should be proportionate to the incident[s] and consistent with the principles of the protocol.

3.4 Return to Transport

During the period of withdrawal steps will be taken to address the problem behaviour. This may include work required at school or at home e.g. working through a booklet about behaviour issues to raise awareness of the risks and consequences of inappropriate behaviour. Return to transport may be conditional on the completion of such work.

3.5 Appeals and Complaints

An initial appeal may be made to the Transport Operations Manager in Amey who will refer it to senior Council staff who have had no previous involvement. They will review the case promptly, but if the withdrawal of transport stands, any further appeals or concerns from the parent will be dealt with through the Council's formal complaints procedure.

3.6 Communication

Parents will receive written notification and explanation of any decision to withdraw transport and details of the period of transport withdrawal, return to transport, appeals and complaints. This will also be copied to the school.

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