

PORTFOLIO: TRANSPORT PORTFOLIO

**ISSUE: INQUIRY INTO THE STUDENT TRANSPORT ASSISTANCE
POLICY FRAMEWORK**

BACKGROUND

Student Transport Assistance Policy Framework

The current Student Transport Assistance Policy framework provides for a reasonable level of transport assistance to the nearest appropriate Government school, or non-Government school of religious denomination or ethos, that offers the year of study for the student.

To be eligible for transport assistance, students must meet all of the following criteria¹:

- be enrolled at their nearest appropriate school;
- be enrolled in a pre-compulsory or compulsory education period;
- regularly use the school bus;
- reside more than 4.5km from their school; and
- reside outside a designated Public Transport Area.

Rural students who are eligible for transport assistance will generally be provided with access to free transport on an 'orange' school bus from their residential property to their nearest appropriate school. Where a seat on a bus is not available, parents will be paid a Conveyance Allowance (21.51 cents per kilometre effective F/Y 2020-21) to transport their child to and from school. A Conveyance Allowance can also be paid to parents who drive their children to meet the bus on route where the "90 minute rule" prevents the bus from spurring to their property. Ninety minutes is the intended maximum time any child will spend on the bus in a single journey.

Students with special needs (generally in the Perth metropolitan area or larger regional centres) are also entitled to transport assistance to their nearest appropriate Education Support School or Centre. Under normal circumstances they must:

- be enrolled at their appropriate Government or non-Government Education Support facility;
- not be able or competent to make their own way to their facility safely; and
- be regularly attending the centre and using their approved transport service.

The level of education and curricula offered at individual schools is the province of the Department of Education (DoE) or Independent Schools Association (ISA) and currently has no bearing when determining transport assistance eligibility. Additionally, appropriate school has never been determined on the basis of special programs (ie International Baccalaureate) or the perceived lack of opportunities in education. This policy position on 'nearest appropriate school' has been consistent throughout the history of School bus services, but over time has been increasingly challenged as parents increasingly elect to choose the school their child attends.

The policy does not differentiate religious faiths or non-denomination schools by specific teaching methodologies or ethos. Schools of the same Christian faith are treated the same, creating an equitable application of the policy between private schools (of the same faith) and also between public and private school students.

¹ Annex A provides an overview of other State and Territory's eligibility for student transport assistance.

While the right of parents to choose which school they send their child to is respected, a decision resulting in a child attending other than their nearest appropriate school does mean that the child is not eligible for transport assistance. In these instances, parents are responsible for getting their child to and from school, unless the child can be accommodated on the orange school bus network as a 'complimentary' passenger.

Non-eligible ('complimentary') students may be granted access to a school bus where there is spare seat capacity and provided that no additional cost is incurred. This may require the student to meet the school bus at a designated point on the bus route. Complimentary passengers can be removed from a service if their seat is required by an eligible student.

The breakdown of students by status being carried on 'orange' school buses and DOE funded contracts² for Intensive English Classes and Aboriginal Community Colleges are as follows:

Region	Eligible	Complimentary	Out of Policy & Grandfathered ³	DoE Contracts
Gascoyne	134	7		
Goldfields Esperance	953	180	4	131
Great Southern	2,483	751	100	
Kimberley	757	92		
Metropolitan	3,620	634	15	547
Mid West	1,393	198	8	
Peel	1,565	383	8	
Pilbara	455	10		
South West	5,560	1,160	200	69
Wheatbelt	3,553	871	37	
Total	20,473	4,286	372	747
Percentage	79.10%	16.60%	1.40%	2.90%

Public Transport Boundaries

In Perth and other regional metropolitan centres, the Government maintains subsidised public transport systems for the benefit of the general community, as well as some services which specifically transport students to and from school. There are no specific entitlements to bus services in the metropolitan area for mainstream schooling.

In planning metropolitan and regional town public transport networks the PTA endeavours to achieve, amongst other objectives, the provision of the best service possible to key school locations. Conversely, school authorities are expected to locate schools on major corridors that are well serviced or which can be practically serviced by the public transport system and which are also suitable for pedestrian and cycle traffic.

Given the Government's investment in these bus networks (and the train network for metropolitan Perth residents), there is no specific entitlement to 'orange' school bus services in these major centres. To delineate between metropolitan areas and rural areas, where an 'orange' school bus service operates, the PTA designates 'Public Transport Areas'. Generally, the core part of a metropolitan centre forms the focus of a designated Public Transport Area.

Within designated Public Transport Areas, students attending mainstream schools are not entitled to an 'orange' school bus services rather, their entitlement is to travel at a concession fare rate (currently at 70 cents per journey) on the Government subsidised public transport network.

² These contracts and services sit outside of the current policy framework and will not be impacted by the inquiry.

³ Out of Policy eligibility is generally approved for compassionate and compelling reasons. Grandfathered entitlements occur for example as result of a newly commissioned school which alters the eligibility of existing students.

From time-to-time Public Transport Areas will change as urban areas expand. In these circumstances, 'orange' school bus services may be withdrawn and replaced by public transport services which ultimately provide a greater benefit to the whole community.

Administration of the Student Transport Assistance Program

The Student Transport Assistance function has been administered by the School Bus Services (SBS) team since 1996, when the function was transferred from Education to Transport, and subsequently to PTA in 2003. The current team consists of 35 people employed by the Public Transport Authority (PTA).

The administration of the policy across Western Australia is broken up into thirteen portfolios and each is assigned a dedicated Contract Officer. Each Contract Officer has the responsibility to assess individual applications for transport assistance and approve transport for eligible students to an appropriate school. The 13 portfolios are allocated into three teams (Northern, Southern and Metro) supervised by a Team Leader. The Operations Manager has overall responsibility for managing the three teams and dealing with all aspects of delivering school bus services effectively and efficiently in accordance with the policy.

A Business Services team has responsibility for ensuring that the business systems support the operational requirements, are fit for purpose and suitability maintained. Additionally, Business Services also maintains the School Bus Services website, the online application process, and the contractor administration portal.

A mapping team is responsible for mapping every school bus route in the State, producing over 7,000 maps (reflecting route variations) during each calendar school year.

During the 2020/2021 Financial Year, the SBS team:

- provided transport assistance to 25,878 students attending mainstream schools and Education Support facilities;
- managed 869 school bus contracts delivering 967 separate services' of which:
 - 807 contracted services transport students to mainstream schools; and
 - 160 contracted services transported students to Education Support facilities.
- administered conveyance allowance payments for 2,010 students whose parents transport them to and from school or to meet a school bus at a point en route.

The activities for the year resulted in a total of 10.2 million student trips being made over a total of 32.8 million service kilometres. The cost of delivering these services was \$127 million as follows:

- \$120.8 million in school bus contractor payments⁴;
- \$1.7 million in conveyance payments; and
- \$4.1 million in staff and administration costs (exclusive of internal transfer costs and depreciation).

The History of Current Policy Settings

While the Morrell Review (1997-1998) largely shaped the policy framework that is currently used to administer the transport assistance program, there have been a number of other joint

⁴ This equates to a subsidy of \$4,216 per mainstream student per annum and \$9,429 per education support student per annum.

Government/industry reviews that have adjusted the policy settings, nature of the school bus contracts and remuneration of school bus contractors since that time. The following provides a brief history of these reviews. Copies of the reports can be provided on request.

Transition of School Bus Function from the Department of Education

Prior to 1996, the administration of the 'orange' school bus network was a function of the Department of Education. Following an internal review, it was determined that this was not core business for the department and that the function should be transferred to the then Department of Transport. The transfer of responsibility took effect from January 1996.

In 1995, the then Ministers for Education and Transport signed a letter headed "Memorandum of Agreement on the Security of Tenure of School Bus Contracts" addressed to the Executive Director of the Western Australian Road Transport Association, as the then school bus industry peak body. The letter recognised pre-existing contract administration practices in the Education Department under which all normal school bus contracts (not temporary and/or relief) were renewed with the existing contractor every five years, subject to:

- the continuing need for the service;
- acceptable performance by the contractor; and
- the signing of a new contract document.

The letter also included a statement that the "renewal will also apply to those contracts currently held by existing contractors that are transferred to another contractor". Hence the practice of 'rolling over' contracts continued to apply if the school bus business was sold, transferred or assigned to another party. These pre-1996 contracts became known as 'in perpetuity' contracts, although legal advice identified this to be an incorrect interpretation. There were 701 of these contracts at the time of the transfer of the function to the Department of Transport.

Post-1996 when the function left Education, all new school bus services were put to open, competitive tender to allow the Government to benefit from market forces, consistent with State procurement policy. Tenders specified the scope of the service, the size of the bus required and the contract term, which usually aligned to the life of the bus asset of 10 years for smaller vehicles and 15 years for larger vehicles. Note that these parameters have now increased to 12 and 17 years, reflecting the improved quality of bus builds.

While not uniform across the state, the competitively tendered contracts typically delivered savings in order of 10 per cent against 'in perpetuity' contracts with a similar service profile. Many of these post-1996 contracts were won by existing school bus contractors.

Morrell Review

With the transfer of the school bus administration function to the Department of Transport, the Government committed to a major review of the transport assistance policy framework.

Ms Barbara Morrell was appointed to chair the review which occurred during 1997 and 1998, with a final report and recommendations presented to Government in 1999.

The review was the most comprehensive ever undertaken, encompassing a large number of regional forums. It considered transport needs of rural and metropolitan based mainstream students and also the needs of education support students.

The 66 recommendations arising from the Morrell review were all endorsed by the Government with the exception of two recommendations. These were Recommendation 3 which proposed that students who bypassed their nearest Government school to attend their school of choice

would be required to pay a fare; and Recommendation 37 which recommended that the Omnibus Operator Standards Scheme for maintenance and inspection apply to school buses.

The Morrell review set the basis for the transport assistance policy framework under which student's entitlements and service delivery are currently administered.

Shanahan Review

In late 1999/early 2000, Mr Tim Shanahan was appointed by Government to review contractor remuneration to ensure that costs matched the commercial standards of school bus contracts. This review had no bearing or impact on the transport assistance policy framework.

Mr Shanahan was the Chair of the committee, which also had representatives from the then West Australian Road Transport Association and the Department of Transport. The committee met over a period of six months but, was unable to reach agreement.

In essence, Mr Shanahan was unable to reconcile the unsubstantiated claims for increased remuneration made by industry against the free market tendering results that the Department of Transport was able to present. The Shanahan report was presented to Government in October 2000, which essentially concluded the issue of contract tenure needed to be addressed in relation to contract remuneration. No Government decisions or official announcements were made in relation to the findings.

Guise Review

As no Government outcomes were announced following the Shanahan Review, in June 2001 the newly elected Government set up a School Bus Task Force to consider a range of issues in line with the Government's policy on transport assistance for students, including contract school buses.

The Minister appointed the Member for Wanneroo, Dianne Guise, MLA to chair the Task Force, with other members drawn from the school bus associations and the Department of Transport.

In the Terms of Reference, the Minister asked the Task Force to report on:

- The preferred model to be adopted to determine the rate of remuneration for school bus operators;
- The preferred model for determining a fair conveyance allowance for parents of mainstream students in non-public transport areas;
- The integration of school buses into the Regular Passenger Transport system; and
- The appropriateness of the Morrell and Special Education Reviews.

The Guise Task Force reported back to Government in April 2002 and made a series of recommendations. Key findings/recommendations were:

- The adoption of a Composite Rate Model (CRM) (proposed by industry) to determine the remuneration of school bus contractors. In converting to this model, a 'no reduction' approach was adopted, so that no contractors were financially disadvantaged.
- That the perceived and industry stated 'in perpetuity' contract arrangements be discontinued, by providing a period of notice of between 20 and 25 years (from 2002), depending on the type of bus used, for all contractors with the exception of those on the

urban fringe, likely to be impacted by the expansion of the Transperth network. These latter contracts were to be given a period of notice of 10 years from 2002.

- The existing rate of conveyance allowance (16.08c/km at that time) to be retained, with a suggestion that this be further reviewed after a period of 12 months.
- That matters dealing with contract tenure and remuneration for urban fringe contracts impacted by the expansion of the Transperth network be further considered by a proposed School Bus Task Force Implementation Committee.
- The policy framework adopted arising from the Morrell review remained appropriate, even though the Education Department had adopted a policy allowing for school of choice.
- The complimentary policy and procedures should be reviewed and stakeholders kept informed about any subsequent changes.

While the findings of the Guise Task Force were accepted by Government, implementation of the recommendations was deferred, with a recommendation to set up a School Bus Task Force Implementation Committee.

School Bus Task Force Implementation Committee

The School Bus Task Force Implementation Committee was established with then Acting Commissioner of Railways, Mr Reece Waldock, as chairman and representatives from Government and industry groups. The Implementation Committee met for the first time at the end of June 2002 and again in early September 2002.

The Committee's primary tasks was the implementation of the Composite Rate Model (CRM) and introduction of a new contract to ensure compliance with State Supply Commission policies.

A new contract was developed, which subsequently became known as the Composite Rate Model (CRM) contract and all 'in perpetuity' contracts were eventually transitioned to the new regime from January 2004. The contract terms were backdated to 1 July 2002, corresponding with the commencement of the review and to ensure that contractors were not financially disadvantaged in light of the fact that the CRM also delivered a generous increase in contract remuneration of up to 15 per cent. This increase, coupled with an extended contract term of between 20 – 25 years (10 years for those on the urban fringe), ensured that all contractors had sufficient period of notice and were able to recoup any 'goodwill' associated with their investment. However, it is worth noting that many contracts had been held by the same contractor for many years and there was no purchased goodwill involved.

While the level of remuneration offered under the CRM contract for fixed and variable costs was generally based on industry benchmarks, it also included some financial "sweeteners" as incentive for contractors to transition to the new contract regime. These included a generous rate of return of investment, an increase in the minimum driving hours from three to four hours, an exit payment if contracts were terminated and the ability for a contractor to hand back their contract and receive an exit payment if the bus route distance dropped by more than 50 per cent.

Haydn Lowe Review

At the 2008 election, the Liberal Party Policy made the following commitments in respect to the 'orange' school bus industry:

- Commit to a general review of the contract document;

- Work with the industry to find better and quicker ways to resolve points of dispute between the Government and contractors, including the appointment of an independent arbiter;
- Ensure that all new buses coming into service are of the highest standard.

The Government indicated that it was also keen to explore the option of returning to “contracts in perpetuity”, a position that was not supported by the PTA or Treasury. The concept of perpetual contracts is entirely inconsistent with State procurement policy and minimising value for money via effective market competition.

In response, in late 2010 the Minister for Transport appointed an Independent Review Panel (IRP) to undertake a review of the School Bus Services Composite Rate Model (CRM) Contract. The IRP members were:

- Mr. Haydn Lowe (Chair) – Management Consultant
- Mr. Neil Smith – Director Transit Systems
- Dr. Martin West – Assoc Professor Curtin University

Lowe acknowledged that some operators who had paid goodwill had suffered a real loss of future income but, accepted the position that an unusually long contract period, without competitive tendering, was designed to provide a reasonable degree of compensation. In addition, the contract provided a generous Rate of Return on Investment (ROI) calculated each year on the value of the bus if purchased in that year.

Lowe also noted that since 2004 almost half of the contracts were sold on the basis that they were fixed term, a change to the conditions of the contract, where compensation would therefore provide unfair benefits to those contractors. The decision in 2004 to put an end to roll-over (of existing contracts) and to enter into tendering arrangements for all contracts was consistent with Standard State competition policy, noting the cost savings would be high.

As a result, the IRP recommended that the Government maintain the existing arrangement for transitioning to competitive tendering of school bus contracts. The Haydn Lowe Report was subsequently released in November 2011.

Shervington Review

Contrary to the advice offered by the Haydn Lowe Review, on 14 March 2012 the Government approved the introduction of a conditional ‘Evergreen’ contract to replace the CRM contract. The Government position also contemplated the transition of TRM contracts to the new Evergreen contract model.

A committee was subsequently established in July 2012, chaired by Mr Laurie Shervington (formerly a partner at Minter Ellison), with representation from the Minister’s office, the PTA (including the PTA Legal Officer) and the school bus industry to negotiate findings from the Haydn Lowe Report and to draft the new Evergreen contract.

Upon conclusion of the negotiations, the Committee presented the Minister for Transport with a report and a new conditional ‘Evergreen’ contract document (now known as the ECM Contract) at the end of December 2012. The Minister approved the new contract and tasked the PTA to implement the new contract with an effective date of 1 July 2013. This was achieved by varying all existing 687 fixed term Composite Rate Model contracts to the ECM Contract.

A key feature of the new contract is a series of Key Performance Indicators (KPIs) which (in theory) provide a framework to ensure contractor compliance and performance in the absence

of competitive tendering. Enforcement of KPIs and potential cancellation of a contract for non-performance still require Government support.

Other features of the Evergreen Contract include:

- Contract terms “roll over” every five years provided that performance standards are maintained and subject to the on-going need for the service.
- A revised service charge calculation model that ensures fair remuneration to contractors whilst removing some of the calculation complexities and reducing the administrative burdens associated with the previous contract.
- Revised indexation methodologies that maintain cost reflectivity by aligning to relevant Consumer Price Index elements or other appropriate benchmarking indices (such as Fuel Watch).
- A new Five-Yearly Review process that allows Government to introduce changes to the contract over time that will ensure that it evolves in response to trends or factors that fall outside price indexation. This was intended to give Government confidence that this contract would adapt and mature despite the evergreen contractual term.
- Simplification of contract clauses and schedules to facilitate contractor understanding.

Unfortunately, the generous remuneration provisions incorporated into the CRM Contract, to compensate for transitioning to fixed term tendering arrangements, were kept in place; therefore while public funds had been used to allow for the long term transition to competition, the removal of the prospect of competition saw no dividend returned to taxpayers.

2017 onward

Since the change of Government in 2017 there have been no further ECM contracts offered and the system has returned to normal tendering for new services or renewal of services.

Current Contract Profile

Fleet

The SBS network in 2020-21 consisted of 810 contract school buses transporting students to mainstream schools and 157 services to special education facilities. All contracted school buses are operated by private contractors under the following contract arrangements:

- **Evergreen Contract Model**
ECM contracts (5 year contract term) – 673 contracts providing 673 services.
- **Composite Rate Model**
CRM contracts (remaining balance of 20-30 contract term) – 1 contract providing one service.
- **Fixed-term contracts**
(1 to 15 year tendered term) – 148 contracts providing 148 services.
- **Regional school bus cluster contracts**
(15 year contract term) - 5 contracts providing 37 services.
- **Tendered Cluster Contract Model school bus contracts**
(12 to 17 year contract term) - 1 contract providing 21 services.
- **Tendered Contract Model school bus contracts**
(10 year contract term) - 37 contract providing 37 services.
- **DoE funded cluster contracts**
(10 year contract term) - 4 contracts providing 50 services.

For further breakdown of all contract types by region see Annex B.

Please note:

Pages 9-15 of this document have been redacted

School of Choice

General Overview

The School Education Act 1999 introduced the concept of choice for parents in respect to which Government school they decided to send their child to. School boundaries continued to apply, guaranteeing a child (within the school boundary) a place at that school. Beyond that, schools were at liberty to recruit from outside their boundary, provided they had spare capacity at the school. This change ultimately gave rise to schools becoming more 'specialist' in some areas, thereby creating a 'point of difference' used to attract additional students. (e.g. arts focussed schools, soccer schools, aviation focussed schools etc.

At the same time, the period of compulsory education was extended to the year in which a student turned 18 (effectively the year that they complete Year 12 or equivalent). Prior to that time, students were able to leave school at the completion of Year 10.

In the metropolitan area, students are able to use the Transperth network to make their journey to school if it meets their needs, noting that a flat fare of 70 cents applies regardless of the distance travelled. However, no change was made to the student transport assistance arrangements in rural area, with the 'nearest appropriate school' being used to establish eligibility.

This 'disconnect' between the two policy frameworks has been a point of contention for rural families for many years, with the 'complimentary' policy used to mitigate this where possible. Both sides of Government have previously considered whether to change the student eligibility to allow for school of choice (noting this would still need to be time restricted) however, the prohibitive cost (in the order of tens of millions of dollars per annum) has proved a barrier each time. Additionally, such a change to polling will introduce a higher degree of unpredictability in what the school bus routes might be from year to year.

Most often, a parents desire to send their child to a government school that is other than their nearest is associated with the continuity of their child's schooling. This 'challenge' has become more evident with the extension in the compulsory schooling period as described above. By way of an example:

Town A may host a District High School (kindergarten to Year 10) and this may be the nearest appropriate school for a particular child. Town B (which is further away) hosts a Senior High School (kindergarten to Year 12).

Under the current student transport assistance policy framework, the child in this example would be eligible for transport assistance to Town A, but not to Town B until they commenced Year 11. The only way this child could attend the SHS earlier would be if their parents made separate transport arrangements for them, or if they were able to avail themselves of a 'complimentary' seat on an existing school bus, noting that this arrangement could cease at any point if the seat was required by an eligible student.

Continuity of Schooling Concept

While 'school of choice' as an unconstrained concept would be cost prohibitive, the Committee might like to give consideration to the concept of allowing students to by-pass a District High School to attend a Senior High School for all of their high school years to ensure continuity of schooling. These children would effectively become eligible for transport assistance, thereby ensuring their seat on a school bus for the entirety of their schooling. This would alleviate many of the 'school of choice' issues currently faced by parents.

The consequence of this decision may, over time, see some District High Schools downgraded to Primary Schools, noting that the District High School concept is now outdated because children are required to stay in compulsory schooling for longer. The impact of a reduced school presence in some regional towns would need to be considered.

In 2015 the PTA worked collaboratively with DoE to investigate the feasibility of providing transport outcomes to better reflect whole of government investment in resourcing and infrastructure spending on education in regional areas.

Strategic benefits identified for rural students at the time were:

- access to a broader curriculum and specialist equipment and teachers;
- a larger number of peers;
- the option of a seamless secondary education (Years 7 to 12) with no transition points;
- the choice of attending their local district high school or larger school; and
- increased opportunity to access boarding facilities near larger senior high schools.

Strategic risks and limitations identified at the time were:

- small district high schools becoming more residualised and possibly closing their secondary provision;
- increased travel time for some students choosing to bypass their local district high school;
- a demand for increased capacity at some residential colleges possibly requiring capital works programs (Broome and Merredin);
- an increased demand on bus capacity leading to increased costs; and
- an increase in the number of students qualifying for:
- the Commonwealth Government's Assistance for Isolated Children; and
- the State Government's Boarding Away from Home Allowance.

The PTA identified, at that time, that the transport network would need to be expanded by an additional 61 new school buses of various sizes at a cost of \$9.4M. This assumed a roll-out across the State over a number of years (targeting priority areas) so these additional costs could be spread over the forward estimates. Such a targeted approach to educational outcomes would deliver a more modest cost increase compared to a wholesale school of choice policy decision.

Schools of Religious Denomination

School of choice is further complicated by the proliferation of non-government schools over the last 30 years.

Since the implementation of the Morrell Review there has been a considerable push by non-government schools to be provided with government funded school bus transport for school of choice outcomes.

For the purposes of determining Appropriate School under the current policy framework there is no distinction between schools of the same religious faith in terms of ethos, charter, or culture. For example, a student attending the Catholic Education System is assumed to be undertaking the same relevant year of study irrespective of whether one Catholic school has a different Catholic ethos, culture, programmes, or religious order over another. In addition, for non-government schools not linked to a religious faith, eligibility will be treated no differently to other non-government religious schools when determining eligibility. That is, transport assistance will be provided to the closest non-government school relative to the student's residence.

Schools of religious faith are increasingly seeking to disassociate themselves from being grouped under their core faith by arguing that their school ethos is a fundamental point of

difference. The current policy framework does not support this distinction, with many of these arguments appearing to be for the purpose of creating student eligibility for transport assistance.

Presently in Western Australia non-government schools make up approximately 30 per cent of all schools. As there are less schools of religious denomination, by default a greater proportion of families qualify for transport assistance, compared to families of students enrolled in government schools.

Where non-Government schools seek to attract enrolments from outside of traditional catchment areas (citing the programmes and pastoral care they offer as a point of difference for the purposes of attracting enrolments), the school should be required to provide their own chartered school bus services as part of the transport mix to cover short falls in public funding for contracted school bus services.

Access to Local Community Schools for Regional Students

Another option, rather than a blanket school of choice approach, would be to allow eligible access to schools grouped within a local community rather than nearest geographically located appropriate school. While this would result in an increase in the number of eligible students (and hence potential costs) it would be constrained by retaining the 90-minute rule.

90-Minute Rule and Spurs Policy

One of the key underlying principles of student transport assistance is that students should not have to travel more than 90 minutes on a bus to get to their nearest appropriate school and that the best endeavour will be made between schools and transport service providers to match the school hours and transport timetables.

The 90-minute rule refers to a one-way journey from a student's residence to school or vice versa. Typically, this time limit starts when the first student is picked up at the start of the bus route.

Essentially, the 90-minute rule limits how far a school bus service can reasonably travel, including allowing time to pick-up a reasonable collection of students from a wide area. Based on average bus travelling times, empirical data indicates that a school bus will be limited to an average loaded route distance of up to 100 kilometres per loaded journey. Noting the cost to Government of operating additional school buses⁵, any reduction in the 90-minute rule would have significant cost implications.

Additionally, in some geographical isolated regions (for example Coral Bay to Exmouth) it is not possible to comply with the 90-minute rule.

The following table provides the current profile (by time) of school bus services managed by the PTA.

Table 7: Profile of School Bus Services Based on Journey Times

⁵ The average yearly cost for the provision of a school bus is as follows:

- Class A (Up to 24 adult seats) \$110,000 pa
- Class B (Up to 43 adult seats) \$166,000 pa
- Class C (Up to 57 adult seats) \$172,000 pa
- Class D (Up to 15 adult seats) \$78,000 pa

Travel Times (One Way Journey)	Number of Services	% of Services
Up to 60 minutes	473	49%
61 to 90 minutes	351	36%
91 minutes or more	141	15%

The spur policy is complementary to the 90-minute travel rule. It restricts the distance a bus can ‘spur’ off the main route (between 5 – 7.5 kilometres) noting that this consumes a reasonable portion of the 90 minutes and therefore restricts the number of passengers and overall efficiency of the bus service.

For some services, with historically low passenger numbers, the maximum spurs distance is not rigidly enforced if the travel time (ie loaded kms) does not exceed 90 minutes.

Where a spur is insufficient to provide a gate service, parents are paid a conveyance allowance to drive their child to meet the bus.

National Disability Insurance Scheme (NDIS)

There are currently around 1,700 students with special needs who access the ‘orange’ school bus network to attend an education support facility.

The approach to Specialist School Transport under the National Disability Insurance Scheme (NDIS) is currently under policy consideration at the national level to determine how such programs can operate within an individualised service system. In recognition of this, the Disability Reform Council (DRC) made the decision to extend in-kind arrangements for Specialist School Transport to 30 June 2023.

The Western Australia service response can only be finalised once this national policy program has been concluded and there is certainty and clarity around how Specialist School Transport programs will be made available to NDIS participants. In the interim, the PTA will continue to provide education support school bus services until a national policy decision on the delivery of Specialist School Transport under the NDIS is achieved.

The PTA is funded to provide a reasonable level of transport assistance (ie shortest distance from a residence to the nearest appropriate education support school or centre) by providing community-based timetabled school bus transport solutions in a safe environment. Unlike the NDIS, which is designed to deliver tailored solutions for individuals with disabilities (and funded accordingly), unfortunately the PTA cannot provide bespoke travel with individualised care arrangements.

Based on these parameters, the PTA, through its contractors, employs bus aides on education support buses to ensure students can travel safely. The primary duties of the aide are to ensure students remain seated, have their seat belts fastened and that behaviours (depending on the nature of disability) are managed and do not impact on the well-being of other students or the safe operation of the school bus.

The bus aide and driver hold a first aid certificate and undertake familiarisation training to understand the types of behaviours that students might exhibit and how to employ strategies (with help from the school’s specialist staff) to modify those behaviours where possible. However, these staff are not specialists and cannot therefore provide a high level of individualised care (based on either medical or behavioural needs) and students that fall into these latter categories are currently unable to access the ‘orange’ school bus network, with bespoke transport requirements being referred to the NDIS.

The States and Territories are currently negotiating with the Federal Government to retain the existing school transportation arrangements as a State responsibility, with the intent being to retain the more bespoke requirements under the NDIS. This position is not necessarily supported at the Federal level and will have funding implications for the State if the existing policy framework is expanded to include individualised transport solutions. State agencies are concerned that the Federal position goes against the principles of the NDIS framework which has the responsibility for providing reasonable and appropriate individual care and services.

As the original timeline to transition transport into NDIS by 30 June 2023 will no longer occur, the resolution to this current issue is not anticipated to be resolved before that time.

CURRENT AS: dd Mmmm 2021

CONTACT NAME: <departmental staffer> <T: >

- **Annex A** State Eligibility Criteria for Transport Assistance Comparison
- **Annex B** Contracted School Bus Services - 2020-21 Profile

Annex A

State Eligibility Criteria for Transport Assistance Comparison

Jurisdiction	Distance criteria	Other criteria	Non-state eligibility	Other key information
New South Wales Transport for NSW	<p>Kindy to Year 6</p> <ul style="list-style-type: none"> Resides more than 1.6km (straight line dist.) from school attended or 2.3km or more by practicable walking route to nearest point of school entry and More than 1.6km (straight line dist.) or 2.3km (walking dist.) to nearest transport pickup point. <p>Year 7 to 12</p> <ul style="list-style-type: none"> Resides more than 2km (straight line dist.) from school attended or 2.9km or more by practicable walking route to nearest point of school entry and More than 2km (straight line dist.) or 2.9km or more (walking dist.) to nearest transport pick up point. 	<ul style="list-style-type: none"> Aged 4 years 6 months of age or older A resident of NSW 	<ul style="list-style-type: none"> No mention of non-state schools Non-state schools would qualify if they are registered and fall under definition of registered non-govt. school. 	<p>If the student doesn't qualify, you may be able to buy a School Term Bus Pass for discounted travel on buses between home and school</p>
Victoria Dept. of Education & Training	<ul style="list-style-type: none"> Resides 4.8km or more from school attended 	<ul style="list-style-type: none"> Attend nearest appropriate school/campus² Must be aged between 6-17 yrs) 	<ul style="list-style-type: none"> Attend & reside over 4.8km from nearest appropriate non-govt. school and meet criteria.² 	<ul style="list-style-type: none"> Public transport – allowance payable for most economical ticket available. Students who are privately transported 4.8km or more to public transport or government funded

² For government schools this means nearest government school/campus to a student's primary residence suitable at their year level. For non-government schools this means nearest non-government school/campus to a student's primary residence based on the school's registered religious denomination suitable at their year level.

Jurisdiction	Distance criteria	Other criteria	Non-state eligibility	Other key information
				school bus stop may claim a private car conveyance allowance to cover this distance. (multi-modal allowance)
Queensland Department of Transport and Main Roads	<ul style="list-style-type: none"> Primary students resides more than 3.2kms from their nearest appropriate school. Secondary students resides more than 4.8kms from their nearest appropriate school. 	<ul style="list-style-type: none"> A student must travel on the designated bus service for their area. 	<ul style="list-style-type: none"> Non-government schools qualify. 	<ul style="list-style-type: none"> Non-government religious schools are all grouped together by denomination to determine nearest appropriate school.
South Australia Dept. for Education	<ul style="list-style-type: none"> Resides 5km or more from nearest govt. school or school bus service provided by Dept. of Education. 	<ul style="list-style-type: none"> Regularly attend approved school. Provided by the shortest most practicable route from the nearest appropriate government school or school bus service. The majority of students must live 8kms or more away 	<ul style="list-style-type: none"> No mention of non-state schools 	<ul style="list-style-type: none"> Remote Travel Allowance grant of \$250 per student payable to eligible families (as part of State Education Allowance) when residential address more than 150km from nearest public transport.
Tasmania Dept. of State Growth	<ul style="list-style-type: none"> Reside more than 5km from govt. catchment area school, educationally appropriate school or bus stop. 	<ul style="list-style-type: none"> Reside outside an area with an urban bus service. Must be enrolled at a school recognised by DoE. Must be the nearest appropriate school. 	<ul style="list-style-type: none"> Eligible non-government school students can access general access public transport services 	
Northern Territory Dept. of Education	<ul style="list-style-type: none"> Reside more than 5km from nearest school or point of access to public transport 	<ul style="list-style-type: none"> Must undertake 2 return trips per day Must take most direct route to and from school. Journey must be solely for transport of students to school – 	<ul style="list-style-type: none"> Applies to all NT schools, both government and non-government schools 	

Jurisdiction	Distance criteria	Other criteria	Non-state eligibility	Other key information
		allowance not payable if transported for another activity or journey		

CONTRACTS

Contract Profile	Number of Contracts
Regional Cluster Contracts	5
Composite Rate Model	1
Evergreen Contract Model	673
Fixed Term Contracts	148
DoE Funded Contracts	4
Tendered Cluster Contract Model	1
Tendered Contract Model	37
Total	869

SERVICES

Service Profile	Number of Services	Mainstream Services	Education Support Services	Average Students Daily	Average Daily Kms
Regional Cluster Contracts	37	36	1	1,783	5,678
Composite Rate Model	1	1	-	73	136
Evergreen Contract Model	673	592	81	18,024	123,221
Fixed Term Contracts	148	79	69	3,641	22,447
DoE Funded Contracts	50	50	-	747	4,428
Tendered Cluster Contract Model	21	21	-	937	7,463
Tendered Contract Model	37	31	6	673	3,947
Total	967	810	157	25,878	167,320

SERVICES BY BUS TYPES

Contract Profile	Number of Bus Types	Class A	Class B	Class C	Class D	4X4
Regional Cluster Contracts	37	1	2	32		2
Composite Rate Model	1			1		
Evergreen Contract Model	673	244	124	205	96	4
Fixed Term Contracts	148	66	20	38	15	9
DoE Funded Contracts	50	48			2	
Tendered Cluster Contract Model	21			21		
Tendered Contract Model	37	14	6	6	9	2
Total	967	373	152	303	122	17

SERVICES BY REGIONS

Regional Profile	Number of Services	Mainstream Services	Education Support Services	Average Students Daily	Average Daily Kms
Gascoyne	4	4		141	590
Goldfields-Esperance	43	41	2	1,268	9,158
Great Southern	106	105	1	3,334	19,160
Kimberley	32	30	2	849	4,670
Metropolitan	216	95	121	4,816	28,769
Mid West	69	67	2	1,599	13,394
Peel	63	45	18	1,952	10,370
Pilbara	14	12	2	465	2,962
South West	190	181	9	6,991	32,643
Wheatbelt	230	230	-	4,463	45,604
Total	967	810	157	25,878	167,320

SERVICES BY PORTFOLIOS

Service Profile by Portfolio	Regional Cluster Contracts	Composite Rate Model	Evergreen Contract Model	Fixed Term Contracts	Tendered Cluster Contract Model	Tendered Contract Model	DoE Funded Contracts
Eastern Wheatbelt			85	3		1	
Education Support Eastern			25	23		1	
Education Support Northern			29	11			
Education Support Southern			22	28		2	
Great South Central	3		56	2		1	
Great South West			27	14	7		
Great Southern			64	5		3	
Metropolitan Central			42	7			
Metropolitan East			23	5			
Metropolitan North	8	1	13	2			28
Metropolitan South			16			3	13
Mid West			62	5		6	
Northern	3		49	25		10	
South Central			62	2		2	
South East Goldfields	6		83	5		2	3
South West	17		15	11	14	6	6
Total	37	1	673	148	21	37	50

Conveyance Allowance - 2020-21

Conveyance Travel Kilometres	7.7 million kilometres
Conveyance Travellers associated with Travel Claims	5,924
Conveyance Expenditures	\$1.65 million