



REPUBLIC OF SOUTH AFRICA

**FINAL DRAFT
NATIONAL SCHOLAR
TRANSPORT POLICY**

FEBRUARY 2009

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Metropolitan municipalities of South Africa
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Mpumalanga Operating Licensing Board
National African School Governing Body
National Association of School Governing Bodies
National Professional Teachers Organisation of South Africa
Nkangala Regional Taxi Council
Norman Luxury Tours
North West Commuters' Association
North West Provincial Taxi Council
North West Provincial Taxi Office
Ngqushwa Traffic
OR Tambo Taxi Council
Photos Luxury Tours Close Corporation
Premier's Office, Liability & Rights of Elderly
Presidency Office of the Rights of Children
Provincial Departments of Education
Provincial Departments of Transport
Provincial Disability Forum
Provincial Taxi Council
Public Passenger Assosiation
Public Transport Board
Public Transport Enforcement Unit – Technical Transport Inspection Unit
Mulaudzi Transport
Richard Matlou Transport
Road Traffic Management Corporation
Road Transport Inspectorate – Public Transport Enforcement Unit
Rustenburg Transport Cooperative
Sekhukhune District Taxi Council
Selahle Tours Close Corporation
Setlagoopo Area Project Office
Sigigaba Transport
Siyazi North West Transportation Services
Somo Bus Services
South African Bus Operators Association
South African Democratic Teachers' Union
South African Democratic Teachers' Union Provincial Office
South African National Commuters Organisation
South African National Association for Specialised Education
South African National Taxi Council
South African Progressive Commuters Council
South African Rail Commuters Corporation
South African School Children Transport
South African School Transport Coordinators
South African Transport & Allied Workers' Union
Tikhadisima Catering & Project Close Corporation
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MINISTERIAL FOREWORD



Transportation of scholars to their educational institutions has always been a key challenge confronting government in modern day South Africa. The Department has through various studies, such as the National Household Travel Survey of 2005, and interactions with affected stakeholders, noted that most scholars have difficulty in accessing schools in both urban and rural settings.

The development of this Scholar Transport Policy is one of the Department of Transport's interventions towards reversing challenges of accessibility and mobility. The challenges that are faced by scholars and affected stakeholders on a daily basis, include, amongst others, walking long distances to schools, the high cost of transport, lack of business opportunities for Small Micro and Medium Enterprises, late payment of service providers, high accident rates and the safety of scholars.

This Scholar Transport Policy marks a turning point within the governance of scholar transport issues within the whole system of transport. This Policy caters for contracted service providers or non-contracted service providers within the broader spectrum of scholar transportation. The development of this Scholar Transport Policy falls within the context of National Transport Policy.

This Policy recognises the need to bring a uniform approach to the transportation of scholars and the fulfilment of the constitutional mandate of the Department to provide a safe, reliable and efficient transport system.

The development of this Scholar Transport Policy would not have been realised without the maximum participation of the various stakeholders in both governmental and non-governmental sectors through various platforms during the formulation process.

We trust that through this policy, we as the Department of Transport, in consultation with various stakeholders, would address all the challenges and mobility needs of current scholars and future generations. This will ensure that even scholars in disadvantaged communities, and deep in rural areas of the country, have access to schools and become part of the active economy in the near future.

J T Radebe, MP
Minister of Transport



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EXECUTIVE SUMMARY

The provision of transport has remained one of the key challenges confronting government in the post-apartheid era. This is largely as a result of the apartheid practices that ensured that the majority of the society was placed in areas which were largely inaccessible. But it is also because of the complexity of current transport needs resulting from increased economic activity. The aforementioned issues pose very specific challenges to the transportation of scholars to and from schools.

Various studies such as the National Household Travel Survey (NHTS), the Nelson Mandela Foundation's study on Rural Schooling and the Review of the Financing, Resourcing and Costs of Education in Public Schools have highlighted the difficulties that scholars are facing. The studies suggest that the ability of scholars to access education is hampered by the long distances involved, threats to safety, as well as the cost of scholar transport. Scholars have difficulty accessing educational institutions because of the unavailability of scholar transport.

The absence of a national policy on scholar transport has resulted in fragmented provision of scholar transport services administered by the Provincial Departments of Education and Transport. Consequently, the amount of funding made available for scholar transport varies and is often insufficient to meet the existing need. The operationalisation and management of scholar transport has also taken different forms in the various provinces.

In order to address the problems mentioned above, the Department of Transport (DOT) through its constitutional mandate to develop and implement national transport policy initiated a process to develop this national scholar transport policy.

The policy provides a single framework and an enabling environment for government and other stakeholders to address scholar transport challenges. It also outlines the implementation framework for scholar transport policy which will assist government and relevant stakeholders to effectively render an improved scholar transport service throughout the country.

The primary objectives of this national scholar transport policy are to provide national uniform norms and standards, promote co-ordination and co-operation amongst stakeholders, and provide a framework for monitoring and evaluation of scholar transport services.

Scholar transport will be provided on the basis of a number of principles, including that scholar transport must be affordable, safe and secure. The target group of the policy is scholars who attend schooling between Grade R to 12 and live more than 3km from the nearest school.

The scholar transport policy articulates the various responsibilities of all stakeholders involved in the provision of scholar transport in order to ensure that scholar transport provision is rendered in an appropriate and co-ordinated manner. The DOT is the custodian of this policy and is responsible for, inter alia, the regulation, funding, communication, monitoring and evaluation of overall national scholar transport policy. The Department is also responsible for the review of this national scholar transport policy in consultation with Provincial Departments of Transport (PDOTs) and other relevant stakeholders.

PDOTs are responsible for managing the implementation of scholar transport provision in their respective provinces, planning (in consultation with key transport stakeholders), identifying beneficiaries (after consultation with Provin-

cial Departments of Education), contracting of services, tendering for contracts, law enforcement and ensuring road safety (together with Local Government), and monitoring services.

In terms of planning, the policy recommends that scholar transport plans must be developed and integrated into the Provincial Land Transport Framework (PLTF), as well as into the Integrated Transport Plans (ITPs) of Local Government through an eight stage planning cycle.

The policy also prescribes the institutional arrangements, governance, regulatory and legislative aspects of scholar transport. The safety and service quality issues that conform to international best practice are addressed in this scholar transport policy. The policy also provide guidelines for developmental programmes for Broad Based Black Economic Empowerment (BBBEE) and Small, Medium and Micro Enterprises (SMME's) in order to bring the previously marginalised groups into the formalised transport sector and economic mainstream.

The policy prescribes the transitional mechanisms for the migration of the scholar transport function to the DOT. Further, it recommends that scholar transport provision should be managed by dedicated units at both national and provincial levels of government.



SECTION 1



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SECTION 1

1.1 INTRODUCTION

South Africa lacks an integrated approach to the transportation of scholars. This is largely because there is an absence of a policy to address the transportation of scholars. The lack of a co-coordinated approach has not only given rise to a flood of illegal operators, but has also led to unnecessary fatalities which might have been prevented.

The provision of scholar transport ensures that scholars are able to reach their educational institutions under healthy and safe conditions, which enables an effective learning environment. Many scholars have been excluded from attending schools through a lack of transport and have thereby been prevented from receiving education. The problems experienced with transport are manifold and range from displaced communities to high cost of transport services. It is the constitutional mandate of the Department of Transport (DOT) to develop a national scholar transport policy.

Scholar transport assistance in South Africa came about as a response of provincial Departments of Transport and Education to the problems of the long distances that scholars, especially those residing in remote and rural areas, had to travel to get to the nearest suitable public school. This was largely seen as a temporary arrangement for ensuring access to schooling, while engaging in the longer-term process of building schools. A number of studies have alluded to the plight of scholars in relation to distances they have to travel to access schools.

The National Household Travel Survey (NHTS), conducted by the DOT, reported that in South Africa 76 per cent of scholars walk to their place of education and almost three million scholars spend more than one hour a day walking to and from their schools.

Another example is a study conducted by the Nelson Mandela Foundation in 2005. The study revealed that for some scholars who walk to school, especially in the rural areas, distances are so long that they often arrive at school late and tired, and are therefore unable to concentrate fully on the teaching and learning activities. Some of the roads are not safe for a variety of reasons. Even where public transport is available, the cost of transport is too high for some parents to afford, resulting in their children dropping out of the school system.

To address the issue, provincial education departments began to provide scholar transport assistance. In the absence of a national policy framework, there was no uniform way of managing and operating scholar transport. In some provinces, Provincial Departments of Education (PDEs) collaborated with Provincial Departments of Transport (PDOTs) in this endeavour. Other provinces have made arrangements for scholar transport provision to be transferred from the Departments of Education to Departments of Transport.

It is against this background that the DOT has decided to develop a national scholar transport policy that will set out uniform national norms and standards for the implementation of scholar transport provision in all nine provinces.

1.2. CURRENT STATUS OF SCHOLAR TRANSPORT AND CONTEXT

An assessment of the current status of scholar transport was done with the primary purpose of understanding the transport issues and challenges confronting scholars. The NHTS of the DOT was used to obtain critical information on scholar transport. The NHTS serves as an inventory and an authoritative source of national transport data, which

provides important information for government and other stakeholders to understand travel behaviour and needs. Scholar transport was one of the key transport sectors that the NHTS focused on in order to determine the extent of accessibility to opportunities such as educational facilities.

The following are some of the relevant findings of the NHTS:

- In the country as a whole, nearly 13,5 million scholars attend primary and secondary schools, while a further 1,5 million attend pre-schools. Nearly half reside in rural areas, with the rest fairly equally divided between metropolitan municipalities and district municipality areas.
- The vast majority of scholars (76% or about 11,4 million) usually walk to school. While almost all scholars walk to school in the rural areas and more than 70 percent walk to school in urban areas, little more than half of those in metropolitan areas walk to school.
- Car travel and taxis (minibus-taxis, light delivery vehicles or sedan taxis) are the modes of transport most frequently used by those who do not walk to school.
- A third of the scholars in metropolitan areas travel by either car or taxi, while a fifth of those in other urban areas also use these modes. Buses have some patronage in metropolitan and other urban areas, but trains are very seldom used. Other forms of transport (bicycles, motorcycles, metered taxis, trucks, tractor-trailers or animal transport) are also rarely used.
- For the majority of scholars (70% or about 10,5 million) the total door-to-door travel time to reach their destination is 30 minutes or less. However, seven per cent or more than 1,1 million scholars take longer than an hour to reach their place of education.
- The provinces with a high proportion of scholars travelling for longer than 30 minutes are KwaZulu-Natal and, to a lesser extent, the Eastern Cape, Mpumalanga and North West Province.
- Some 25 percent of primary scholars who walk to school (1,7 million) walk for longer than 30 minutes in one direction. Considering all children who walk to school, there are 560 000 who spend more than two hours per day walking to and from school
- In the country as a whole, only about 13 percent of all the trips to schools are made by public transport. The monthly costs for these trips vary considerably, ranging from zero (for trips by school buses) to more than R200 per month. For the largest group of scholars the cost is between R101 and R200 per month.
- Gauteng has the highest incidence of public transport usage for educational purposes, by far the largest number of people travelling for this purpose, and also the highest percentage paying R200 or more per month to reach their destinations.
- Limpopo has the lowest proportion of trips by public transport, but also the lowest monthly cost, the majority paying less than R100 per month for their trips to educational centres.
- The highest proportion of public transport trips to schools is made by taxi, despite the fact that taxis are the most expensive means of travel of the three public transport modes, with a relatively high number of taxi users paying more than R200 per month for their travel.
- The cheapest mode, the train, which costs less than R100 per month for the majority of train users, accounts for only one percent of public transport trips and attracts far fewer scholars.
- It is evident that cost alone does not determine patronage of public transport by scholars, but that other factors, such as availability, accessibility, travel time, safety, security and comfort certainly play a role in their choice of mode.

From the above, it can be seen that distances to schools and back, unsafe roads, security and the cost of transport, are amongst the factors that serve as barriers to scholars accessing schools. This is the case especially for those scholars residing in rural areas. There is an urgent need, therefore, for the DOT to respond to these challenges facing scholars.



1.3 LEGISLATIVE CONTEXT

The Constitution of the Republic of South Africa, 1996 Section 85(2)(b) mandates the DOT with the role of developing and implementing transport policy. This mandate places a huge responsibility on the Department's role to ensure that transport policy development addresses the mobility needs of all citizens. It is in this regard that the Department has developed the first overarching scholar transport policy for the country. This scholar transport policy is guided by the White Paper on National Transport Policy (1996), the National Land Transport Transition Act, Act 22 of 2000, the National Land Transport Strategic Framework, the Public Transport Strategy and Action Plan (2007) and other legislation such as the National Road Traffic Act, Act 93 of 1996.

1.4 POLICY CONTEXT

The development of a scholar transport policy occurs within the national transport policy context. The 1996 National Transport White Paper puts forward the vision for the South African transport system as to:

Provide safe, reliable, effective, efficient and fully integrated transport operations and infrastructure which will best meet the needs of freight and passenger customers at improving levels of service and cost in a fashion which supports government strategies for economic and social development whilst being environmentally and economically sustainable.

It sets out as one of its objectives to ensure that “passenger transport services address user needs, including those of commuters, pensioners, the aged, *scholars*, the disabled, tourists and long distance passengers” (Ministry of Transport, 1996). Scholars are identified specifically as one of the special needs categories in the provision of transport.

The White Paper stipulates further objectives including improving accessibility and mobility; providing appropriate and affordable public transport; and providing readily accessible information to transport users.

Moving South Africa – The Action Agenda is a 20-year strategic framework developed by the DOT in 1998/99 to deliver on the long-term vision set for the transport system in South Africa. The Action Agenda shifts the focus to the customer and to the concept of a differentiated customer with a diverse range of needs. It prioritised the poor and very poor rural and urban passengers, or more particularly the “stranded customers” and the “survival customers” in the short- to medium-term.

In 2000, the National Land Transport Transition Act (NLTTA), Act 22 of 2000, was promulgated. Section 1(1)(Lxxiii) of the NLTTA refers to scholars as a special category of passengers alongside others, including persons with disabilities, tourists, transferring long-distance passengers, the aged, pregnant women and those who are limited in their movements by children with or without pushchairs or prams. In terms of Section 44 of the Act, the conveyance of scholars, students, teachers or lecturers to and from educational institutions on a daily basis, is regarded as a public transport service.

The NLTTA goes further to set out the parameters for transport planning. It requires that strategies for needs of scholars be contained in the public transport plans to be prepared by the relevant planning authorities (Section 26(2)(b)(i)) and that a general strategy for the needs of scholars be incorporated in the Provincial Land Transport Framework (Section 22(3)(h)). It further requires that the needs of special categories of passengers be taken into consideration in the planning and provision of public transport infrastructure, facilities and services.

According to the Act, the needs of these special categories should be met as far as possible by the system provided for mainstream public transport (Section 4(1)(k)).

The Act gives the Member of the Executive Committee (MEC) the responsibility of co-ordinating the planning process of all planning authorities under the jurisdiction of the province and ensures that all plans address the needs of special categories of passengers (Section 18(6)(d)).

Following the NLTTA, the National Land Transport Strategic Framework (NLTSF) 2002-2007 was developed, which is a legal requirement in terms of Clause 21 of the NLTTA. The NLTSF embodies the overarching, national five-year (2002 to 2007) land transport strategy, which gives guidance on transport planning and land transport delivery by national government, provinces and municipalities for this five-year period.

Section 3.1.8 of the NLTSF states that the DOT will co-ordinate the issuing of clear guidelines to assist the relevant authorities to regulate the transportation of scholars, sedan taxis, private hires and tourist transport. This section also states that efforts will be made to accommodate transport for scholars where there are road-based passenger transport contracts.

With regard to funding, the NLTSF states that:

- Public transport services must be designed to provide affordable transport to the public and also to achieve cost-efficiency and service quality, the optimal allocation and utilisation of available resources, and market development.

- Appropriate modes must be selected and planned for on the basis of where they will have the greatest impact on reducing the total systems cost of travel.
- Services should be planned, where possible, so that subsidies will achieve the aim of assisting currently marginalised users and those who have poor access to social and economic activity.
- The principle of user charging or recovering costs from direct users must be applied wherever appropriate and possible, in that such users should pay for all or most of the costs related to the service or activity in question.

Recently, the 2007 Public Transport Strategy and Action Plan document of the DOT proposes a radical transformation of the whole public transport system in South Africa. The key focus of the Action Plan is on initiating implementation in a speedy and highly visible manner with maximum impact. The DOT articulates that successful implementation of this Action Plan will see the improvement in public transport services for over half the country's population.

Phase 1 of the Action Plan makes provision for catalytic projects that will accelerate the implementation of integrated rapid public transport networks in metropolitan areas, smaller cities and rural districts. Phase 1 of the Accelerated Recovery and Catalytic Projects of the Public Transport Action Plan articulates the finalisation of the scholar transport policy to ensure maximum accessibility of scholars through public transport network by 2007. One of the operational improvement actions of the Public Transport Action Plan is to award negotiated gross-based operating contracts to bus and taxi operators that will incorporate scholar transport contracts.

The Department of Transport Rural Transport Strategy is one of the transport policy interventions that seek to address access and mobility challenges that the rural communities have to deal with on a daily basis with regard to transport matters. The Rural Transport Strategy provides strategic direction and interventions for the provision of rural transport infrastructure and services to create enabling mechanisms for sustainable economic development, improved social access and poverty alleviation in South Africa's rural areas.

The Strategy has, among others, identified the plight of scholars living in the rural areas as a matter which needs urgent attention. The Strategy advocates for the improvement of access and mobility for scholars and other groups of people in rural settlement areas.



SECTION 2



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SECTION 2

2.1 VISION

To ensure the provision of a transport service that caters for the needs of scholars.

2.2 MISSION

The mobility needs of scholars shall be met through the provision of a safe, secure, reliable and affordable scholar transport service to support social development and enhance future economic growth.

2.3 STRATEGIC OBJECTIVES FOR SCHOLAR TRANSPORT

The strategic objectives to be achieved through the scholar transport policy are:

- To develop a uniform national scholar transport policy framework within relevant processes and legislation of government.
- To ensure transport acts as a catalyst for education through access to schools.
- To promote motorised and non-motorized transport in safe and secure circumstances over reasonable distances.
- To promote scholar transport within the main modes of public transport.
- To ensure the provision and maintenance of safe and secure scholar transport services and infrastructure.
- To provide for the design of a route network and the design of such a transport service in order to ensure scholar transport is accessible and safe for all scholars.
- To ensure the procurement and formalization of scholar transport services in a transparent and accountable manner whilst promoting BBBEE.
- To ensure sustainable and equitable funding for the provision of scholar transport services.
- To ensure safety and service standards are met within the appropriate modes of transport.
- To promote the co-ordination and co-operation with respect to scholar transport amongst all stakeholders.
- To monitor and evaluate scholar transport services and the impact of the policy.
- To ensure the provision of infrastructure in order to ensure the safety and security of scholars making use of such a service.

2.4 GUIDING POLICY PRINCIPLES

The following principles are formulated to focus the policy and to ensure that it is in line with government policies:

- There must be one overarching scholar transport policy.
- Scholar transport must be provided to all qualifying scholars.
- Scholar transport will be provided to the nearest school from the scholar's residence.
- All modes of transport will form part of the scholar transport system.
- The procurement of scholar transport must take cognisance of empowerment opportunities.
- Scholar transport shall be affordable to all.
- Scholar transport shall be safe and secure.

- The directives of the scholar transport policy should use the “Model Tender and Contract Documents for Subsidised Service Contracts” as published by notice 1058 of 2006 in the Government Gazette of 8 August 2006, as a basis, and also take cognisance of the following:
 - The Constitution of South Africa, 1996 (Act No. 108 of 1996): It provides the right of access to education by all scholars.
 - The South African Schools Act (SASA), 1996 (Act No. 84 of 1996) as amended: It ensures that all scholars have right of access to quality education without discrimination, and makes schooling compulsory for children of ages 7-14.
 - National Land Transport Transition Act, 2000 (Act No. 22 of 2000).
 - Public Transport Strategy and Action Plan, 2006 – 2007.
 - National Rural Transport Strategy (November 2003).
 - The National Road Traffic Act, 1996 (Act No 93. of 1996).
- The various modes considered for scholar transport are defined as follows:
 - Bus:** “bus” means a motor vehicle designed, or lawfully adapted, by a registered manufacturer in compliance with the Road Traffic Act, 1989 (Act No. 29 of 1989), to carry more than 35 persons, excluding the driver, subject to section 31;
 - School bus:** “school bus” means a mini-bus or bus, owned by or contracted to, or on behalf of, a school, and used principally for the conveyance of scholars and other persons associated with such school in terms of a valid and appropriate Operating Licence;
 - Midibus:** “midibus” means a motor vehicle designed or lawfully adapted by a registered manufacturer in compliance with the National Road Traffic Act, 1996 (Act No. 93 of 1996), to carry from nineteen (19) to thirty-five (35) seated persons, excluding the driver;
 - Minibus:** “minibus” means a motor vehicle designed or lawfully adapted by a registered manufacturer in compliance with the National Road Traffic Act, 1996 (Act No. 93 of 1996), to carry from nine (9) to eighteen (18) seated persons, excluding the driver, which conforms to the Taxi Recapitalisation Programme specifications for a minibus published by the Minister of Transport.
 - LDVs:** light delivery vehicles adapted for the conveyance of persons in compliance with the National Road Traffic Act, 1996, and only if it meets the requirements set down by the MEC in terms of the National Land Transport Transition Amendment Act, Act No. 26 of 2006.
 - Bicycles:** two-wheeled cycles, especially bicycles distributed in terms of the Shova ka Lula Bicycle Project.
 - Animal-drawn vehicles:** such as donkey carts which comply with the requirements of the regulations of the National Road Traffic Act and when fitted with equipment such as proper seating that will ensure the safety of passengers.
 - Walking:** is a form of non-motorised transportation without a vehicle or animal that begins and ends the journey on foot.





SECTION 3



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SECTION 3: SCHOLAR TRANSPORT POLICY STATEMENTS

3.1 INSTITUTIONAL ARRANGEMENTS AND GOVERNANCE

Scholar transport provision is a huge undertaking, as indicated by the current fragmentation in the approach to the provision of scholar transport.

There are a number of steps which need to be undertaken in order for it to succeed. It is imperative that the roles involved are defined and the responsible structures identified. This sub-section begins by looking at the key roles in scholar transport provision, as well as the responsible structures. The sub-section ends off with a discussion of the management and planning systems and structures.

3.1.1 Roles and Responsibilities in Scholar Transport Provision

Given its mandate, the Department of Transport (DOT) has the ultimate responsibility for providing scholar transport. While this is the case, the DOT acknowledges that collaboration with the relevant stakeholders is essential if the provision of scholar transport is to be implemented properly. Therefore, the DOT undertakes to collaborate with the Department of Education and sub-structures in both the transport and education sectors. The discussion below gives an indication of the key roles in relation to the provision of scholar transport, as well as the relevant structures that must perform these roles.

3.1.1.1 *Development of National Policy*

Scholar transport provision currently differs from province to province in terms of the way it is implemented and administered. National policy on scholar transport is necessary to set out the guidelines for how scholar transport must be implemented.

Policy Statement

The DOT will be responsible for the development and review of national policy on scholar transport provision after consultation with the relevant stakeholders.

3.1.1.2 *Planning and Co-ordination of Scholar Transport*

Planning is fundamental to the success of scholar transport provision. Inadequate planning could result in problems such as insufficient allocation of resources, wastage of resources and ultimately ineffective implementation of scholar transport services. While there is evidence of planning for scholar transport provision and co-ordination thereof in some provinces, the practice has not been uniform across the country. Therefore, there is a need for adequate scholar transport planning and co-ordination across all spheres of government.

Policy Statement

Provincial Departments of Transport (PDOTs) must develop implementation strategies and plans in consultation with Provincial Departments of Education (PDEs) and other key scholar transport stakeholders.

The strategies and plans for scholar transport in a province must be included in the Provincial Land Transport Framework (PLTF) and Strategic Plan, as well as in the Integrated Transport Plans (ITPs) of Local Government. PDOTs must report on the implementation of scholar transport using official structures.

Provincial plans must take into account provincial cross-border services where relevant.

PDOTs must ensure that Local Government develops detailed operational plans for the respective areas for which they are responsible, on the basis of information from schools and in line with provincial plans.

Where capacity is lacking, provincial departments must assist with the development of detailed plans in the short-term, but make efforts to develop the capacity of Local Government in the long-term.

PDOTs must ensure co-ordination and alignment of provincial and local government scholar transport plans.

3.1.1.3 Regulation of Scholar Transport

Scholar transport is regulated in terms of general transport legislation and regulations, but there are no regulations that address issues specific to scholar transport. In addition, there could be other issues that will arise as the Scholar Transport Policy is being implemented that will need to be regulated.

Policy Statement

Departments of Transport must, where required, regulate any issue of relevance to scholar transport provision to prevent abuse and ensure efficiency.

3.1.1.4 Funding

Scholar transport provision is a huge undertaking which requires sustainable funding in order to succeed. Currently there is no dedicated funding for scholar transport provision.

Policy Statement

The DOT will fund scholar transport provision through scholar transport subsidy.

3.1.1.5 Registration and Licensing of Operators

The NLTTA, 2000 requires transport operators to be registered. However, there are indications that some of the operators providing scholar transport are not registered and they have to be registered specifically as scholar transport operators.

Policy Statement

PDOTs, through their Registrar's Office and Operating Licence Boards, must register and license scholar transport operators, and keep a database of all scholar transport operators.

Scholar transport operators will be required by PDOTs to renew their operating licences as prescribed by the NLTTA.

3.1.1.6 Identification of Scholar Transport Beneficiaries for Subsidisation

Identification of scholars who will be provided with scholar transport is a crucial aspect in the provision of scholar transport as this feeds into the planning process as well as the actual implementation of those plans.

Policy Statement

PDOTs, after consultation with the PDEs, must ensure that qualifying scholars are identified in line with the identified criteria.

The DOT will provide subsidies to all qualifying scholars in dedicated transport and those integrated into the mainstream public transport.

Dedicated scholar transport refers to a case where an operator uses modes of transport and drivers specifically for transporting scholars at all times or at certain times when schools start and end. Integrated scholar transport refers to those cases where scholars are subsidised to use existing mainstream public transport system.

DOTs must consider integrating scholars into the existing public transport system where this is available and there are not enough scholars to justify the viable dedicated use of any of the transport modes regarded as appropriate in their respective provinces specifically.

The DOT acknowledges the fact that schools and their communities possess information about scholars, and therefore, they are best positioned to identify scholars who should qualify for scholar transport assistance. Principals, after consultation with the School Governing Bodies (SGBs) and the school community, must identify scholar transport beneficiaries in line with the following additional criteria:

- Beneficiaries must be scholars from Grade R to Grade 12.
- The distance travelled must be more than 3km between home and school.
- Scholar transport must be to the nearest appropriate grade school.
- Parental choice of schools must not be subsidised. Parental choice refers to when parents prefer to enrol their children at schools other than the nearest suitable school.

3.1.1.7 Contracting of Services and Tendering

Contracting and tendering of services need to be co-ordinated in order to ensure a uniform scholar transport system for the entire country. When proper processes of contracting and tendering are not followed, it can result in fraudulent and corrupt practices. For example, in some cases principals and teachers have been reported to have contracted themselves as scholar transport providers.

Policy Statement

PDOTs must ensure that scholar transport services are procured through the tender process as required by government legislation. The process must take into account the following:

- Only registered operators with approved modes of transport will be contracted for the scholar transport provision.
- Local bidders with modes approved by the PDOTs, taking into account the topography of the province, must be given first preference in the provision of scholar transport.

3.1.1.8 Law Enforcement and Ensuring Road Safety

Scholars moving to and from school are vulnerable and exposed to the risk of traffic accidents, injuries and even fatalities caused by inappropriate and unroadworthy vehicles. The DOT will need to increase its efforts to ensure safety for scholars. It is crucial for scholars to be transported safely to schools and back.

Policy Statement

PDOTs must work closely with Local Government to ensure that scholar transport providers comply with the safety measures legislated by the DOT, including adhering to speed limits and ensuring that all passengers are seated irrespective of the transport mode used. Departments of Transport must, through traffic law enforcement officials, ensure scholar transport providers comply with the traffic law as well as contract conditions relating to safety.

The DOT, in conjunction with the Road Traffic Management Corporation (RTMC), must ensure that pedestrians and passengers are well informed about safety measures. It must continue to promote road safety using existing programmes to educate scholars and the public as a whole.

3.1.1.9 Monitoring and Evaluation

There is a need for constant monitoring and evaluation of the implementation of scholar transport provision to track whether the set objectives are being met and to inform necessary adjustments and interventions.

Policy Statement

The DOT must ensure that scholar transport programmes are monitored and evaluated.

3.1.2 Management and Planning Systems

Fragmentation in the management and planning of the provision of scholar transport necessitates that structures that will be responsible for each of these functions should be identified.

In order to achieve the objectives set for scholar transport, there is a need for the implementation of the policy to be managed at various levels of government, as well as for relevant stakeholders to be involved in the planning and management structures and processes.

Policy Statement

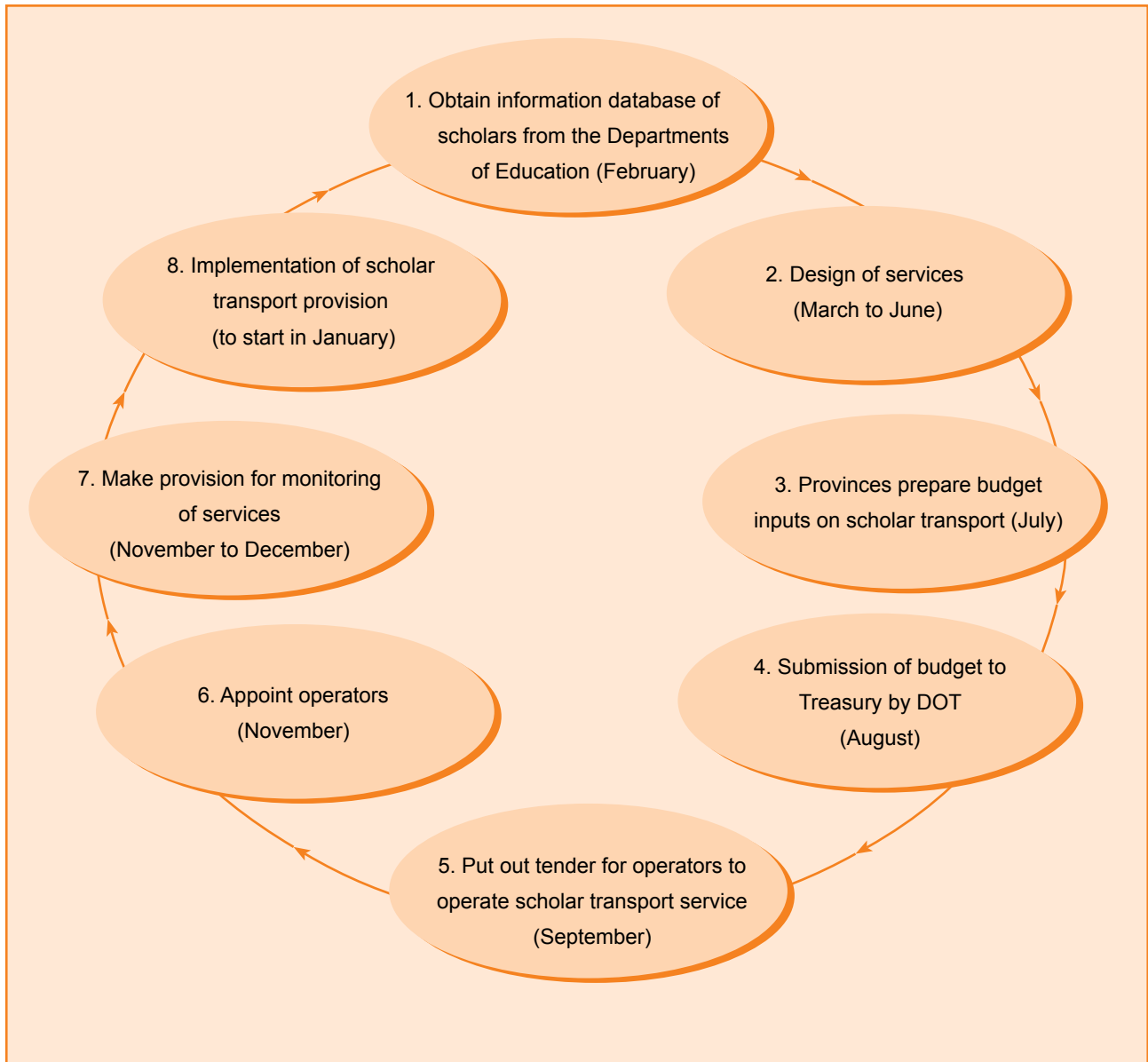
The DOT and its provincial counterparts must manage implementation of scholar transport in the country through dedicated components.

The PDOTs must establish a planning committee on scholar transport with representatives of the PDOT and the Provincial Department of Education.

Annual planning must start with the identification of scholars in need of scholar transport. This information should feed into the development of provincial scholar transport strategies and plans. Diagram 1 shows a suggested cycle of planning as well as timeframes.

Diagram 1: Cycle of Planning for Scholar Transport Provision

The diagram shows the planning cycle starting with the PDOTs obtaining information on scholars from the Departments of Education in February. This becomes the basis for designing scholar transport services which must be done between March and June. After designing services, PDOTs will prepare budget inputs in July. The Department of Transport will then submit its budget to Treasury in August. In September, the services will be put to out tender for potential scholar transport operators to bid. Following this will be the appointment of scholar transport operators, which must be done in November in time for them to start providing services in January of the following year. Operations must be reviewed and readjusted accordingly in August of each year in preparation for the following year.



3.2 INTEGRATION ISSUES

Scholar transport must be integrated into the broader physical and planning environment to ensure that it becomes effective and sustainable. The provision of integrated services within communities promotes sustainability and accessibility.

3.2.1 Land Use and Transport Integration

The past legacies of land use and transportation planning have resulted in major challenges in the provision of goods and services for many people. The two planning processes have taken place in a disjointed manner as a result of the apartheid policy. The Departments of Transport, Education and Housing must be involved in the planning of the placing of schools in relation to residences and infrastructure.

Policy Statement

Inter-governmental co-ordination must ensure integration of land use and transport, especially with regard to ensuring that settlements and the building of schools are co-ordinated through appropriate inter-governmental forums.

3.2.2 Modal Integration

One of the main problems confronting public transport is the lack of modal integration. This problem is often exacerbated by competing modes of transport and fragmented spatial settlement planning. This development has proved to be expensive and unsustainable. This also impacts negatively on the ability of scholars to access educational institutions.

Policy Statement

PDOTs must ensure that scholar transport services are integrated in order to render an effective and efficient system.

Scholars who reside in areas where scholar transport services are not accessible will use other subsidized modes of transport. Inter-modal ticketing for scholars will be allowed to facilitate intermodal transfers.

Provinces, in consultation with Local Government, must ensure that scholar transport services are accessible to scholars in both the urban and rural areas.

3.2.3 Transport Infrastructure

The provision of transport infrastructure is important in rendering scholar transport and will ensure that scholar transport operates within a formalized environment.

Policy Statement

Inter-governmental co-ordination must ensure that adequate infrastructure is provided for scholar transport. Scholar transport infrastructure plans must be incorporated into the Integrated Transport Plans (ITPs).

3.3 ECONOMIC REGULATION OF SCHOLAR TRANSPORT

Scholar transport must be integrated within the broader public transport system and they should benefit from public transport subsidies. The NLTTA requires that all subsidized transport services must be formalized. Scholar transport must therefore be provided in accordance with legislation.

3.3.1 Operating Licences

The NLTTA stipulates that no person will operate a road-based public transport service without holding the necessary permit or operating licence. The issuing of operating licences is a new transport requirement which requires public transport services be operated on a route based operating licence.

Policy Statement

All scholar transport operators must have operating licences that allow them to operate the school service in addition to any other services for which they may be licensed.

Where a province prescribes a dedicated service, operating licences must be issued in terms thereof.

3.3.2 Service Design for Contract Services

The service design of scholar transport services is a complex and detailed process which must ensure that coverage of the service area is adequately addressed. This process requires extensive consultation with other relevant stakeholders to ensure a fair distribution of scholar transport services.

The scholar transport service designs should contain detailed route descriptions, vehicle types, timetables, trip cost, trip length, travel time, stops and ranking information.

Policy Statement

The PDOTs in consultation with the PDEs and other relevant stakeholders must design the scholar transport services.

3.3.3 Procurement of Scholar Transport Services

The procurement of scholar transport needs to take cognisance of emerging scholar transport providers, since the existing system does not do so. Many emerging scholar transport service providers do not have the means to acquire the necessary assets to provide an acceptable quality of service. It is critical that financial schemes and resources be made available to empower emerging scholar transport service providers to participate in the procurement of scholar transport services.

The PDOTs must adhere to legislation and policies that promote SMME's and BBBEE in the appointment of scholar transport operators.

3.3.4 Contract Duration

The high capital cost of acquiring assets requires a longer contract period for operators to pay off their assets. The current subsidised public transport contracts administered by the PDOTs are for a period of five years. The most recently published Model Tender and Contract Documents (MTCDs), however, have a contract period of seven years.

Policy Statement

Scholar transport contract services must be of a similar duration to that specified in the MTCDs.

3.3.5 Payment Mechanism

Public transport contracts specify the method of payment for services rendered. The payment mechanism is agreed upon when the contract is awarded and prior to the commencement of services.

Payment to operators is done on the basis of total revenue kilometres travelled i.e. revenue kilometres are kilometres travelled on approved routes according to approved timetables while carrying passengers. Dead or positioning kilometres are for the cost of the operator. Escalation clauses are included in the contracts.

Policy Statement

The payment of scholar transport operators' contracts must use revenue kilometres as the basis for remuneration and an escalation clause must be included in the contracts. Payment must be effected in terms of the Public Finance Management Act (PFMA).

3.3.6 Service Types

There are various service types through which scholar transport can be provided. The provision of dedicated scholar transport will take some time to be fully rolled-out. The mainstream public transport will be used to transport scholars. The service types include:

3.3.6.1 Dedicated Service

- *Subsidized group*
These are operators who are providing a dedicated scholar transport service and are receiving subsidy from the PDEs and /or DOT. Scholars are picked up and dropped off at designated points.
- *Non-subsidized group*
These are operators who are rendering a dedicated scholar transport service and who are not receiving subsidy from either the PDEs or the DOT.
 - Class i: these operators enter into contractual agreements with the parents and are performing a door-to-door service. Charging fixed fees are payable on a monthly basis and this is done at the beginning of every new month.
 - Class ii: these operators have special arrangements with the scholars who organize themselves into groupings and are picking up and dropped off at designated points. Scholars pay fares on a per trip basis.

3.3.6.2 Non-dedicated Service

- *Subsidized group*
These are operators who are providing general public transport services and transport scholars with special subsidized tickets.

3.3.6.3 Scholar Mobility through the Shova Kalula Bicycle Project

In 2001, the DOT initiated Shova Kalula (Pedal Easy) bicycle project as a pilot project for the provision of a low cost solution to improve access and mobility of people in rural and urban areas. The project prioritised and targeted scholars, farm workers and women who walk long distances to access basic services and economic opportunities.



The project has to date distributed more than 27 000 bicycles in all provinces. To provide for the bicycle maintenance and ensure project sustainability, bicycle container maintenance shops are also established in all areas where bicycles are distributed.

In October 2005, the Minister set a target of distributing one million bicycles by 2010. The primary target beneficiaries of the project will be scholars in rural and urban areas who walk more than 6km to schools. The primary focus is currently on supplying bicycles to mainly scholars from deep rural areas who meet a series of set qualification criteria regarding the distance they walk to school, the non-availability of scholar transport and the income of their households.

The rollout of the Shova Kalula bicycle project will make a valuable contribution in providing a low cost, sustainable and environmentally friendly means of access and mobility to many scholars who currently walk more than 6km one-way to school or more than 3km to education resource centres.

The provision of dedicated scholar transport services in a country such as South Africa, with low densities and limited resources will be expensive to roll-out. It is therefore necessary that existing public transport services will be used to transport scholars.

Policy Statement

PDOTs must determine the type of services that will be appropriate in their areas of jurisdiction.

3.3.7 Scholar Transport Accessibility

Factors that affect accessibility to scholar transport differ from one province to the other. The spatial characteristics that exist within different provinces have a major impact on accessibility to scholar transport. Some provinces have higher density settlement areas than others and this has a bearing on access criteria.

Policy Statement

PDOTs in consultation with the PDEs must determine access criteria in terms of age, distance from public transport, distance from the school, affordability, safety and security and disability for scholar transport.

3.3.8 Safety and Security

The safety of scholars is very important during the process of being transported. Exposure to external factors that will pose a threat to safety of scholars must be minimized. The security of scholars will have to address factors such as hijackings, violence and other life threatening incidents.

Policy Statement

PDOTs, in consultation with PDEs, must ensure that adequate safety and security measures are taken whilst scholars are being transported.

3.4 QUALITY REGULATION OF SCHOLAR TRANSPORT

A comprehensive study titled "Road Safety in School Transport", conducted in 2004 for the Directorate-General Energy and Transport of the European Union, investigated school transport programmes in the United States, Canada, the

Scandinavian countries and Europe, and came to the following conclusions regarding the various systems which are most relevant for the process of formalising and regulating the scholar transport system in South Africa.

These conclusions point to:

- the differences in defining “school transport”;
- the lack of a database and clear statistical information;
- improvements in the coordination between the different authorities;
- integration of school transport into the local and regional mobility process;
- increased awareness of children’s safety during school journeys
- promotion of training and periodic re-training of school transport drivers;
- school bus transport as the safest form of road transport;
- the need for a strict and regular inspection regime;
- the need for additional certificates for school transport drivers as well as more regular health checks
- specific legislation on school transport;
- the importance of enforcement aimed at improving users’ behaviour; and
- the introduction of measures in the field of vehicle technology and safer infrastructure that will lead to improvements in road safety in the long term.

Taking into account these conclusions, as well as all the other information collected through the literature study on international good practice, the essential issues regarding the safety and service standards of a scholar transport programme are captured in the policy statements below.

3.4.1 Safety Standards

The present scholar transport system does not ensure the safety of scholars. An integrated approach to school transport safety issues is necessary.

Policy Statement

The approach to scholar transport safety must involve a set of different safety measures ranging from vehicle characteristics (i.e. speed devices, windows and door opening restrictions, and safety equipment); the promotion of other safety measures (e.g. traffic calming measures and arrangements in the vicinity of schools), to driver qualifications and training, as well as education, publicity and awareness actions aimed at all the stakeholders (scholars, parents, teachers, drivers and authorities).

3.4.2 Service Standards

The responsibility for developing and implementing scholar transport service standards is normally divided between different institutions acting at different levels, which makes the implementation and monitoring of the measures and standards difficult.

Policy Statement

The DOT must provide scholar transport service standards which have the objective of ensuring adequate services based on targets and priorities.

3.5 LAW ENFORCEMENT

The provision of scholar transport needs to be properly regulated and policed to ensure the safety and security of the scholar transport beneficiaries. Municipal and provincial traffic law enforcers will play a major role in ensuring that the requirements and prescriptions of this policy are met by scholar transport service providers.

The law enforcement activities must be focused on vehicular as well as operational aspects.

The current legal requirements regarding the transportation of passengers are captured in the National Road Traffic Regulations published in Government Notice No. R.225 of 17 March 2000, as amended by Government Notice No's. R.761 of 31 July 2000, R.941 of 22 September 2000, R.726 of 3 August 2001, R.2116 of 5 October 2001, R.779 of 4 June 2002, R.1341 of 25 September 2003, R.881 of 23 July 2004, and R.871 of 2 September 2005.

The Minister of Transport instructed the RTMC on 6 February 2006, after a bus accident in which two scholars were killed in the Western Cape, to institute measures to ensure adherence to safety requirements and standards by all bus operators, especially those transporting scholars. He instructed the RTMC to ensure that testing stations and officials responsible for issuing certificates to unroadworthy buses and/or other passenger vehicles must account and be held liable for their actions.

At the same time he instructed the DOT to liaise with the Department of Education to incorporate relevant safety standards into contracts providing transport for scholars, which are under the auspices of the PDOT.

The PDOTs were requested to assist with the implementation of measures in ensuring that scholar transport is managed in a manner that is reliable, safe and comfortable to scholars.

The Minister published the MTCD to enhance the safety standards for buses and other vehicles involved in subsidized public transport services. Government's attempts to encourage operators to renew their fleet within a defined period were at the core of the document.

At present there are scholar transport service providers who operate illegally e.g. without operating licences and with unroadworthy vehicles, which needs to be addressed through "on-the-road" law enforcement.

Policy Statement

PDOTs must ensure that there are sufficient traffic officers and road transportation inspectors to ensure that scholars are transported safely and legally.

3.6 FUNDING

Funding is critical to ensure that scholar transport services are rendered on an on-going basis. There needs to be a single government department responsible for funding of scholar transport.

Funding for scholar transport is currently done on a fragmented basis which creates problems for effective service delivery within various departments, for instance, the timely transfer of funds between departments. It is therefore necessary that a single government department must be responsible for funding. There is currently no equitable spending for scholar transport in the country.

Policy Statements

The DOT must ensure that there is adequate and sustainable funding for scholar transport through its national budget allocation. The DOT will transfer funding to the provinces through its own budget.

The DOT will develop a scholar transport funding model which will be implemented by PDOTs.

3.7 EMPOWERMENT AND OPERATOR DEVELOPMENT

Current government procurement legislation makes provision for the previously disadvantaged communities to participate in the tendering for government contracts. One of the main objectives of the empowerment opportunities is to bring these communities into the mainstream economy and to formalize them into business entities.

3.7.1 Programmes to Provide BBBEE and SMME Opportunities

A significant number of current scholar transport operators operate on an informal basis. Another major aspect confronting current scholar transport operators is a lack of business skills.

The existing informal scholar transport operators would not qualify to participate in the current tendering framework. Many informal scholar transport operators would find it difficult to meet the safety and service standards required in the normal public transport contracting services.

One of the objectives of the MTCD is to promote BBBEE and SMME's in tendering for subsidized public transport services.

Policy Statement

The DOT must empower emerging BBBEE and SMME scholar transport operators through developmental programmes to provide sustainable scholar transport services. The following programmes need to be considered:

- *Skills development programme*
Continued training with regard to relevant skills including, but not limited to, Procurement Processes, Basic Business Skills, Vehicle Maintenance and Customer Care must form part of all scholar transport contracts.
- *Formalization of scholar transport operators*
All scholar transport operators must be formalized in terms of the prescribed transport legislation.
- *SMME consortiums*
SMME consortiums will tender for scholar transport contracts.
- *Sub-contracting*
Sub-contracting will be supported in the tendering for subsidized contract services.
- *Joint venture between a SMME operator and a large operator*
Joint venture model agreements will be supported between a SMME operator and a large operator.



SECTION 4



transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

SECTION 4: IMPLEMENTATION FRAMEWORK

4.1 IMPLEMENTATION REQUIREMENTS

The directives for a South African scholar transport system are based on international good practice models which are adapted and applied to the South African requirements and conditions as well as stakeholder interaction. In addition to the directives, the operators, drivers and vehicles used for scholar transport must adhere to the requirements of the regulations of the National Road Traffic Act (NRTA), Act No. 93 of 1996 and the National Land Transport Transition Act (NLTTA), Act 22 of 2000.

4.1.1 Route Accessibility and Safety

Not all scholars have access to scholar transport through a well-defined scholar transport service which includes proper infrastructure and facilities.

Policy Statement

The PDOTs, in consultation with Provincial Departments of Education (PDEs) and Local Government, must consider the safety of scholars as well as the efficiency of services when determining routes.

The following aspects must be considered when determining routes and facilities:

- A maximum walking distance to a scholar transport pick-up point (3km is considered fair).
- The distance between bus stops, taking into consideration exceptions for disabled children or hazardous conditions. This distance will vary in rural and urban areas (between 2 – 5km).
- The safety of all involved should be considered when deciding where public transport stops are located, focusing particularly on the visibility of the vehicle and keeping the passengers off the road surface.
- The passengers waiting at the public transport stop should have unobstructed vision in both directions.
- The necessity for a school vehicle carrying passengers to traverse a grade-level railroad crossing and low-water bridges that are flooded should be eliminated.
- The written route descriptions maintained by the supervising authorities should also be made available to the respective school principals.
- Routes should be planned so that a maximum number of scholars are picked up and dropped off at the assigned stops, considering what is safe and economically feasible as to time and expense.
- Routes should be planned in such a way as to eliminate the need for a vehicle to reverse. If the vehicle must reverse, a safe and adequate turning place must be available. Vehicles should never reverse in a heavily populated area.
- Vehicles should not be routed over private roads and should where possible operate only on public roadways.
- Routes should be planned so that no more scholars are picked up than there are seats on the vehicle.
- School vehicles should begin their routes at the most distant point from their assigned school, picking up scholars as the vehicle proceeds toward the school. When this is not possible, the least number of scholars should be carried away from the school. Scholars should not ride longer than necessary on school vehicles.
- A driver or contractor should not be allowed to make any changes in the established route without the approval of the Authorities.
- Arrival and departure times at the schools should be planned in such a way that they will minimize congestion and the creation of unsafe conditions.

- The crossing of scholars from one side of the road to the other side when alighting from a vehicle should be made as safe as possible. Directives for crossing the road could include the following:
 - Scholars shall cross from one side to the other side of a road to board a vehicle only:
 - in urban areas, where safe and appropriate pedestrian crossings are available,
 - when the bus has come to a full stop,
 - all traffic has come to a full stop,
 - in rural areas where the road is definitely clear, and
 - where it is absolutely safe to cross.
- Applicable road signs must be used to indicate scholar pick-up points or stops.
- There should be design specifications for the pick-up and drop-off points that will ensure the safety of the vehicle as well as passengers.

4.1.2 Emergency Procedures, Equipment, Training and Qualifications

The requirements for emergency equipment fitted to or available on scholar transport vehicles are insufficient. Drivers are generally also not trained in basic first aid.

Policy Statement

The PDOTs must ensure that the following emergency equipment is provided in addition to that prescribed by legislation:

- telephone or communication device
- a reflective (warning) vest for the driver to be worn in cases of emergencies when the driver needs to leave the bus
- fire extinguishers
- emergency medical kit

Drivers should be trained in basic first aid and should be responsible for the maintenance and use of the emergency medical kit.

4.1.3 Vehicle Specifications

Vehicles used to transport scholars have to meet the requirements of the general regulations of the National Road Traffic Act (Act No. 93 of 1996) applicable to the transportation of passengers. However, this is not regarded as sufficient for the transport of scholars.

Policy Statement

The PDOTs, in the provision of scholar transport services, must ensure adherence to legislation regarding vehicle specifications.

The following should apply specifically to vehicles used to transport scholars:

- The use of vehicles other than buses, minibuses and midi-buses should also be considered for the transportation of scholars. Although it is an offence according to the National Road Traffic Act to transport any person for hire and reward in a light delivery vehicle (LDV), in certain areas and under certain conditions the MEC should give permission to use LDVs suitably modified to SABS standards, as well as animal-drawn carts, such as donkey carts.
- Vehicles should conform to the requirements of the MTCD as published by the Minister of Transport periodically in terms of the NLTTA.



- A vehicle can be declared unfit for further service at any stage by an authorized examiner of vehicles.
- Minibuses or midi-buses are accepted modes of transport for scholars provided that they do not carry commuters at the same time.
- Buses and minibuses should be allocated to routes in such a way that all scholars are seated and loads do not exceed the manufacturer's rated capacity. When emergency situations lead to scholars standing, such conditions should be corrected within a reasonable time. No scholars should at any stage be permitted to stand in a mini-bus.
- Buses and minibuses should display the speed limits applicable to the mode of transport for scholar transport vehicles on the rear of the vehicle, i.e. 100 km/h for mini-buses and midi-buses and 80 km/h for buses.
- Flashing upper lights to show other drivers that the bus has stopped and is loading or unloading passengers will add to the creation of a safe environment for the passengers. It must be an indication for vehicles behind the bus to stop and wait for the scholars to disembark.
- Sound devices indicating that a vehicle is reversing are already compulsory for vehicles transporting goods over 3,5 tons and should be fitted to vehicles transporting scholars as well.
- School vehicles throughout the country should be colour-coded to indicate that the vehicle is a scholar transport vehicle with an operating licence.

4.1.4 Criteria for Certification of Operators and Drivers

The present requirements for the qualifications, training and experience of drivers of scholar transport vehicles are inadequate.

Policy Statement

The PDOTs in the provision of scholar transport must ensure that, in addition to the regulations pertaining to drivers of public transport vehicles, the following aspects regarding the certification of drivers of vehicles transporting scholars must also be required:

- The completion of a specifically designed compulsory driver training programme.
- A minimum of five years driving experience, during which time a valid driving licence was held.

4.1.5 Code of Conduct for Drivers and Scholars

There is no code of conduct to guide the behaviour of both drivers and passengers. There is therefore no instrument to ensure accountability amongst those involved.

Policy Statements

4.1.5.1 Code of Conduct for Drivers

It is the responsibility of the DOT to ensure that a code of conduct for drivers is drafted. The code must contain details of the expected behaviour and measures for dealing with non-complying drivers, procedures for drivers and responses in the case of emergencies including accidents, theft, hijackings and when a scholar is seriously ill. This code should form part of the contract and be signed by the driver.

All scholar transport drivers must be in possession of a Professional Driving Permit (PDP) as required by the current transport regulations.

4.1.5.2 Code of Conduct for Scholars

School principals are responsible for ensuring that parents give written consent for their children to be transported.

Provincial Departments must ensure the development of a code of conduct for passengers in scholar transport after consultation with the relevant stakeholders. The code of conduct must include, but not be limited to, the following:

- Expected/unacceptable behaviour.
- Measures for dealing with scholars who do not adhere to the agreed code.
- How repeat offenders will be dealt with.

The code of conduct must be displayed in all modes used for scholar transport for all to see.

4.1.6 Provision for Scholars Living with Disabilities

Current scholar transport does not make sufficient provision for the transportation of scholars with physical disabilities.

Policy Statement

The PDOTs must ensure that all scholar transport is accessible to scholars living with disabilities.

4.2 INSTITUTIONAL ARRANGEMENTS

Institutional arrangements have the objective of ensuring that adequate resources, based on defined targets and priorities, are available for scholar transport and that they are effectively used and properly monitored.

The responsibility for developing and implementing a scholar transport service has until now been split between different Departments acting at different levels. This restriction affects co-ordination and implementation.

Policy Statement

The DOT, together with its provincial counterparts, is responsible for developing institutional arrangements for the implementation framework.

4.3 MONITORING AND EVALUATION

Monitoring and evaluation is an integral part of the policy making process. It ensures that challenges and opportunities are promptly identified and responded to, and assesses the impact, progress and achievements of the policy. The information derived from monitoring and evaluation is crucial in providing accurate accounts and data on experiences, and serves as input to further policy development processes. Monitoring and evaluation must be undertaken at various levels, i.e. policy, programme and project.

4.3.1 Policy Monitoring and Evaluation

The lack of a national policy on scholar transport did not necessitate the monitoring and evaluation thereof. However, the DOT is mandated by Section 85 (2) (b) the Constitution of the Republic of South Africa to be responsible for developing and implementing transport policy. As the custodian of the scholar transport policy the department is respon-

sible for policy monitoring and evaluation. This responsibility mandates the DOT to create an enabling environment and oversight function for scholar transport.

Policy Statement

The DOT must be responsible for monitoring and evaluation of the overall policy. The strategic objectives must be used as the basis to measure the effectiveness of the policy. The DOT must ensure evaluation of the policy is done at regular five-year intervals.

Monitoring of policy will be an on-going process to ensure effective policy implementation. The monitoring of policy implementation and impact will be an on-going process.

The following are some of the indicators the Department must use:

- Improved accessibility to schooling
- Number of scholars benefiting from scholar transport provision
- Reduction in the number of crashes, injuries and fatalities
- Number of operators registered
- Roll-out of programmes by provinces

4.3.2 Programme Monitoring and Evaluation

Programme monitoring and evaluation of scholar transport will take place at the provincial sphere of government because provinces are responsible for developing scholar transport programmes in their areas of jurisdiction. The information obtained at the project level will serve as input in this process. The management, co-ordination and impact of scholar transport projects will be evaluated at the programme level.

Policy Statement

The PDOTs, in consultation with stakeholders, must ensure monitoring and evaluation of the scholar transport provision programmes. The monitoring must be done on a continuous basis. Programme evaluation must be done on a three-year cycle.

The following are some of the indicators that could be used:

- Quality of programmes designed
- Number of scholars benefiting from scholar transport provision
- Number of operators registered
- School coverage
- Number of crashes, injuries and fatalities

4.3.3 Project Monitoring and Evaluation

The actual implementation of scholar transport projects can only occur at local government level, because it is at this level that scholars will benefit. It is therefore at this level that scholar transport project monitoring and evaluation will take place. It is at this level that the actual performance of the scholar transport policy can be measured by the results of implementing local projects.

Supervising and monitoring firms will obtain and compile information which will be as input in the monitoring and evaluation at the project level.

Policy Statement

PDOTs, in co-operation with Local Government, must on annual basis evaluate the progress made with the implementation of the scholar transport projects. Monitoring must be done on a continuous basis.

Some of the indicators to be used are:

- Travel time
- Number of scholars
- Number of trips missed
- Compliance with the timetable
- Overloading
- Arrival and departure times
- Vehicle road worthiness
- Number of crashes, injuries and fatalities

4.4 POLICY ADVOCACY

Communication and advocacy are crucial to the success of any policy. The South African public will need to be informed about the scholar transport policy so that the targeted groups can have access to the scholar transport services.

Policy Statement

The DOT will be responsible for advocating and communicating the Scholar Transport Policy to the public and other spheres of government.



SECTION 5



transport

Department:
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REPUBLIC OF SOUTH AFRICA

SECTION 5

5.1 WAY FORWARD

After approval of this national policy on scholar transport, a framework for the implementation of the scholar transport system will be provided. Those elements of the policy which require only administrative action will be implemented immediately. Those elements of the policy which require major changes from existing practice will require phased implementation.

Provinces should not embark upon the formulation of policy or the adoption of practices that run contrary to the implementation of this policy. The Department of Transport (DOT) will facilitate the smooth transformation and implementation of this policy.

Upon approval of this policy, the Provincial Departments of Education (PDEs) will have to transfer the scholar transport function and cede the current contracts to PDOTs through transitional mechanisms. In instances where PDEs are in charge of scholar transport, budgets will have to be transferred to the Provincial Departments of Transport (PDOTs) to ensure smooth transition of the transfer process. In the following financial year, the DOT would cover scholar transport subsidy as part of its departmental budget.

The migration of these responsibilities to the PDOTs must take cognisance of experiences and lessons learned to ensure that scholars are not inconvenienced. Proper co-operation between the Provincial Education and Transport Departments will ensure that the scholar transport function does not collapse or experience administrative problems in the middle of the financial year.

The Minister of Transport will be advised on the establishment of a Directorate within the DOT to issue directives and exercise oversight over the following:

- *Policy advocacy programme*
A national policy advocacy programme must be developed. The advocacy programme must clearly define the roles of the DOT and the PDOTs. Communication material to be used on national and provincial level must be developed by the DOT. The various target groups must be clearly defined. These should range from other relevant government departments, service providers, schools, parents, and local government structures.
- *Scholar transport transitional structures*
The DOT will be responsible for chairing the transitional structure.
- *The implementation of institutional arrangements*
The DOT must co-ordinate the implementation of the institutional arrangements.
- *Identifying subsidy mechanism*
The subsidy unit within the DOT must facilitate the subsidy mechanism.
- *Administration of subsidy*
The administration of subsidy must be undertaken by the DOT subsidy unit.

- *The implementation of safety and service standards*

In spite of the fact that the safety and service standards prescribed by this policy will contribute towards a safe and reliable scholar transport service, objections from stakeholders such as scholar transport operators, communities, parents, local governments, schools, scholars and teachers can be expected. The smooth implementation of the standards could be ensured through:

- the promotion of school travel plans
- road safety programmes in conjunction with the Road Traffic Management Corporation (RTMC)
- training and education for scholar transport drivers
- active participation of all stakeholders in the planning process

- *The development and implementation of a national scholar transport database*

Statistical vagueness, resulting from a lack of information, has a limiting affect on determining the effectiveness of policy implementation. A national integrated information system is needed to monitor and evaluate the implementation of the policy on scholar transport and to develop a benchmark to compare performance.

The information in the national database must be indicated on various levels, from national to provincial, regional and local levels. The monitoring and evaluation will be made possible if information regarding the following is contained in the database:

- contracted scholar transport service providers
- contract details
- uncontracted operators
- vehicles used for scholar transport
- drivers of scholar transport vehicles
- traffic offences
- schools participating
- scholars participating
- routes (number of routes, location, length, urban/rural, number of scholars per route, etc.)
- number of scholars cycling
- number of scholars walking
- penalties (late/early arrival or departure, no trip, etc.)
- driver misconduct
- scholar misconduct
- accidents
- injuries
- fatalities

- *Formalisation of the scholar transport industry*

The DOT must initiate a process to formalise the scholar transport service industry. The formalisation will ensure that service providers and drivers comply with all the standards as set out in the policy. The affiliation to a professional body will assist with the monitoring of service levels.

- *The development of provincial implementation plans and strategies*

Provinces must develop provincial scholar transport plans and strategies aligned with the national scholar transport policy. These plans, after approval by the MEC, must be submitted to the DOT at specified times which will allow the DOT in turn to submit the national scholar transport budget to Treasury on time.

- *The development and amendment of legislation*

The DOT is responsible for developing the legal requirements for the implementation framework. The regulation alterations are determined by the issues mentioned in the policy statements.

Alterations to regulations will be determined by the statements regarding the following as they appear in Section 3 of this policy document:

- Route accessibility and safety
- Emergency procedures, equipment, training and qualifications
- Speed limits
- Vehicle specifications
- Certification of operators and drivers
- Curricular and extra-curricular trips
- Regulations for operators
- Code of conduct for drivers and passengers
- Provisions for scholars with disabilities

5.2 CONCLUSION

The DOT is committed to the provision of safe and reliable scholar transport. In pursuit of the vision for the provision of scholar transport, the Department seeks to prioritise the policies contained in this document and translate these into practical service delivery initiatives.



APPENDICES



transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

APPENDIX 1

LIST OF ABBREVIATIONS

BBBEE	- Broad Based Black Economic Empowerment
DoE	- Department of Education
DOT	- Department of Transport
IDP	- Integrated Development Plan
ITP	- Integrated Transport Plan
km	- Kilometres
KPI	- Key Performance Indicator
LDV	- Light Delivery Vehicle
NHTS	- National Household Transport Survey
MEC	- Member of the Executive Committee
MEC	- Minister of the Executive Committee of a Provincial Government
MTCD	- Model Tender and Contract Documents
NLTSP	- National Land Transport Strategic Framework
NLTTA	- National Land Transport Transition Act
PDE	- Provincial Department of Education
PDOT	- Provincial Department of Transport
PDP	- Professional Driving Permit
PFMA	- Public Finance Management Act
PLTF	- Provincial Land Transport Framework
RTMC	- Road Traffic Management Corporation
SASA	- South African Schools Act
SGB	- School Governing Body
SMME	- Small, Medium and Micro Enterprises

APPENDIX 2

GLOSSARY

- Broad Based Black Economic Empowerment – is defined as an integrated and coherent socio-economic process that directly contributes to the economic transformation of South Africa and brings about significant increases in the numbers of black people who manage, own and control the country's economy, as well as significant decreases in income inequalities.
- Contract - is an agreement between an authority and an operator regarding the delivery of a specified service at an agreed price.
- Framework - is an outline or skeleton which provides the structure and form around which a plan or policy or strategy is constructed.
- Goal - a goal is an idealised end-state of the system or a desired direction of the evolution of the system.
- Issue - an issue arises in a national, district or local community when there are conflicting goals and objectives (desires or perceptions) within the community.
- Key performance indicator - is a yardstick or standard established to measure levels of performance and achievement.
- Non-contracted service – is a public transport service other than one operated in terms of a commercial service contract, subsidised service contract, current tendered contract, interim contract or concession agreement.
- Objective - an objective is a target, the attainment of which will help towards reaching a stated goal.
- Policy - a policy is an adopted framework or basis for the action needed to overcome identified problems and achieve stated goals and objectives.
- Problem - a problem is an unfulfilled or unattained goal or objective.
- Public transport - is the conveyance of people or freight for reward by any travel mode whether car, metered taxi, minibus-taxi, bus, tram and light and heavy rail.
- Roadworthy certificate – is a certificate certifying the roadworthiness of a motor vehicle in accordance with the requirements of the Road Traffic Act, 1989 (Act No. 29 of 1989).
- Scheduled service – is a public transport service operated by road by a motor car, minibus, midibus or bus on a particular route or routes in accordance with a timetable.
- Special categories of passengers - means scholars, persons with disabilities, tourists, transferring long-distance passengers, the aged, pregnant women and those who are limited in their movements by children with or without pushchairs or prams.
- Subsidised service contract means an agreement, other than an interim contract or a current tendered contract, concluded between a contracting authority and a public transport operator to operate a scheduled service provided for in a public transport plan.
- Tendered contract - the authority to operate a public transport route or network at tendered contract rates.
- Vision - a vision is a commonly-shared foresight of future conditions.