



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
EDUCATION

**REVIEWED
DEPARTMENTAL
POLICY
ON**

SCHOLAR TRANSPORT

1. DEFINITIONS OF CONCEPTS

"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, subjected to section 32.

"Department" means the Department of Education.

"Group leader" means a learner in charge of a group of learners in a learner transport vehicle.

"Head of department" in relation to the Provincial Department of Education means the head of the provincial department of education.

"Midibus" means a motor vehicles designed or lawfully adapted by a register 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" 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 Recapitalization programme specification for a minibus published by the Minister of Transport.

"Operating license" means such a license required by section 59 and granted and issued in accordance with this Act or the previous Act.

"Operator" means a person carrying on the business of operating a public transport service.

"Permit" means a public road carrier permit or similar authority issued in terms of the Road Transportation Act, 1977 (Act No. 74 of 1977) or another law predating the previous Act and recognized as valid by the previous Act, and which is in force and has not yet been converted to an operating license on the date of commencement of this Act.

"Property" means that portion of private property on which a public school is/or will be situated which is referred to in regulation 5(1) (SASA).

"Public school" means a public school as defined n Section1 of the SASA Act, 1996 (Act No. 84 of 1996).

"Roadworthy certificate" means a certificate certifying the roadworthiness of a motor vehicle in accordance with requirements of the National Road Traffic Act.

"Safety standards" means norms referring to protective measures.

"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 license.

"School day" means a day in a school term on which tuition is scheduled to take place at a school, to pupils enrolled at such a school.

"School holiday" means a period between two consecutive school terms during which tuition is suspended.

"School term" means any one of the periods into which a particular school year is divided for tuition purposes and fixed as such by the head of education at a particular school.

"School" means a pre-primary, primary or secondary school.

"Stakeholder" means an organization or body with a direct and continuing interest in the education institution, programme, phase or sector in question.

"Timetable" means a published document informing learners of headways, that is interval between departures of the passing of vehicles, or times when and places where learner transport services are available, indicating at least origin and destination points and significant intermediate pick up points along the route.

"Trip" means a journey to and from school.

"Unauthorized passenger" means any person not permitted to be in a learner transport vehicle.

2. PURPOSE OF THE POLICY

The purpose of this policy is to set out guidelines for the department to ensure the rights of learners to access their learning facility with ease. To ensure that the department has a working document that will promote effective service delivery and compliance. Furthermore the policy seeks to enhance effective teaching and learning through provision of scholar transport to needy learners. The policy seeks to accomplish the following:

- 2.1. To provide scholar transport to all qualifying learners
- 2.2. To maintain a sustainable service delivery
- 2.3. To ensure Scholar transport that is affordable, reliable, safe and secure to all
- 2.4. To maintain a healthy relationship with service provider rendering services
- 2.5. For effective use by Principal of benefiting schools
- 2.6. To foster participation by parents and other interested stakeholders in education

3 . BACKGROUND AND INTRODUCTION

The Limpopo Province is largely rural, marked by scattered and dispersed rural settlements. It also has a significant share of poor communities residing in commercial farms. These conditions make it difficult to provide access to learning facilities.

At the same time public transport system is underdeveloped in these areas. The situation is likely to remain for decades to come, as the development of public transport corridors is a function of available or potential thresholds to support them.

The sparseness of the settlements and the scarcity of the learning facilities expose poor learners to adverse conditions detrimental to conducive learning. These conditions include but not restricted to weather, crime, exhaustion, etc.

Currently learners who are residing in commercial farms walk distance from 05 Km and above to and from school

4. LEGISLATIVE CONTEXT

The Constitution of South Africa, 1996 (Act No. 108 of 1996): It provides the right of access to education by all scholars;

3.1. The draft policy is guided by the White Paper on National Transport Policy.

3.2. National Land Transport Transition Act, 2000 (Act No: 22 of 2000)

3.3. The National Road Traffic Act, 1996 (Act No: 93 of 1996)

3.4. Other relevant legislations are Public Transport Action Plan and National Land Transport Strategic Framework

3.5. The South African Schools Act (Act No: 84 of 1996)

5. POLICY STATEMENT

The Departmental Scholar Transport Policy seeks to ensure and protect the right of learners to access education as entrenched in the Constitution of the Republic of South Africa. The Policy further seeks to ensure that scholar transport shall be affordable, reliable and safe and secure as prescribed by law.

6. OBJECTIVES

6.1. To ensure that learners access public schools with ease.

6.2. To minimize the walking distance for learners at farm and rural schools.

6.3. To create jobs for transport operators, ensure the procurement and formalization of scholar transport services in a transparent and accountable manner whilst promoting BBBEE.

6.4. To provide sustainable and affordable mobility.

6.5. To ensure that safety of learners and service standards are met within the Learner Transport Scheme.

7. NEEDS ASSESSMENT

Subject to paragraph 8, the principal has a responsibility to identify learners coming to school walking a distance of 5km or more per single trip. Identified needs shall be verified by the circuit; and forwarded to the district for preparation and submission of specification to Head Office.

8. ELIGIBILITY FOR SCHOLAR TRANSPORT

All transport needy learners walking a distance of five or more kilometers to school per single trip. Beneficiaries must be learners from Grade R – Grade 12.

8.1. Needy learners walking a distance of five or more kilometers to the nearest public school will be provided with learner transport.

8.2. Learners leaving schools nearer to their place(s) of residence shall not be covered by this programme.

8.3. Parents must complete learner transport forms before the learners can be included in the programme.

8.4. Learners and parents should abide by the learner transport Code of Conduct in the use of learner transport scheme.

8.5. It should be noted that the provision of learner transport shall be finalized by the Department of Education.

8.6. The Department of Education, after consultation with stakeholders must ensure that qualifying learners are selected in line with the identified criteria.

8.7. The Department of Education acknowledges the fact that the school and their communities possess information about learners, and therefore, they are best positioned to identify learners who qualify for scholar transport assistance. Principals, after consultation with the School Governing Bodies and the School community, must identify scholar transport beneficiaries in line with the criteria below:

8.7.1. Beneficiaries must be learners from Grade R – Grade 12.

8.7.2. Learners travelling distance of 5km or more to school.

8.7.3. Learner transport must be to the nearest appropriate grade school.

8.7.4. Parental choice of school would not be a determining factor for provision of scholar transport (Parental choice refers to when parents prefer to register their children schools other than the nearest public school).

9. TRANSPORT PLANNING

9.1. The Service Provider shall be required to transport learners as per specifications.

9.2. Loading/ off- loading zones must be in places where learners are not endangered or become obstacles to other road users.

9.3. The Principals or delegated educators at the benefiting schools shall keep and complete the Daily Transport Register form as well as the Daily Learner Transport Register.

9.4. The School Principal of the benefiting schools shall determine the Time-Table for the learner transportation in consultation with other school(s) if more than one school participates in a route.

- 9.5. The Department of Education shall facilitate and acknowledge the contract between itself and the Service Provider.
- 9.6. The School Principal of the benefiting school(s) shall ensure that the daily documents are completed accordingly.
- 9.7. The School Principal shall ensure that the contracted vehicle travels the distance as contracted and should any changes arise inform the relevant authorities accordingly.
- 9.8. The School Principal shall **immediately** report to the relevant authorities any changes in **learner number and pick- up points**.
- 9.9. The School may constitute a learner transport committee to the benefiting of learners.

10. ROLES AND RESPONSIBILITIES OF SERVICE PROVIDER

- 10.1. To ensure that learners are safely transported.
- 10.2. To ensure that learners access their learning institution with ease.
- 10.3. To ensure that passenger liability is valid and renewed; and thereafter submitted to the department.
- 10.4. To ensure usage of safe mode of transport when transporting learners.
- 10.5. To ensure that learners are transported with approved vehicle as per tender.
- 10.6. To ensure that all necessary documents are safely kept and produced when requested
- 10.7. To comply with transport requirements.
- 10.8. To apply for scholar transport permit once tender is awarded.

11. RISK & LIABILITY MANAGEMENT

- 11.1. Learner transport vehicles must have school bus stickers at the back and front for easy identification.
- 11.2. In the event that any learner transport vehicle is suspected not to be in good conditions, the vehicle shall be inspected by traffic official(s).
- 11.3. All vehicles contracted for learner transport should be of heavy passenger category and must undergo the roadworthiness test on annual basis for COF.
- 11.4. Temporary replacement of vehicle(s) due to breakdowns must be a vehicle of the same category as the one contracted. Replacement on the operating license should also be effected to ensure compliance.
- 11.5. The service provider will be responsible for the **safety** of learners during breakdowns

and to ensure that they reach their destinations.

- 11.6. The service provider shall at all times ensure the driver and vehicle fitness.
- 11.7. The service provider shall ensure that documents to be kept in vehicle are valid and always available for inspection.
- 11.8. The service provider shall ensure that his/her vehicle is tested annually and provide proof thereof to the department.
- 11.9. The service provider shall ensure that invoices for payments are completed correctly, required documents properly attached and submitted at the prescribe time.
- 11.10. No unauthorized person shall be carried on the vehicle when driver/operator goes for trips from specified pick up points to school and return.
- 11.11. Operator /Drivers shall service the school according to given time tables.

12. PROCUREMENT PROTOCOLS

- 12.1. Procurement for learner transport services shall be through tender process facilitated by Supply Chain Management (SCM)
- 12.2. The successful bidder shall be awarded a tender.
- 12.3. The appointed service provider shall not assume duties, unless service level agreement and contract forms shall have been concluded by both parties.
- 12.4. The learner transport contract shall be for the period as stated on the **Service Level Agreement**.
- 12.5. The transport days shall be the normal school days for the RSA. (Excluding weekends, Public Holidays & School Holidays).
- 12.6. The duration of the contract shall always be in writing. The service provider shall have a valid scholar transport operating license for the duration of the contract.
- 12.7. No service provider shall be allowed to operate on extension without **prior approval**.

13. REQUIREMENTS

- 13.1. Original Tax Clearance certificate
- 13.2. Registration certificate of the vehicle. (Vehicle should comply with the current legislative requirement regarding Public transportation)
- 13.3. Certificate of fitness. (COF) Road Worthy.
- 13.4. Passenger's liability of R50 000 or more per passenger per incident.
- 13.5. Copies of the certified permit/ operating license similar to the vehicle registration
- 13.6. Certified copy of the driver's license and Public driving permit (PDP)
- 13.7. Permit/ operating license valid for the vehicle.

14. OUTSOURCING

The Department of Education does not have a fleet and/or buses in order to transport learners to their respective learning institutions. We however outsource this function to capable service providers.

15. SAFETY & SECURITY (e.g. cert of roadworthiness, qualification of drivers, vehicle inspection)

- 15.1. Original Tax Clearance certification.
- 15.2. Registration certificate of the vehicle. (Vehicle should comply with the current legislative requirement regarding public transportation.)
- 15.3. Certificate of fitness. (COF) Road Worthy.
- 15.4. Passenger's liability of R50 000 or more passenger per incident.
- 15.5. Copies of the certified permit / operating license similar to the vehicle registration.
- 15.6. Certified copy of the driver's driving and Public Driving Permit (PDP).
- 15.7. Permit / operating license valid for the vehicle.

16. CONTRACT MANAGEMENT (GUIDELINES FOR LEARNER TRANSPORT)

- 16.1. Monitor compliance with the regard to contract specification.
- 16.2. Monitor compliance with regard to Service Level Agreement (SLA).
- 16.3. Both parties should monitor compliance.
- 16.4. If there is a breakdown or accident, the replacement should be in good condition and also according to specification.
- 16.5. If the trip is incomplete the department will not pay.
- 16.6. The Department shall not pay for non-delivery OR for any trip undertaken without learners on board.
- 16.7. Clear directives relating to exiting the programme.

17. SUPERVISION, MANAGEMENT AND MONITORING

- 17.1. Monthly claims must be submitted to Head Office by District officials on or before the 7th of each preceding month.
- 17.2. Service providers are urged to submit correct version of actual kilometers travelled and total number of learners ferried according to specification.
- 17.3. Submitted monthly claims shall have been checked and certified correct by responsible managers beforehand (starting from the principal to the circuit then district office and finally to head office for execution).

- 17.4. Submission of claims is not a choice but an obligation.
- 17.5. Monitoring of learner transport shall be done on a continuous basis.
- 17.6. Spot – checks shall be carried out without notice.
- 17.7. Traffic officers shall at any given time monitor learner transport.
- 17.8. Monitoring shall remain responsibility of department of education officials.
- 17.9. Principals, educators and SGB's of schools participating in learner transport should assist the Department by being whistle blowers when certain conditions are being violated.
- 17.10. Department of Education will be responsible for programme monitoring and evaluation in all districts.

18. GUIDE ON LEARNER CODE OF CONDUCT IN RESPECT OF SCHOLAR TRANSPORT

- 18.1. There will be no amount of alcohol, drugs or any anti-depressant allowed on the bus
- 18.2. No dogs, cats or any kind of pets allowed in the bus.
- 18.3. No guns, knives or any kind of dangerous weapons are allowed on the bus
- 18.4. Only learners and no other person shall be allowed on the bus
- 18.5. No petrol or any kind of inflammable liquid is allowed on the bus
- 18.6. Learners must respect their driver all the time
- 18.7 No bullying or fighting while on board
- 18.8. Verbal abuse or swearing will be allowed
- 18.9. Learners are not allowed to eat while on board
- 18.10. No littering in the bus
- 18.11. Bus may only be boarded or alighted while not in motion
- 18.12. All learners should be punctual
- 18.13. Damaged to property by learner(s) will be responsibility of their parent(s)
- 18.14. Learners should stick to their pick-up points

19. GUIDE ON OPERATOR /DRIVER CODE OF CONDUCT IN RESPECT TO LEARNERS

- 19.1. All drivers shall adhere to the rules and regulations of Road Traffic Management Co-Operation

19.2. Learners shall be allowed to board and alight the bus only when it has stopped

19.3. Driver shall not allow any friend, relative or non-scholar on the bus

19.4. No drugs of alcohol shall be used or sold on the bus

19.5. No petrol or any kind of inflammable liquids are allowed on the bus

19.6. Smoking is highly prohibited on the bus

19.7. Driver must always keep to the speed limit (80KPH)

19.8. Driver shall not abuse or molest any learner

19.9. Driver shall report any damage to property to the principal

19.10. Late arrival and departures as well as early departures shall be avoided at all cost

19.11. Driver shall operate according to specifications.

19.12. Driver shall inspect the condition of their vehicle before departure

19.13 No buying and selling or littering in the bus.

20. GUIDE ON PARENTS CODE ON CONDUCT IN RESPECT OF SCHOLAR TRANSPORT

20.1. Parents should timeously register their children for participation in the learner transport scheme

20.2. Parents must complete learner transport scheme forms for their learners to benefit from the programme.

20.3. Parents should abide by learner transport code of conduct.

20.4. Parents have responsibility to see that learners abide by learners code of conduct.

20.5. Parents should ensure that children attend school regularly.

20.6. Parents should take responsibility of their children to and from pick – up points.

20.7. Parents should report any irregularity to the school.

20. POLICY REVIEW

Amendment/Review of Policy Document will be done annually or where need arises.


Head of Department


Date