

Could the committee be provided with an update on the general progress of the work that is currently being undertaken in relation to the devolution of powers with regards to school bus safety.

Discussions are ongoing between solicitors in the Scottish Government and the Department for Transport. These discussions have centred on identifying a suitable mechanism that might be used to transfer the same powers and latitude as has been afforded to the Welsh Assembly – essentially whether an Order made under section 30 or section 63 of the Scotland Act would be suitable. It looks likely that this will be section 30 and we expect this to be confirmed shortly.

We have also discussed with policy colleagues in Wales the types of safety measures they have included in their learner transport legislation which include the powers given to the Welsh Assembly enable Welsh Ministers to regulate on:

- The type of vehicle which could be used;
- The equipment which may be fitted to such a vehicle, for example, seat belts and CCTV cameras;
- Risk assessments to be carried out on learner transport
- Driver training
- Enforcement

We have established that, as a result of the learner competence order for Wales, the Welsh Assembly has passed the Safety on Learner Transport (Wales) Measure 2011. This provides the Welsh Ministers with regulatory powers in relation to CCTV, risk assessments, driver training, supervisors on learner transport and enforcement. It also placed a requirement that all buses used for school bus transport must have a seatbelt fitted to every passenger seat by 1st October 2014.

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