



CABINET MEMBER DECISION

Date of decision –31 August 2018

UPDATED SCHOOL CROSSING PATROL POLICY

Relevant Cabinet Member

Lucy Hodgson – Cabinet Member with Responsibility for Communities

Relevant Officer

Director of Children, Families and Communities

Recommendation

1 The Director of Children, Families and Communities recommends that the Cabinet Member with Responsibility for Communities:

(a) notes the proposal and (b) set out in this report and adopts a revised SCP Policy as attached as an Appendix.

Background

1. The Council has an agreed policy for the School Crossing Patrol Service, adopted by Cabinet in November 2017. There is no legal duty to provide any School Crossing Patrol (SCP) Service, but the Council has a discretionary power to do so under the Road Traffic Regulation Act 1984. It should be noted that even where an SCP is provided, it remains the responsibility of the parent and/or guardian to ensure that their child travels safely to and from school.

2. The policy takes account of all legislative requirements including the most recent code of good practice and Road Safety GB agreed guidance notes. (Road Safety GB is a national road safety organisation that represents local government road safety across the UK). The aim of the policy is to provide the School Crossing Service as efficiently, economically and sustainably as possible.

3. Work commenced on bringing the SCP Service in line with the agreed policy in June 2018. Application of the SCP Policy involved moving to close 15 sites, of which 4 were and remain vacant, and re-prioritising investment into road safety education in schools, which local authorities have a statutory duty to offer to all schools. Road Safety Education and training is designed to develop the behaviours and attitudes of all participating school children for safe road use as pedestrians, passengers, cyclists and novice drivers. These are behaviors that are potentially life-long for safe road use, anywhere, at any time, on any journey.

4. Following formal consultation with affected staff and feedback from parents, schools and community groups, two amendments were made to the proposed closures. These were:-

- to keep the SCP in post on the Birmingham Road site while further investigation takes place around improving the traffic management of the site to assess whether the SCP met the requirements of the Policy
- to re-locate the existing SCP in Catshill to a new location from the new academic year as a trial site for one term and then reassess in the light of the Policy.

5. The feedback also highlighted an appetite from schools/community groups to conduct a review of the current policy so as to consider introducing the sponsorship of SCPs where they would otherwise not be funded and provided by the Council in line with the November 2017 SCP Policy . A review of the SCP Policy has since been carried out and the proposed changes are outlined in the following section.

Proposed Policy Change

6. As outlined in paragraph 2 the existing policy takes into account all legislative requirements including the most recent code of good practice and Road Safety GB agreed guidance notes. Therefore, there are no proposed changes to the criteria to assess the need for a school crossing, and whilst the

10. In relation to the employment and management of SCPs, Section 26 (1) of the Road Traffic Regulation Act 1984 (as amended) states: “*Arrangements may be made by the appropriate authority for the patrolling of places where children cross roads on their way to or from school, or one part of a school to another....by persons appointed by or on behalf of the appropriate authority, other than constables*”

11. This means only the Council can appoint statutory SCP patrols or arrange for them to be appointed on their behalf. Patrols do not need to be paid employees, but they must be appointed by or on behalf of the council.

12. Section 26 (3) also states that the functions of the appropriate authority “*shall include the duty to satisfy themselves of the adequate qualifications of persons appointed to patrol, and to provide requisite training of persons to be appointed*”. Where it exercises its discretion to provide SCPs, the Council cannot ignore the duty to make sure suitable people are recruited and trained properly, even if patrols are sponsored by schools or community groups. This would have to be part of the legal agreement between the Council authority and the body/organisation sponsoring the service.

13. Where sponsorship for SCP is considered, the delivery of the service and management of the SCPs remains with the Council as it remains a statutory function and in order to utilise existing knowledge and expertise to train, manage and risk assess SCPs. It also allows a consistency of practice across the county and ensures the proper appointment and train 1.667 0 Td [(c)-(he s).3(he)]TJ -0.00.5(i)-0.8(nt)3J 0.0044.3(es)-4(7.2(h t)nt)

Privacy and Public Health Impact Assessments

18. The proposed changes to the Policy have no public health impact.

Equality and Diversity Implications

19. This Policy review is focussed on the locations of the patrols and not the pedestrians using the sites. The evidence on which the recommendations on this report are based was taken from Traffic Survey data that was compiled for each site.