



07 DEC 2017

Tony Meyer
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Dear Mr Meyer

Thank you for your email of 13 November 2017 requesting the following information:

- *A copy of all active policy / processes / procedures / guidance (etc) from the Ministry to the transport networks around the use of the transport (e.g. school buses) by students that do not have a transport entitlement.*

Your request has been considered under the Official Information Act 1982 (the Act).

The Ministry provides School Transport Assistance (STA) through contracted and funded services.

STA is provided to students who meet the Ministry's eligibility criteria. More information about eligibility is available here:

<http://www.education.govt.nz/school/running-a-school/school-transport/sta-eligibility/>.

In addition, we operate Special Education School Transport Assistance (SESTA) for students with specific safety and mobility needs and for whom a school bus or public transport is not suitable. We may also pay a conveyance allowance to families whose children are eligible for school transport assistance but where there is no bus available. As your request refers to "transport networks/groups" we have regarded these services as outside the scope of your request.

Contracted Services

- Contracted school transport services are where there are sufficient eligible students in an area to design a viable bus route. Where this occurs, the bus route is offered under tender to local bus/transport companies. The result is a Transport Service Provider (TSP) contracted to operate the bus route under a transport service contract.
- The last national tender occurred in 2008 with a 1 January 2009 start date. The contract had a possible 12 year life consisting of six years plus a possible two three year extensions.

Funded Services

- Directly Resourced (DR) STA is where assistance for the school/network's eligible students is paid directly to the school/network head school Board of Trustees that is then responsible for arranging the school transport services. A DR funded school can operate as a single school or as a network of schools that agree to work together to provide school transport to their students.

- When the national bus operator contract process occurred in 2008, all state and state-integrated schools were offered the opportunity to decide whether they wanted to be directly resourced or have the Ministry contract bus routes for their eligible students.
- Schools or networks of schools that chose to be directly resourced are responsible for providing their eligible students with STA and are funded under the DR Memorandum of Agreement (MoA). The current DR MoA is dated 1 January 2015.
- Māori Medium School (MMS) funding is where school transport assistance for the school's eligible students is paid directly to the school Board of Trustees that is then responsible for arranging the school transport services. This is the same as DR above, but the eligibility criteria and funding formula for MMS is different. A Māori Medium School is a kura, kura kaupapa Māori, wharekura, or designated character school providing education in te reo Māori under section 155 or 156 of the Education Act 1989. The current MMS MoA is dated 1 January 2011.

The Ministry permits TSPs, DR, and MMS schools to transport ineligible (ie; 'without a transport entitlement') students by way of clauses in their contracts/agreements with the Ministry. However, the decision to actually transport those ineligible students rests entirely with the TSP or the school/head schools' Board of Trustees, not the Ministry.

Because the Ministry's focus is on the transport of eligible students, there is little information provided to 'transport networks' about the transport of ineligible students except as provided in the relevant contract/agreement.

Attached as **Appendix A** is a table which outlines the various agreements currently in place and the clauses relevant to the transportation of ineligible students. Copies of the relevant clauses, which I am releasing to you in full, have been extracted and are attached to this letter as **Appendix B**.

Thank you again for your email. You have the right to ask an Ombudsman to review our decision on your information request. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Rob Giller
Acting Head of Education Infrastructure Service