



# **LEGISLATIVE COUNCIL**

## **SELECT COMMITTEE ON SCHOOL BUS CONTRACTS**

Plaza Room, Parliament House, Adelaide

Thursday 22 November 2012 at 2:20pm

BY AUTHORITY OF THE LEGISLATIVE COUNCIL

WITNESSES:

IAN GARTLEY, and JOANNA WHITEHEAD, called and examined:

761 The CHAIRPERSON: Welcome to the meeting. The Legislative Council has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. Should you wish at any time to present confidential evidence to the committee, please indicate and the committee will consider your request. Parliamentary privilege is accorded to all evidence presented to a select committee. However, witnesses should be aware that privilege does not extend to statements made outside of this meeting, and all persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament.

For the benefit of Hansard, please introduce yourselves, explaining who you are and where you are from and, if you have any opening remarks or a statement, please continue on with that.

Dr GARTLEY: I am Ian Gartley. Although I am a doctor at Waikerie, I am also on the governing council of the high school and I have been for many years. Prior to that, I was also on the governing council of one of the primary schools in the district. Thank you for inviting us to speak. Joanna Whitehead is one of the staff members at the school.

Ms WHITEHEAD: I on the governing council at Waikerie Primary School.

Dr GARTLEY: Waikerie is like a lot of country towns in that it has a central high school and there are five or six primary schools in the district, to which the students have to be bussed. So, although there are only representatives of Waikerie High School and Waikerie Primary School here today, there are also several other schools in the district which have an interest in these proceedings.

There are a few opening comments I would like to make. There was certainly a lot of initial toing and froing about the negotiations for the bus contracts. Certainly, there seemed to be a lack of consultation with perhaps the schools and the stakeholders about what their thoughts were, although I suppose, with the letting of contracts, that would have been a bit exhaustive and would have taken too long. In addition to that, there seemed to be a relatively short time frame for negotiation between the invitation to tender and the commencement of the period.

The issue is that, because of the issue of buses having seatbelts coming up, it would have meant that, in order to win the new contracts, the transport providers would have had to buy new buses that had seatbelts fitted, which would be a huge major expense. That would be a major imposition for the small town transport operators and would have meant a substantial financial commitment and risk because the local bus operators don't have a lot of work outside of the school contracts from which to draw income. We certainly do applaud the fact that the tenders that were given to the local contractors were for a very significant length of time, so that is able to be viable for them.

In a small country town such as Waikerie, we are experiencing very severe economic conditions. There have been years of drought. Even the broadacre farmers have been feeling the pinch, despite a pretty good year last year. All of the viticulture and viniculture are in the doldrums pretty much. No-one is making any money from those, really; they are just sort of keeping their heads above water and hoping that next year will be better, which seems to have been about the same for a long time.

One of the major things about the contracts being given to the local operators is that, first, they provide work for the local community. There is no guarantee that, if they had been awarded to companies from interstate or from outside of the region, people from within the region would have been employed. In addition to that, there would have been no obligation on them to have their vehicles serviced within the region, which is the case with the local operators.

There would also been no obligation on their part to make those buses available for transport for local clubs and other organisations. In addition to that, the local operators have also been very generous sponsors of sporting clubs and other such institutions in the town, which

has been a very good source of income, so that they do not have to rely on other businesses, which are also doing it very tough on a secondary level.

There was a bit of an issue as far as we were under some concern about the question of flexibility of the contracts that were awarded, whether a particular bus had to do it, whether there could be changes to routes, given the changing demographics. Our town demographics change quite a lot more than a lot of other towns. There are a lot of the itinerate workers who work in the area. These people often start work at dawn and work through till dusk. They cannot afford to take time off to take their children to school and really do rely on the town bus. There is also, it seems, an idiosyncrasy locally with respect to the situation with schoolchildren who live on the other side of the river, and I will perhaps get Joanna to talk about that.

Ms WHITEHEAD: We have a river that separates the community. On one side of the river is a town, on the other side of the river are the horticultural areas. We have a problem that the children on the other side of the river are not allowed legally to cross on the ferry. We have a ferry: we do not have a bridge. They are not allowed to cross the river without being accompanied by a guardian, which makes it difficult for those people who live within the five-kilometre exclusion zone. So they cannot actually walk to school, they cannot ride to school. They must be taken physically by a parent.

That's all very nice, but the parent works on the other side of the river and to actually cross the river and come back again you must budget for at least an hour, despite the fact that you are under five kilometres. Sometimes there are 26 cars waiting for that ferry. That will take a long time for your child to get to school. However, if the child is on a school bus, the school buses get priority and they can get to school. Those children that actually live within the five-kilometre exclusion zone cannot get to school on time if, particularly during harvest season, you have three semitrailer loads full of grapes. It's ad hoc. You never know what's going to happen.

We would actually like to make the recommendation that, for those children living within that five-kilometre exclusion zone, you can make an exemption for them and allow them to get on the school bus, which actually will go past their front door. It may mean rerouting of buses to ensure that children actually are able to go to school. We realise it's quite a unique situation and there'll be very few towns in the whole of the state that will ever have to face a ferry. So that would be our recommendation—provide benefits for the children and the parents to allow them actually to gain employment elsewhere rather than spending their life transporting children.

The other problem is that, once your child is over there, if they're in high school, there is no care. We cannot provide care. Primary schoolchildren get out of hours care. If your child happens to be 13, they are not eligible. They are left on the street until somebody can come and take them across on the ferry.

762 The Hon. G.A. KANDELAARS: Technically, that's outside the terms of this inquiry. Have you made any representation to DECD about that particular issue, and can you give us further details which I am sure we can follow through with? I can understand where you are coming from. What you are saying is because the ferry at Waikerie crosses the river, notionally, kids are not allowed on the ferry unescorted but because they are within five kilometres of the school they aren't eligible for the bus?

Ms WHITEHEAD: Yes.

763 The Hon. G.A. KANDELAARS: Although I would have thought there are a number of other places in the state which have the same issue?

Dr GARTLEY: The only one that springs to my mind is Mannum.

764 The Hon. G.A. KANDELAARS: Morgan?

Ms WHITEHEAD: There is no high school in Morgan.

765 The CHAIRPERSON: Mr Kandelaars is technically correct, that it is outside the broad terms of reference we have. Nonetheless, it is an important issue and the committee would be very happy to take that up on your behalf, because it doesn't make a lot of sense.

Dr GARTLEY: There certainly has been some discussion, and the initial impression that we've had from DECS is to say, 'Well, that 5 kilometre exclusion zone is

sacrosanct.' They say that if they live less than 5 kilometres from the school, then they are not entitled to go on the bus.

766 The Hon. R.L. BROKENSHIRE: Just a point of clarification on that, and I won't declare where, but I am aware of where children do get an opportunity within the 5 kilometres. The subject-to condition is that that bus is not full and that if, outside of the 5 kilometres, growth occurs and the bus becomes full, they would be excluded, but if there's room on the bus, I am aware that DECS do, through the school, allow that which makes common sense. Are these buses full?

Ms WHITEHEAD: One of the buses is full. There is another bus that has about 15 empty seats, and that goes very close to another bus route where there are children within the 5-kilometre zone. It is basically empty, but the bus route, from what we gather talking to the contractors, cannot be changed to allow access for those children to get on the bus.

767 The CHAIRPERSON: I think the committee is well aware of that issue. Just coming back, how many buses in the Waikerie area are not now operated by their local operators; that have lost contracts to outsiders?

Ms WHITEHEAD: All the buses are operated by locals.

768 The Hon. G.A. KANDELAARS: So, all the locals?

Dr GARTLEY: Yes, all the locals who tendered were successful.

769 The CHAIRPERSON: So your main issue really is about the 5-kilometre exclusion zone and a change of the rules, effectively, to allow those children to get on a bus and come across the river?

770 The Hon. M. PARNELL: You've possibly just answered the question, but in your submission—and I am aware that it was a year ago, and so things have changed—but one of our terms of reference was the inclination of new contractors to support small communities. I was going to ask you whether there was any experience—but if your existing operators all got their contracts back then there is no evidence one way or the other about whether the new people did or didn't live up to that expectation.

Ms WHITEHEAD: Yes, we were very pleased, having submitted that submission, that the contractors remained local.

Dr GARTLEY: Yes, one of the local contractors said, 'This is all too hard' and didn't tender, but another of the local contractors was able to win that route. So we were certainly very pleased and relieved when that happened.

771 The Hon. G.A. KANDELAARS: One further question, because within your submission there's a question about DECS policy to upgrade the fleet, and I was a bit concerned about how this is written because I would have thought, generally, the school community would actually encourage the improvement of the fleet to include the likes of eco-friendly vehicles and seatbelts for students. Admittedly, some of that policy, from what I understand in terms of DECS's own fleet, will take a while to fully implement, but I would have thought that that would have the full support of the school population per se.

Dr GARTLEY: I certainly agree it would have the full support of the school population that the buses are safer, that they have seatbelts for children and also that the buses are air-conditioned. That is a huge problem in summer. The temperature inside that school bus might—and due to some of the routes, it may take upwards of an hour to get the child home, and if they're sitting in a bus that is 55 degrees inside, they are not in good shape when they get off.

772 The Hon. G.A. KANDELAARS: Waikerie is pretty hot.

773 The Hon. M. PARNELL: I'm going to test the patience of the committee and go back to this ferry again. As a parent of kids, my kids walk to school, they ride their bikes and things like that. Who enforces it? If a kid turns up at the ferry on a bicycle and says 'I'm riding to school,' does someone chuck them off?

Dr GARTLEY: The ferry driver says, 'You're not allowed to get on.'

774 The Hon. M. PARNELL: And whose rule is that? Who makes that rule?

Dr GARTLEY: I don't know. We assume it's some directive from Transport SA.

Ms WHITEHEAD: Yes, it's not Transport SA anymore, but you know.

Dr GARTLEY: They've changed the name. We were getting familiar with the name, so they changed it.

775 The Hon. M. PARNELL: It's bizarre. I mean, a kid could ride a bike on a path along a river and be more at risk of falling in and drowning than they are by going onto a ferry, I would have thought.

Ms WHITEHEAD: It's interesting, though. Getting on and off a ferry as a pedestrian is not safe. I have often taken the boys on and off the ferry as a bit of an excursion in our own town. You are also riding your bikes on. You have got a B-double next to you, and a 13 year old on a bike, plus a B-double is just—

776 The Hon. G.A. KANDELAARS: It needs some form of supervision. You talked about the lack of consultation with the schools. Can you give us some idea of what consultation took place? I presume that this consultation would have occurred at a number of levels. Were these school governing councils given any briefing about what was happening in relation to the school bus contracts?

Dr GARTLEY: My understanding was that the schools were informed about what was essentially going to be basically the bottom line as far as things go in generalities, not really specifics. We were told that the buses were expected to be eco-friendly, have seat belts, have air conditioning and that sort of thing. The governing council was briefed, but opportunities to have input to feed back through the school were pretty limited.

777 The Hon. R.L. BROKENSHIRE: Further to that, and based on some evidence we had earlier today, both of you have been on school council for how many years, just for the record, please?

Ms WHITEHEAD: I have been on school council for 18 months.

Dr GARTLEY: I have been on school council since 1995.

778 The Hon. R.L. BROKENSHIRE: Okay, so you graduate. The question is around principals and issues with, perhaps, a bus driver who is driving a bus on a particular bus route. Can either of you recall a time when these issues have come up—hopefully they haven't because everything is fine—where either the council has questioned the principal about practices with buses, drivers, or both, or whether the principal has reported to the school council on the issue?

Dr GARTLEY: Waikerie might be a little unusual. I have been there 22 years—I'm not a local, of course, never will be, I wasn't born there; my kids have some chance because they went to school there—and almost all the people who are driving the buses now were driving the buses when I got there. Although they bemoan the fact that you're not allowed to use corporal punishment, or anything like that anymore, they still are pretty skilled at keeping the children in line, and they don't hesitate to deny that child the use of the bus if their behaviour is not up to scratch. They are pretty much sticklers for the children not doing dangerous things like running in front or behind the bus, and that sort of thing. We have had very little occasion to have any concerns raised about the bus drivers.

Ms WHITEHEAD: The only concerns I have heard are over the temporary bus drivers, the relief bus drivers, who don't know how to get onto the ferry or stop in time.

779 The CHAIRPERSON: There being no further questions, thank you for your evidence. Certainly, with respect to the issue of the ferry, all committee members agree with you. It seems crazy and we will do what we can to see that resolved. Thank you very much.

780 The Hon. R.L. BROKENSHIRE: We are actually happy to see a Cadell ferry and ferries operating along the river. Some of us are very happy about that.

Ms WHITEHEAD: We are very happy about that one.

I. GARTLEY  
J. WHITEHEAD

Dr GARTLEY: Cadell is the last ferry to go out in a high river and the last ferry to go out in a low river. We were just gobsmacked. I had not been there long in 1991 when they were trying to close it down last time, along with the training centre.

781 The CHAIRPERSON: Thank you very much.

THE WITNESSES WITHDREW