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GENERAL ADMIN

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Director of
Education

MANAGEMENT INFORMATION

SUBJECT: Safer and Healthier Routes to School

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Headteachers of all Norfolk Schools & Chairs of Governors

SUMMARY:

The attached letter provides legal advice in respect of the use of bicycles by pupils to travel to school.

ACTION REQUIRED: For consideration especially by schools where pupils are old enough to cycle.

ASSOCIATED
DOCUMENTS:

RELEVANT ASPECT OF EDUCATION DEVELOPMENT PLAN OR OFSTED LEA ACTION
PLAN:

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4 January 2000

Headteachers of all Norfolk
Schools
and Chairs of Governors

Dear Headteacher

Safer & Healthier Routes to School

You may be aware that the above initiative is being promoted by the County Council and several schools are already working with the Planning and Transportation Department on projects. We are keen to encourage walking and cycling for the school journey since this promotes a healthier lifestyle and reduces the dangers of traffic congestion at the start and end of the school day. It is also interesting to note that although most children own bicycles, less than five per cent use them on the school journey but nationally some concerns have been expressed about legal liabilities in respect of cycling.

The DfEE has provided the following legal advice on the question of liability of schools so that they might feel more confident about encouraging cycling as a mode of travel. The advice is endorsed by the County Council's legal advisers -

Liability for bicycles on school premises: schools are not liable for property brought onto their premises and are therefore not liable for pupils' bicycles being stolen or damaged by a third party. Schools should however make this clear to parents. Schools which provide storage facilities could, however, be said to have assumed responsibility for the safety of the bikes while on the premises and might be liable for damage or theft of a bike if the parent could provide that the school (or its employees) were negligent. In these circumstances, a school can avoid this liability by making clear to parents, preferably on the storage facility itself, that it is not responsible for the safety of pupils' bicycles while they are being stored.

Contd...

Responsibility for pupils' safety on the school journey: schools are only responsible for safety on the school journey where they have specifically arranged transport.

You may also wish to note that schools cannot legally prohibit cycling for the school journey, but they are entitled to prohibit bikes from being brought onto the school grounds.

I hope you find this advice useful. If you would like to find out more about the Safer and Healthier Routes to School initiative, please contact Philip Schramm in the Planning and Transportation Department on 01603 222213.

Yours sincerely

Director of Education