

Public Transport Victoria

Practice Note No. 1 of 2019 issued under clauses 12 and 3.1.5 of the School Bus Services Contract

PTV Initiated Service Variations

1. General Context and Status

- (a) The School Bus Services Contracts (**SBSCs**) permit the Public Transport Development Authority (**PTV**) to issue Practice Notes to operators who hold an SBSC (**Operators** or **Operator**) after consultation with the Bus Association Victoria Inc (**BusVic**). That consultation has occurred.
- (b) The SBSCs expressly provide that Operators are not granted an exclusive right to provide the Approved Services under the SBSCs and PTV and BusVic have therefore agreed that the procurement provisions contained in the Services Act do not apply to SBSC procurements or the outcomes of any Service Reviews.
- (c) BusVic acknowledges that:
 - (i) this Practice Note has been issued by PTV to deal with the processes, rights, obligations and consequences relating to and arising from Service Reviews for the SBSC system and is (subject to clause 1(i) below) contractually binding on PTV and all Operators by operation of clauses 12.2.2 and 3.1.5 of the SBSC, other than to the extent of any inconsistency with the Services Act; and
 - (ii) PTV is bound to have regard to the decision making principles and transport system objectives contained in the TIA when exercising powers and performing functions under any transport legislation, including in relation to the matters set out in this Practice Note.
- (d) This Practice Note will be effective on and from 1 January 2020.
- (e) PTV and BusVic may agree in writing to waivers of, or departures from, matters specified in this Practice Note, but subject always to compliance with the Services Act.
- (f) This Practice Note will be made available to Operators by PTV.
- (g) Capitalised terms used in this Practice Note have the same meaning given to them in the SBSC, except where otherwise expressly provided.
- (h) Clauses 19, 25, 26, 30 and 31 of the SBSCs are incorporated into and apply to this Practice Note as if set out in full (with necessary changes being made). References to 'this Agreement' in the incorporated clauses are to be read as references to this Practice Note.
- (i) The benefit under this Practice Note is not available to Operators under temporary SBSCs or tendered SBSCs.
- (j) In this Practice Note:
 - Historic Date** means:
 - (a) the date (if any) specified as the 'Historic Date' in a SBSC; or
 - (b) if a SBSC does not specify an Historic Date, the date of the SBSC or any other date determined by PTV having regard to the circumstances surrounding the relevant SBSC,
 - provided that:
 - (c) if a SBSC specifies an Historic Date and that SBSC is varied (other than in relation to a relocation under clause 3 of this Practice Note), the varied SBSC will continue to carry the Historic Date of the unamended SBSC. This includes if a SBSC is relocated within the same School Centre;

- (d) if a SBSC specifies an Historic Date and that SBSC is terminated (other than by the effluxion of time), the Historic Date ceases to apply and any new SBSC entered into by the relevant Operator will carry a new Historic Date;
- (e) if a SBSC specifies an Historic Date and that SBSC expires and is then replaced with a new SBSC, the Historic Date in the new SBSC entered by the relevant Operator will be the same Historic Date set out in the original SBSC; and
- (f) if a relocation occurs under clause 3 of this Practice Note, then the Historic Date for the new or varied SBSC will be the date determined in accordance with clause 3(d) of this Practice Note.

Service Review means an efficiency review carried out by PTV in relation to the Approved Services provided by Operators at a School Centre in accordance with the processes set out in clause 2 of this Practice Note.

2. PTV initiated service variations

- (a) Under clause 3.1.1 of the SBSCs PTV may terminate any Approved Service or require a variation to or relocation of an Approved Service. If a termination occurs under this clause 2, PTV may re-allocate the remaining services among the remaining Operators at that School Centre.
- (b) Subject to clause 2(c) of this Practice Note, prior to terminating any Approved Service under clause 3.1.1(a) of the SBSCs (and any subsequent re-allocation of the remaining services) or undertaking any variation to, or relocation of, any Approved Services under clause 3.1.1(b) of the SBSCs that has an effect on multiple SBSCs at a School Centre, PTV will undertake a Service Review.
- (c) PTV does not have to perform a Service Review when a variation or relocation of Approved Services involves only:
 - (i) the introduction of a new service, with no effect on any existing Approved Services at the School Centre;
 - (ii) a variation to, or relocation of, any Approved Services which affects only one Operator;
 - (iii) a variation to, or relocation of, any Approved Services which involves only the reallocation of students between Approved Services under different SBSCs across the School Centre.
- (d) A Service Review will be conducted in accordance with the 'School Bus Centre Reviews – Procedure Document – PTV School Bus Centre Review' a copy of which is attached to this Practice Note (Attachment 1) (**Procedure Document**).
- (e) The Procedure Document requires that a 'School Bus Centre Review Template (Project Management Plan)' must be completed as part of the Service Review. A copy of which is attached to this Practice Note (Attachment 2).
- (f) PTV may vary the Procedure Document and associated documentation, provided it has first consulted with BusVic.

3. Relocation

- (a) This clause applies where:
 - (i) as a result of a Service Review (**First Review**) conducted in a School Centre (**First School Centre**) PTV notifies an Operator (**Affected Operator**) that its SBSC is to terminate; and
 - (ii) prior to the termination date of the Affected Operator's SBSC (**Termination Date**), PTV identifies a need for a new service or services that have not become the subject of a permanent SBSC at an adjacent or nearby School Centre (**Alternate Location**), whether through a Service Review or otherwise.

- (b) PTV may, prior to the Termination Date, offer the Affected Operator the opportunity to relocate to an Alternate Location on the terms of the Operator's original SBSC with such variations as PTV may require.
- (c) If there are multiple Affected Operators and only one Alternate Location or the number of Alternate Locations are less in number than there are Affected Operators, subject to PTV's discretion not to offer a particular Alternate Location to any Affected Operator, Affected Operators will rank in priority for the opportunity to relocate to an Alternate Location according to the Historic Date identified in their SBSC, applying the 'Last On-First Off' principle. If in either instance, there are multiple Affected Operators sharing the same Historic Date, a ballot will be conducted in accordance with the 'School Bus Contract Ballot Procedure Document' a copy of which is attached to this Practice Note (Attachment 3).
- (d) If an Affected Operator is relocated to an Alternate Location under this clause, the Historic Date for the new or varied SBSC will be the date of commencement at the Alternate Location.
- (e) If an Alternate Location does not exist prior to the Termination Date, the term of the original SBSC of any Affected Operator will not be extended to allow for the Affected Operator to be offered an opportunity to relocate to an Alternate Location.
- (f) If an Affected Operator's SBSC is terminated following a Service Review and the term of an Affected Operator's SBSC ends and subsequent to that termination an Alternate Location is identified by PTV whether by way of a subsequent Service Review or otherwise, the Operator will not be entitled to be ranked in priority as noted above, to provide the service at the Alternate Location, but will otherwise be entitled to participate in any open procurement process conducted by PTV.

4. Ballots

- (a) The Procedure Document refers to the conduct of a ballot in circumstances where one or more of the Operators affected by a Service Review hold a SBSC with the same Historic Date.
- (b) If necessary by PTV, it will be conducted in accordance with the procedures contained in the 'School Bus Contract Ballot Procedure Document' set out in Attachment 3.
- (c) Any Operator participating in the ballot may invite BusVic or another industry representative to also be present at the ballot. PTV's decision after any such ballot will be final and binding on all parties.

5. Review Plans

- (a) The Procedure Document refers to PTV publishing a School Centre Review Plan.
- (b) The School Centre Review Plan is a plan prepared by PTV specifying school centres that are intended to be the subject of a Service Review in the identified school year.
- (c) PTV will prepare a School Centre Review Plan prior to the end of December of each school year.
- (d) The School Centre Review Plan will cover a 12 month period ending on the 31st December each year.
- (e) PTV will notify BusVic and Operators when the School Centre Review Plan is finalised and published on the PTV website.

Attachment 1 - School Bus Centre Reviews – Procedure Document – PTV School Bus Centre Review



School Bus Centre Reviews: PTV Procedure Document



SCHOOL BUS CENTRE REVIEWS: PROCEDURE DOCUMENT

This document sets out the procedure to be followed by PTV in conducting a school bus service review.

It is the responsibility of Public Transport Victoria (PTV) to monitor and review the school bus system to ensure services operate efficiently and in accordance with Department of Education and Early Childhood Development (DEECD) school transport policy. The DEECD policy is set out in the “DEECD School Bus Program Policy and Procedures November 2013”.

PTV’s client in the provision of school bus services is the Victorian school community and eligible bus travellers as defined by DEECD policy. In conducting school bus centre reviews PTV will consult closely with all stakeholders, including schools, local communities, school bus operators and DEECD as required under this document regarding appropriate service levels.

PTV regularly undertakes service reviews at school bus centres entailing service audits, load checks to assess compliance with DEECD school transport policy requirements. Many school bus services operate in areas where student numbers are subject to fluctuation, and the level of service provision may therefore require adjustment. In implementing service efficiencies resulting from the review process, PTV endeavours to ensure that eligible students retain reasonable access to the school bus system.

By the end of December each year, PTV will publish the School Centre Review Plan on the PTV website. The plan will include a list of centre reviews planned to be completed in the next listed school year. PTV will also notify BusVic and all school bus operators of the School Bus Centre Review Plan list.

Reviews initiated by bus operators cannot be drawn from the PTV School Centre Review Plan list.

Initial Correspondence

When PTV intends to conduct a review of services at a school bus centre, the PTV School Bus Contracts Manager or School Bus Contracts Officer will write to the Principal of the school responsible for the local coordination of school bus services at the Centre (Coordinating School) at least two school working weeks prior to the commencement of the review. This letter will advise them of PTV's intention to conduct a school bus service audit and review.

The Coordinating School Principal is required to update and provide the school's records in relation to bus patronage and location, student eligibility, current routes and bus stops, timetables, anticipated enrolment variations and any other local factors to PTV.

The Coordinating School Principal is required to notify the Principal of any schools located in the school bus centre that have students using the local bus system of the PTV review.

At this time, letters advising of the commencement of the review will be sent to all school bus operators that provide a service at the relevant school bus Centre.

BusVic will be also advised in writing of the commencement of a centre review. Bus operators who are members of BusVic may invite BusVic to represent them at any time during the review process.

Data Collection and Validation

The PTV representative will collect data from the Coordinating School and bus operators in relation to bus routes, bus stops, passenger numbers and location and student eligibility. This data will be validated through consultation, audits and observation.

Consultation and Meetings

During the Review, the PTV representative will meet and consult as needed with the Coordinating School Principal (representing DEECD and the school community inclusive of School Councils and parents of bus travellers), the School Bus Coordinator and all relevant bus operators. Depending on the complexity and possible policy implications of review findings, consultation may also include client school representatives and DEECD staff. In cases where the Review has implications for the operation of fare paying travellers including those using route services, and/or the Conveyance Allowance, DEECD must be involved in consultation.

If the use of roads not previously included in the school bus network is proposed, it may also be necessary to consult with relevant road authorities regarding the suitability of roads for bus traffic.

Copies of correspondence, patronage data, file notes, records of meetings, telephone conversations and email correspondence that are relevant to the analysis and conclusions reached in the report should be retained and kept electronically on PTV's records management system TRIM.

School Bus Service Centre Review (Project Management Plan)

Following the collection and analysis of relevant data and consultation, the PTV representative will prepare a report using the established templates.

The Project Management Plan template is constructed as follows:

Section 1: Current Services

This section will provide a picture of the existing contracted school bus network at the Centre. It will include tables showing the current routes, vehicles, vehicle seating capacities and patronage (aggregate and by route).

The section will also include a map showing all current routes and bus stops. Where relevant, the map should also show the routes of other bus services in the area that provide services for students (e.g. route services, privately chartered services etc.) and identify those services conveying passengers who receive the Conveyance Allowance.

Section 2: Analysis of Current Network

Findings

This section will identify features of the system outlined in Section 1 that require further consideration or attention.

Issues may include, but are not limited to:

- Routes or service corridors with declining patronage that offer the opportunity for service efficiencies;
- Routes with heavy patronage that could benefit from larger vehicles or extra resources;
- Patronage trends relative to earlier reviews and forecast enrolments;
- Changes in local DEECD education delivery (school closures, restructures etc.);
- Identification of local service arrangements (provision of feeder services, student interchanges, “shared” student eligibility zones, travel eligibility etc.)
- Identification of spurs or route sections operating contrary to DEECD service provision policy.
- Identification of students travelling contrary to DEECD school transport eligibility policies;
- Identification of other transport services (route services, privately chartered buses etc.) providing transport for students;
- Opportunities to upgrade aging vehicles with new better quality units, to facilitate service improvements;
- Identification of the Coordinating School’s Emergency Management Plan;
- Safety issues (e.g. road and weather conditions, bus stop locations, behavioural issues); and
- Community (non-student) use of services.
- Other findings as identified.

Section 3 Proposed Network

Service Proposals

Section 3 will include a description of revised service arrangements proposed by PTV following analysis of the above findings and consultation with the school and relevant parties. This section will include descriptions of proposals to:

- Delete or add contracts;
- Upgrade Vehicles;
- Alter routes;
- Relocate contracts within the Centre. (Note that at the discretion of the Director Network Operations, a contract may, under certain circumstances, be relocated to operate at an alternate centre. Such relocation is subject to School Bus Contract Relocation policy guidelines).
- Re-allocate students to different services or between school bus and fare-paying public transport services. (Note that where it is proposed to re-allocate students between school and public transport services, PTV in consultation with DEECD will have regard to the policy outlined in section 2 of the DEECD School Bus Program Policy and Procedures November 2013 and the following principles:
 - The service outcome should represent the best value for money and cost competitiveness to Government;
 - The service outcome should deliver the highest possible level of service / customer satisfaction to the community;
 - The service outcome should be best placed to accommodate improvements & future growth plans to the network); and

Proposed System

Section 3 will provide a picture of the proposed school bus network. It will include tables showing the proposed routes, vehicles and vehicle seating capacities and patronage (aggregate and by route). This section will also include a map showing all proposed routes and bus stops, and, where necessary, amended timetables and route distances.

Effects of Proposals

Section 3 will include discussion of the effects on student travellers of proposed service changes. Issues may include, but are not limited to:

- Identification of those students who will have their bus stop location and/or pick up and set down times altered;
- Identification of those students who will have increased or decreased travel times, and an indication of the variation in travel times expected;
- Identification of those students who will have a greater or lesser distance to travel to connect with a bus service, and an indication of the variation in travel distance expected;
- Referral of cases to DEECD where students are travelling contrary to DEECD policy, for review and decision;
- Impact on DEECD Conveyance Allowance expenditure; and
- Effect of proposed system on identified safety issues.

Discussion

Section 3 will include discussion of the outcomes of the review proposals, including, but not limited to:

- Ability of the revised system to convey ineligible students (space permitting);
- Ability of the revised system to cater for future enrolments of eligible students;
- Compliance with DEECD policy; and
- Savings or additional expenditure arising from the proposals

If rationalisation is proposed, the contract(s) with most recent Historic Date at the Centre (“last-on” Historic Date contract(s)) will be identified and PTV’s intention to adopt the “Last On, First Off” Historic Date policy and school bus services contract condition will be confirmed. Should one or more contracts share the most recent Historic Date at the Centre, this section will also include reference to the ballot procedure adopted in such cases (refer Ballot Procedure Document).

Consultation

Section 3 will include a summary list of the parties consulted during the service review. It should be noted that consultation with the school community is to be managed by the Coordinating School Principal or his/her delegate.

Section 4: Recommendations

This section will contain formal recommendations to the General Manager, Bus Operations, the Director, Network Operations (where appropriate), and DEECD (where appropriate), in relation to matters arising from the service review, including but not limited to:

- Contract Terminations (including conduct of Ballot where required);
- Provision of additional services;
- Vehicle Upgrades;
- Route alterations;
- Timetables for implementation;
- Issues affecting school bus travel at the Centre;
- Any additional monitoring or follow up reviews in the following school year (following year reviews must be listed on the PTV Review plan list for that year required).

The draft report should be endorsed by the Manager School Bus Contracts and the General Manager, Bus Operations (where appropriate), before distribution to relevant parties.

Report Distribution

On completion and endorsement of the draft school bus centre review report, a copy of the report clearly marked “draft” will be distributed by the PTV representative to the Coordinating School Principal, DEECD and bus operators for further written comment. Any feedback on the draft report must be received by PTV within two school working weeks from the date it was received. Bus Operators who are members of Bus Vic may provide a copy to Bus Vic if they wish.

During the two week feedback period, further meetings or discussions may be held at the instigation of schools, bus operators or PTV, in order to discuss the outcomes proposed in the report.

Although the report may be amended in response to such comments, it is considered that the preceding consultative phase will have provided sufficient opportunity for all parties to contribute their views prior to completion of the report. Should any amendments be considered appropriate for inclusion, a further draft report will be distributed for comment.

It should be noted that while agreement of the Coordinating School and other parties for recommended service changes is desirable, it may not be achieved in all cases. Provided the recommended proposals are based on accurate data and sound analysis, PTV will proceed with recommendations that improve service efficiency and comply with DEECD school transport policies. In cases of disagreement where PTV believes its case is sound, the approval of DEECD will be sought.

Following consideration of the draft report, a final report incorporating the views and comments of interested parties, together with any amendments to recommendations, will be prepared for endorsement by the Manager School Bus Contracts, the General Manager Bus Operations, the Director Network Operations and DEECD (where appropriate).

The final report will then be distributed to all affected schools, bus operators and DEECD. Coordinating schools may distribute the report or advise the school community of its contents and recommendations at their discretion. Bus operators may provide a copy to BusVic if they wish to do so.

Implementation

Upon approval to implement, the following tasks must be completed in a timely manner.

- **Operator Ballot (if required)**
If a ballot is required to determine which contract(s) will be terminated, the procedure set down in the School Bus Ballot Procedure must be followed.
- **Notifications to Bus Operators**
All affected operators must be formally advised in writing by PTV representatives with appropriate delegations of:

| | |
|---|--|
| Contract termination | Chief Executive Officer |
| Route alteration or relocation | Manager School Bus Contracts |
| Vehicle upgrade or reallocation | General Manager Bus Operations or Manager School bus Contracts |
| Revised bus passenger lists, including student names, stops and timetables. | Coordinating Principal |

Notification to Coordinating School

The Principal of the Coordinating School or School Bus Coordinator must be formally advised in writing by the Manager School Bus Contracts, of all approved service changes including:

- Contract termination;
- Route and timetable changes;
- Vehicle changes; and
- Date of Implementation.

Notification to Bus Contract Administration

The Manager School Bus Contracts must ensure that PTV Finance receives timely notification of all service alterations including:

- Contract termination
- Revised route distances
- Vehicle upgrades and relocations
- Route name changes
- Centre name changes

Advice to Bus Contract Administration will be in the form of memoranda accompanied by signed copies of relevant operator notifications.

Review Follow Up

The operation of the revised services should be reviewed by the PTV representative, in conjunction with the Principal of the coordinating school, in the weeks immediately following implementation.

As part of the follow-up, PTV representatives should ensure that:

- All services are operating satisfactorily and safely;
- All amended routes are remeasured and adjusted on contracts;
- Patronage figures are adjusted appropriately on the school bus service data base;
- The school bus mapping system is amended promptly to reflect approved route changes.
- Any justified concerns from schools, parents of student travellers or bus operators are addressed appropriately; and
- Bus loadings are appropriate for the vehicle type.

A brief summary of the follow-up review should be prepared for the Manager School Bus Contracts and the General Manager, Bus Operations, outlining any issues identified and the steps taken to resolve them.

Attachment 2 - School Bus Centre Review Template (Project Management Plan)



Public Transport Victoria School Bus Centre Review

Centre:

Date:

Version:

Trim Reference:



Review Contacts

| | |
|----------------------------|-----------------------|
| PTV | DEECD |
| Coordinating School | Client Schools |
| Bus Operators | Other |

Summary

Outcome of school bus centre review (tick relevant boxes)

- Recommend termination of a service
- Recommend an additional service
- Recommend close service monitoring given low numbers of eligible students
- Recommend close service monitoring given high numbers of eligible students
- Recommend service variations to facilitate route rationalisation.
- Recommend service variations to improve service provision and efficiency
- Follow up review required

Timeframe

(Insert proposed timeframe for implementation of review recommendations)

SECTION 2: ANALYSIS OF CURRENT NETWORK

2.1 Findings

Insert here details of review findings – refer School Bus Review procedure document

Routes or service corridors with declining patronage

Routes with heavy/increased patronage

Patronage trends (relative to earlier reviews and forecast enrolments)

Changes in local DEECD education delivery (school closures, restructures etc.)

Identification of local service arrangements (provision of feeder services, student interchanges, “shared” student eligibility zones, travel eligibility etc.)

Identification of spurs or route sections operating contrary to DEECD service provision policies

Identification of students travelling contrary to DEECD school transport eligibility policies

Other transport services (route services, privately chartered buses etc.) providing transport for students

Vehicle(s) position, age, quality

Identification of Coordinating school’s Emergency Management Plan

Safety issues (e.g. road and weather conditions, bus stop locations, behavioural issues)

Community (non-student) use of services

Other issues identified during review.

SECTION 3: PROPOSED NETWORK

3.1 Service Proposals

Insert here summary of proposals – refer School Bus Review procedure document

Delete or add contracts.

Upgrade/Relocate Vehicles.

Alter/Amalgamate routes.

Re-allocate students to different services or between school bus and fare-paying public transport services.

Relocate contracts within the Centre.

Other issues identified during review.

3.5 Affected Travellers

Insert here summary of effects on both eligible and ineligible student travellers (including fare paying travellers) of proposed changes –refer School Bus Review procedure document

3.6 Discussion

Insert here discussion of outcomes of the review proposals – refer School Bus Review procedure document

3.7 Consultation

Insert here a summary list of all parties consulted during the review process – refer School Bus Review procedure document

SECTION 4: DRAFT RECOMMENDATIONS

The following recommendations are proposed for implementation from *(insert proposed commencement date for service proposals)*.

4.1 Contract Termination(s)/Relocations

4.2 Additional Services

4.3 Vehicle Upgrade(s)/Relocations

4.4 Revised Routes

4.5 Revised Timetables

4.6 Other

Costs and Savings

To ensure the confidentiality of all Operator contractual arrangements, all costs and savings are removed from the distributed reports.

SECTION 5: DRAFT FEEDBACK

5.1 Correspondence Received

Details of any correspondence received after release of the draft

5.2 Correspondence Outcomes

Details of any changes to the draft report as a result of correspondence received.

SECTION 6: APPROVED OUTCOMES

The following recommendations will be implemented effective from
(insert commencement date for service proposals).

6.1 Contract Termination(s)/Relocations

6.2 Additional Services

6.3 Vehicle Upgrade(s)/Relocations

6.4 Revised Routes

6.5 Revised Timetables

6.6 Other

Endorsements and Approvals

| Complete below sections for Draft report. | |
|---|---|
| <p>PTV Representative Undertaking Review:</p> <p>Insert Name</p> <p>Insert Position</p> <p>Signature: _____</p> <p>Date: ____/____/____</p> | <p>PTV Internal Review Completed:</p> <p>Insert name</p> <p>Insert Position</p> <p>Signature: _____</p> <p>Date: ____/____/____</p> |
| Complete below sections for Final Report. | |
| <p>Peter Nelson</p> <p>Manager, School Bus Contracts</p> <p><input type="checkbox"/> Endorsed <input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Review</p> <p>Signature: _____</p> <p>Date: ____/____/20____</p> | <p>Graham O'Donnell</p> <p>General Manager, Bus Operations</p> <p><input type="checkbox"/> Endorsed <input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Review</p> <p>Signature: _____</p> <p>Date: ____/____/20____</p> |
| <p>Norman Gray AM</p> <p>Director Network Operations</p> <p><input type="checkbox"/> Endorsed <input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Review</p> <p>Signature: _____</p> <p>Date: ____/____/20____</p> | <p>DEECD APPROVAL (if necessary)</p> <p>Signature: _____</p> <p>Name: _____</p> <p>Job Title: _____</p> <p>Date: ____/____/20____</p> |

Attachment 3 - School Bus Contract Ballot Procedure Document

SCHOOL BUS CONTRACT BALLOT PROCEDURE

When rationalising school bus service contracts, Public Transport Victoria adopts the long-standing practice that the contract with the most recent Historic Date (“last-on”) contract at the school bus centre in question is terminated (“Last on, First off” policy). In cases where two or more contracts share a “last on” date, the issue is resolved by ballot, in accordance with the School Bus Services Contract and a process agreed to with BusVic.

This document sets out the ballot procedure to be followed.

This procedure follows the undertaking of a review of bus services at a school bus centre and assumes that:

- The review has determined that one or more contracts are surplus to service requirements at the centre; and
- The Director of Network Operations has determined that a ballot is required to select which of two or more contracts that share a “last on” Historic Date will be terminated under the “Last on, First off” policy.

Verification

PTV will check all available records to verify that the contract start dates are correct and that two or more contracts share a last on Historic Date within the school bus centre.

Correspondence

A letter will be sent to each bus operator whose contract shares the “last on” Historic Date. In this letter PTV will:

- Confirm the service review recommendation to delete one or more contracts;
- Confirm PTV’s intention to adopt the agreed policy to terminate the most recent Historic Date contract(s) at the centre, in the absence of an operator proposal to voluntarily relinquish a contract;
- Confirm the operator’s contract start date and the fact that the contract shares the most recent Historic Date with one or more other contracts;
- Advise that if the operator wishes to dispute the contract Historic Date(s), he or she must do so in writing, accompanied by supporting documentation, to the Director of Network Operations, within 14 days of the date of the PTV letter.
- PTV will confirm with the Operator that PTV’s letter has been received;
- Advise that in the absence of any agreement between the operators to voluntarily relinquish a contract, a ballot is to be held to determine which contract is to be terminated;
- Provide details of the location, date and time of the ballot and invite the operator to attend; and
- Describe the ballot process (see below).

Bus Operators who are members of BusVic may invite Bus Vic to represent them at any time during the Ballot process.

The Ballot

Location

In general, the ballot will be held at or near the relevant school bus centre, or at a location and time convenient to the bus operators involved. Alternatively, the ballot may be conducted at PTV head office in Melbourne.

Attendees

PTV attendees will include, at a minimum, the Manager School Bus Contracts or the General Manager, Bus Operations, or their delegate, together with the relevant PTV Representative responsible for the school bus service review.

Operator attendees may include all parties to the contracts. BusVic members may, if they wish, invite a representative from BusVic to attend.

The ballot meeting will be prepared, executed and chaired by an independent party. The independent Chair will be retained by PTV, will gather information from PTV and attend to all matters associated with the preparation and execution of the ballot to ensure the transparency and integrity of the ballot process. The independent Chair will appoint an independent person to assist with the execution of the ballot.

Process

- 1) When the meeting has assembled the Chair will ask all operators if they have any questions about the ballot process. The Chair will clarify any queries the operators may have.
- 2) A ballot paper with the relevant "last on" contract name and number and an envelope will then be given to each operator representative. Ballot papers and envelopes will be identical in size, shape and colour.
- 3) The operators will be asked to confirm that the ballot given to them represents their contract and to place the ballot in the supplied envelope. Ballot papers will be of such dimensions that they will not require folding before placement in envelopes.
- 4) The Chair-appointed independent person will then leave the room.
- 5) Once ballot papers have been placed in the envelopes by the operators, all envelopes will be placed in a suitable ballot container. The container will then be shaken and/or rotated vigorously by the Chair, who will then invite one or more of the operators to repeat the process. Operators will be asked to confirm that sufficient mixing of the ballots has been completed to ensure a fair and unbiased selection.
- 6) When the ballot container has been shaken to the satisfaction of all parties, the independent person will be called back into the room. The independent person will then, without delay, draw sufficient ballots from the container such that the number of ballots remaining in the container corresponds to the number of contracts to be terminated.
- 7) The Chair will then open the drawn ballot(s) and present them to the meeting.
- 8) The contract(s) represented by the drawn ballot(s) will be retained. The ballot(s) remaining in the container will represent the contract(s) to terminate under the service rationalisation.
- 9) The Chair will announce the result of the ballot and ask the parties if they have any comments on the ballot process. PTV will, if requested; explain the process to be followed in the introduction of the service changes.
- 10) The Chair will then formally close the meeting.

Subsequent Action

A record of the meeting will be prepared by an independent person and circulated to all parties. The operator whose contract is to terminate will receive a formal letter of termination in accordance with the terms of the School Bus Service Agreement.