



7 June 2019



Dear 

Thank you for your letter of 6 May 2019 to the Ministry of Education requesting the following information:

1. *any and all correspondence and documentation from the Ministry of Education relating to the carriage of ineligible students in Takaka, Collingwood, and Golden Bay from the start of the current contract.*
2. *specifically I am seeking copies of all correspondence between Golden Bay Coachlines and the Ministry of Education in relation to the carriage or passage of ineligible students in Takaka, Collingwood and Golden Bay.*
3. *I seek a copy of the contract between Golden Bay Coachlines and the Ministry of Education, in full; specifically including information relating to the size of the buses and it's capacity for all routes in Takaka, Collingwood and Golden Bay.*
4. *how it can be that the MOE allowed it's contract to be written in such a way that allows and enables a bus company to have a monopoly and essentially play favourites with one particular school, by allowing private charters to take students out of one school's area, however won't consider or allow ineligible student who are willing to pay, to use the service and bypass their nearest school?*

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

On 10 May 2019, you clarified your request to the following:

copies of substantive documents and emails that contain direction or explanation of school transport policy and/ or interpretation of the contract relating to the transport of ineligible students generally, along with documents received from Golden Bay Coachlines that would fit within the same description, from the last two years

As stated in our email dated 9 May 2019, we have not provided copies of correspondence relating to individual cases.

Four documents were identified in scope of your request. The attached **Table 1** details the information we are releasing to you. I have withheld some information under the following sections of the Act:

- 9(2)(a) - to protect the privacy of natural persons; and

- 9(2)(i) - to enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities.

I have identified no public interest considerations sufficient to outweigh the need to withhold this information at this time.

To be eligible for school transport assistance, a student must be going to the closest school they can enrol at, live at least 3.2km (years 1-8) or 4.8km from that school and have no public transport available.

Travelling by bus is the safest way a child can get to school. We know standing on the bus is not ideal, so as part of our commitment to delivering students to school ready to learn, we have been working towards seating all students on Ministry services. We expect all students on our services will be seated from the start of 2021, when new contracts for school transport services are in place. Where possible, within fleet availability and cost constraints, we will look to seat students sooner.

Sometimes companies we contract will allow students who are not eligible for our assistance to travel on their buses, but they can only do this if the schools agree and it does not disadvantage eligible students. They also have to be able to seat all passengers.

Golden Bay Coachlines is no longer allowing ineligible students on its services. This decision is at their discretion, and provided they meet the terms of our contracts. Our operators can make their own choices as to whether or not they transport ineligible students (as this is a commercial operational decision).

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

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

Yours sincerely



Kim Shannon

Head of Education Infrastructure Service

cc: Derek Lucic, Director of Education for Nelson / Marlborough / West Coast

Table 1

	Date	Document Type	Document Title	Decision
1	19 February 2018	Email	FW: Contract for Ineligibles	Release in part. Ministry staff contact information not in the public domain and personal information relating to students withheld, s9(2)(a) and out of scope information withheld
2	24 August 2018	Email	RE: Takaka Standees – On Open Road 100km/h Zone	Release in part. Ministry staff contact information not in the public domain withheld, s9(2)(a) and financial estimates withheld, s9(2)(i)
3	11 September 2018	Email	Standees on Ministry-Funded Routes	Release in part. Ministry staff and contractor contact information not in the public domain withheld, s9(2)(a)
4	25 September 2018	Email	Standees on Ministry Funded Routes	Release in full.

Out of scope

From: Peter Patterson

Sent: Monday, 19 February 2018 9:08 a.m.

To: Bernadette Scannell <Bernadette.Scannell@education.govt.nz>; Bruce Chase <Bruce.Chase@education.govt.nz>

Subject: GB: Contract for Ineligibles

From: Lorraine Crawford [<mailto:accounts@gbcoachlines.co.nz>]

Sent: Monday, 19 February 2018 9:06 a.m.

To: Peter Patterson <Peter.Patterson@education.govt.nz>

Subject: Re: Contract for Ineligibles

Hi Pete

I have attached a copy of all the contracts we have on the Pohara Bus (including 9(2)(a))

On Mon, Feb 19, 2018 at 8:53 AM, Peter Patterson <Peter.Patterson@education.govt.nz> wrote:

Lorraine, Hi.

Is it at all possible that you might send me a copy of your ineligibles contract? We'd like to view the wording so that we can support you re the ineligible already discussed. A copy of their actual contract would be grand.

Keep up the good work.

Pete

Pete Patterson | Transport Contract Manager

DDI [+6468310643](tel:+6468310643) Mobile **9(2)(a)**

[8A Lever Street, Napier](#)

education.govt.nz | [Follow us on Twitter: @EducationGovtNZ](#)

We get the job done *Ka oti i a matou nga mahi*

We are respectful, we listen, we learn *He ropu manaaki, he ropu whakarongo, he ropu ako matou*

We back ourselves and others to win *Ka manawanui ki a matou, me etahi ake kia wikitoria*

We work together for maximum impact *Ka mahi ngatahi mo te tukinga nui tonu*

Great results are our bottom line *Ko nga huanga tino pai a matou whainga mutunga*

-

==

[Kindest Regards](#)

[Lorraine Crawford](#)

[General Manager](#)

[Golden Bay Coachlines Ltd](#)

-

Released under the Official Information Act 1982

GOLDEN BAY COACHLINES

School Bus Transport Make Health & Safety your first priority

Golden Bay Coachlines Ltd – Notice to Schools / Parents / Guardians / Caregivers of pupil's ineligible for school bus transport on Ministry of Education contracted services.

Your child / children have been identified as being ineligible for transport on Ministry of Education funded school bus services. This is because:

Your child / children are within the non-eligible for transport zone of your nearest school
Or

You have decided not to enrol your child / children at the nearest school to you and have decided to attend another school.

MORE INFORMATION ON ELIGIBILITY CAN BE FOUND BY VISITING THE MINISTRY OF EDUCATIONS WEB SITE (www.education.govt.nz) OR BY CONTACTING YOUR SCHOOL.

In order for Golden Bay Coachlines Ltd to transport your child / children we are required under our contract with the Ministry of Education to advise you in writing of the conditions of use of the service provided and that at any time the right to use the service could be withdrawn.

Conditions of Use:

That the fare cost of the service is paid to Golden Bay Coachlines Ltd
Ineligibles will only be carried where there is excess capacity on the bus
Ineligibles will be required to stand if necessary to make seats available for Eligible Pupils
Ineligibles will be denied travel if they behave in any unacceptable manner
The service will not be delayed or altered in any way to accommodate ineligibles

Please retain this notice for your records and ensure your child / children are aware of the above conditions they relate to them and remember, as above, that the right to use the service could be removed at any time due to any of (but not limited to) the above by written notice from Golden Bay Coachlines Ltd, which in a worst case scenario be immediate notice ie; Your child / children arrive home with a notice from Golden Bay Coachlines Ltd advising you that they can No Longer use the service.

Yours sincerely
Golden Bay Coachlines Ltd – School Transport Management

Parent / Guardian / Caregiver

I acknowledge the terms and conditions and wish to apply to enrol my child / children on the Ministry of Education funded school bus service.

Your Name: 9(2)(a) Date: 27 Jan '18

Signature: 9(2)(a) Position: 9(2)(a)

Name/s of Students wishing to use the service

9(2)(a)

Bus Route: Wainui

GOLDEN BAY COACHLINES

School Bus Transport Make Health & Safety your first priority

Golden Bay Coachlines Ltd – Notice to Schools / Parents / Guardians / Caregivers of pupil's ineligible for school bus transport on Ministry of Education contracted services.

Your child / children have been identified as being ineligible for transport on Ministry of Education funded school bus services. This is because:

Your child / children are within the non-eligible for transport zone of your nearest school

Or

You have decided not to enrol your child / children at the nearest school to you and have decided to attend another school.

MORE INFORMATION ON ELIGIBILITY CAN BE FOUND BY VISITING THE MINISTRY OF EDUCATIONS WEB SITE (www.education.govt.nz) OR BY CONTACTING YOUR SCHOOL.

In order for Golden Bay Coachlines Ltd to transport your child / children we are required under our contract with the Ministry of Education to advise you in writing of the conditions of use of the service provided and that at any time the right to use the service could be withdrawn.

Conditions of Use:

That the fare cost of the service is paid to Golden Bay Coachlines Ltd
Ineligibles will only be carried where there is excess capacity on the bus
Ineligibles will be required to stand if necessary to make seats available for Eligible Pupils
Ineligibles will be denied travel if they behave in any unacceptable manner
The service will not be delayed or altered in any way to accommodate ineligibles

Please retain this notice for your records and ensure your child / children are aware of the above conditions they relate to them and remember, as above, that the right to use the service could be removed at any time due to any of (but not limited to) the above by written notice from Golden Bay Coachlines Ltd, which in a worst case scenario be immediate notice ie; Your child / children arrive home with a notice from Golden Bay Coachlines Ltd advising you that they can No Longer use the service.

Yours sincerely
Golden Bay Coachlines Ltd – School Transport Management

Parent / Guardian / Caregiver

I acknowledge the terms and conditions and wish to apply to enrol my child / children on the Ministry of Education funded school bus service.

Your Name: _____

Date: _____

24 Jan 2018

9(2)(a)

Signature: _____

Position: _____

Name/s of Students wishing to use the service

9(2)(a)

Bus Route: _____

Wairarapa

GOLDEN BAY COACHLINES

School Bus Transport Make Health & Safety your first priority

Entered

Golden Bay Coachlines Ltd – Notice to Schools / Parents / Guardians / Caregivers of pupil's ineligible for school bus transport on Ministry of Education contracted services.

Your child / children have been identified as being ineligible for transport on Ministry of Education funded school bus services. This is because:

Your child / children are within the non-eligible for transport zone of your nearest school
Or

You have decided not to enrol your child / children at the nearest school to you and have decided to attend another school.

MORE INFORMATION ON ELIGIBILITY CAN BE FOUND BY VISITING THE MINISTRY OF EDUCATIONS WEB SITE (www.education.govt.nz) OR BY CONTACTING YOUR SCHOOL.

In order for Golden Bay Coachlines Ltd to transport your child / children we are required under our contract with the Ministry of Education to advise you in writing of the conditions of use of the service provided and that at any time the right to use the service could be withdrawn.

Conditions of Use:

That the fare cost of the service is paid to Golden Bay Coachlines Ltd
Ineligibles will only be carried where there is excess capacity on the bus
Ineligibles will be required to stand if necessary to make seats available for Eligible Pupils
Ineligibles will be denied travel if they behave in any unacceptable manner
The service will not be delayed or altered in any way to accommodate ineligibles

Please retain this notice for your records and ensure your child / children are aware of the above conditions they relate to them and remember, as above, that the right to use the service could be removed at any time due to any of (but not limited to) the above by written notice from Golden Bay Coachlines Ltd, which in a worst case scenario be immediate notice ie; Your child / children arrive home with a notice from Golden Bay Coachlines Ltd advising you that they can No Longer use the service.

Yours sincerely
Golden Bay Coachlines Ltd – School Transport Management

Parent / Guardian / Caregiver

I acknowledge the terms and conditions and wish to apply to enrol my child / children on the Ministry of Education funded school bus service.

Your Name:

9(2)(a)

Date:

12-12-17

Signature:

Position:

9(2)(a)

Name/s of Students wishing to use the service

9(2)(a)

Bus Route:

Wainui

From: [Steve Guiney](#)
To: [Peter Patterson](#); [John Doesburg](#)
Subject: RE: Takaka Standees - On Open Road 100km/h Zone
Date: Friday, 24 August 2018 2:14:40 p.m.
Attachments: [image002.png](#)

Nice one Pete,

Steve

Steve Guiney | Acting Group Manager - School Transport

DDI 044396474 | Mobile 0276217458

From: Peter Patterson
Sent: Thursday, 23 August 2018 9:32 a.m.
To: Steve Guiney <Steve.Guiney@education.govt.nz>; John Doesburg <John.Doesburg@education.govt.nz>
Subject: Takaka Standees - On Open Road 100km/h Zone

Kia ora katoa.

The attachment gives an idea of what one bus company would or could do to get everyone seated, and some idea of added cost.

Pete

From: Lorraine Crawford [<mailto:accounts@gbcoachlines.co.nz>]
Sent: Thursday, 23 August 2018 9:23 a.m.
To: Peter Patterson <Peter.Patterson@education.govt.nz>
Subject: Re: Standees - On Open Road 100km/h Zone

Hi Pete

Please find attached some options to your questions

On Tue, Aug 21, 2018 at 2:02 PM, Peter Patterson <Peter.Patterson@education.govt.nz> wrote:

Lorraine, Hi. We're looking at the practicality of seating all students on buses travelling on the open road in 100 km/h zones.

Routes 7004 (10 standees), 7005 (10 standees), 7007 (5 standees), 7008 (5 standees), 7009 (20 standees), 7010 (5 standees), 7022 (10 standees), 7024 (5 standees):

Regarding the average standees on open road routes, what could you do in order to get them all seated?

1. Additional van or bus and driver? Or simply larger capacity buses?

2. How many additional vans/buses and drivers? (Please list route numbers where you'd add and/or share the added resources)
3. For how many kilometres?
4. How soon could you put such additional resources on the road?
5. How many ineligible students make up the standing pax? (*Remember "ineligibles" should not be depriving eligible students of a seat*) or are they all "eligible"?
6. Would you have an approximate monthly cost for the additional resources? (*Price not vital if you can't work this out right now*)

Nga mihi.

Pete

Pete Patterson | Transport Contract Manager

DDI +6468310643 Mobile 9(2)(a)

[8A Lever Street, Napier](#)

education.govt.nz | [Follow us on Twitter: @EducationGovtNZ](#)

We get the job done *Ka oti i a matou nga mahi*
We are respectful, we listen, we learn *He ropu manaaki, he ropu whakarongo, he ropu ako matou*
We back ourselves and others to win *Ka manawanui ki a matou, me etahi ake kia wikitoria*
We work together for maximum impact *Ka mahi ngatahi mo te tuinga nui tonu*

Great results are our bottom line *Ko nga huanga tino pai a matou whainganga mutunga*

Ministry of Education logo



Kindest Regards
Lorraine Crawford
General Manager
Golden Bay Coachlines Ltd

Lorraine, Hi. We're looking at the practicality of seating all students on buses travelling on the open road in 100 km/h zones.

Routes 7004 (10 standees), 7005 (10 standees), 7007 (5 standees), 7008 (5 standees), 7009 (20 standees), 7010 (5 standees), 7022 (10 standees), 7024 (5 standees):

Regarding the average standees on open road routes, what could you do in order to get them all seated?

1. Additional van or bus and driver? Or simply larger capacity buses?
One additional bus and two larger buses would be required
2. How many additional vans/buses and drivers? (Please list route numbers where you'd add and/or share the added resources)
7004 & 7005 we could increase the size of 7004a bus – no driver required
7007 & 7008 – remove ineligible students only
7009 & 7010 we would need to have another bus and driver
7022 – would look to bring 7180 all the way to school instead of transferring students to this bus or we could look at a larger bus – no driver required
7024 – we would need to get a bigger bus – no driver required
3. For how many kilometres?
7004 & 7005 – new bus option would need to do about 60kms a day
7009 & 7010 – new bus option would need to do about 34kms a day
7022 – 7180 bus to travel to the school would need to do about 52 kms a day
7024 – larger bus for whole run
4. How soon could you put such additional resources on the road?
Approx. one month by re-organising existing bus fleet around and purchase new buses
5. How many ineligible students make up the standing pax? (*Remember "ineligibles" should not be depriving eligible students of a seat*) or are they all "eligible"?
7004 = 5 ineligible 7009 = 5 ineligible
7005 = 0 ineligible 7010 = 2 ineligible
7007 = 5 ineligible 7022 = 5 ineligible
7008 = 8 ineligible 7024 = 3 ineligible
6. Would you have an approximate monthly cost for the additional resources? (*Price not vital if you can't work this out right now*)
Quick estimate based on current payment per km of \$9(2)(i) x 190 days divide by 12
7004 & 7005 – new bus option = \$9(2)(i) per month
7009 & 7010 – new bus option = \$ per month
7022 – 7180 bus to travel to the school = \$ per month
7024 – larger bus – costs ??? \$ _____

From: [Peter Patterson](#)
To: "accounts@gbcoachlines.co.nz"; 9(2)(a)

Subject: Standees on Ministry-Funded Routes
Date: Tuesday, 11 September 2018 12:44:00 p.m.
Attachments: [image004.png](#)

Tena koutou katoa.

The Ministry is committed to the safety and comfort of the students that we transport, and we are constantly seeking opportunities for improvements. Standing on buses (within CoL limits) remains accepted practice, but we are undertaking a study into the implications of seating all students on MOE buses that travel on roads with speed limits above 50km/h.

While looking into this, we've been led to believe that we have students standing on buses that have ineligible students on them. As per the terms of our contract, operators can't transport ineligible students if there are standees. I refer to Sections 15 through 20, specifically Section 17 (see below, specifically "excess seating capacity").

If there are any buses operating with standees that have ineligible students on them, those arrangements need to cease by the end of the year so that by January 2019 there will be no ineligible students on buses with standees.

We look forward to your cooperation, input and discretion with this initiative. Please let me know if you have any queries regarding this.

I would appreciate if you would please advise me by the end of September either:

- That there are no ineligible students being carried on routes with standees; or
- Split by route, the number of ineligible students being carried on buses with standees and the schools they're attending.

Depot Managers of GoBus and Ritchies Transport – this is FYI only. Your head offices are being contacted for the data.

Ma te wa.

Pete

Pete Patterson | Transport Contract Manager
DDI 068310643 Mobile 9(2)(a)
8A Lever Street, Napier

education.govt.nz | [Follow us on Twitter: @EducationGovtNZ](#)

We get the job done *Ka oti i a matou nga mahi*
We are respectful, we listen, we learn *He ropu manaaki, he ropu whakarongo, he ropu ako matou*
We back ourselves and others to win *Ka manawanui ki a matou, me etahi ake kia wikitoria*

We work together for maximum impact *Ka mahi ngatahi mo te tukinga nui tonu*

Great results are our bottom line *Ko nga huanga tino pai a matou whainga mutunga*

Ministry of Education logo



Released under the Official Information Act 1982

Ineligible Students

15. With effect from January 2015 the Contractor must obtain the prior written agreement of any school affected by the operation of a Daily Route if the Contractor wishes to transport any Ineligible Student on that Route.
16. Notwithstanding clause 15, the Contractor must not transport any Ineligible Student on any Technology Route.
17. Subject to clause 15, the Contractor may only transport Ineligible Students if:
 - 17.1 the transport will only be provided if there is excess seating capacity after all eligible Students have been catered for; and
 - 17.2 the Ineligible Students pays an appropriate fare, as set by the Contractor;
 - 17.3 transportation of any Ineligible Student does not delay the provision of the Services.
18. The Contractor shall use best endeavours to ensure that Ineligible Students do not:
 - 18.1 harass or bully Students;
 - 18.2 behave in a socially unacceptable manner;
19. Subject to clause 17, the Contractor must not deviate from a designated Daily Route to pick up any Ineligible Students for transportation without the prior written approval from the Ministry.
20. Prior to transporting any Ineligible Student, the Contractor must advise all Ineligible Students in writing of the conditions of transportation set out in clauses 15- 19, and to retain a record of that advice.



Released under the Official Information Act 1982

From: [Lorraine Crawford](#)
To: [Peter Patterson](#)
Subject: Standees on Ministry Funded Routes
Date: Tuesday, 25 September 2018 4:11:41 p.m.
Attachments: [OFFICE_PRINTER_002455.pdf](#)

Hi Pete

Please find attached info for all ineligible students that we carry.

As previously discussed all have currently been advised that this will cease at the beginning of next year with the exception of the student on the 7087 Shenandoah Bus as there is plenty of seats available.

We do not have students standing on any of our buses generally but there is the potential that they could have to stand if all eligible students where to get on on the same run.

--

Kindest Regards
Lorraine Crawford
General Manager
Golden Bay Coachlines Ltd

Released under the Official Information Act 1982

TSP Name	Route No.	Ineligibles	Schools those Ineligibles Attend
Golden Bay Coachlines	7025 Bainham	0	
Golden Bay Coachlines	7008 East Takaka	7 3	Takaka Primary School Golden Bay High School
Golden Bay Coachlines	7009 Glenview	5 10 (B/L)	Takaka Primary School Motupipi School
Golden Bay Coachlines	7007 Kotinga	6	Takaka Primary School
Golden Bay Coachlines	7180 Mangarakau	0	
Golden Bay Coachlines	7086 Matakitaki	0	
Golden Bay Coachlines	7089 Matiri	0	
Golden Bay Coachlines	7023 Onekaka CWD	1	Collingwood Area School
Golden Bay Coachlines	7008 Onekaka Tak	2 (B/L)	Collingwood Area School
Golden Bay Coachlines	7085 Owen	0	
Golden Bay Coachlines	7010 Pohara	2	Takaka Primary School
Golden Bay Coachlines	7005A Patons Rock	0	
Golden Bay Coachlines	7022 Puponga	5	Collingwood Area School
Golden Bay Coachlines	7004 Rangihaeata	2 3	Takaka Primary School Golden Bay High School
Golden Bay Coachlines	7024 Rockville	3	Collingwood Area School
Golden Bay Coachlines	7087 Shenandoah	1	Murchison Area School
Golden Bay Coachlines	7049 Tutaki	0	
Golden Bay Coachlines	7006 Upper Tak	7 2	Takaka Primary School Golden Bay High School
Golden Bay Coachlines	7011 Wainui	0	