



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 2

LEA FUNCTIONS

Transport in England

56 Complaints about transport arrangements etc for persons of sixth form age

- (1) The [Education Act 1996](#) is amended as follows.
- (2) After section 509AD (local education authorities in England: duty to have regard to religion or belief in exercise of travel functions) insert—

Complaints about transport arrangements etc for persons of sixth form age in England

- (1) A local education authority may revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, they have come to consider the change necessary for the purpose of the arrangements specified under the subsection in question.
- (2) A local education authority must revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, the Secretary of State has directed them to do so.
- (3) An authority that revise a statement under subsection (1) or (2) must publish the revised statement and a description of the revision as soon as practicable.

Status: This is the original version (as it was originally enacted).

- (4) The Secretary of State need not consider whether to exercise any power under sections 496 to 497A (powers to prevent unreasonable exercise of functions, etc), section 509AA(9) (power to require LEA to make additional transport arrangements), or subsection (2) of this section in response to a matter that is, or could have been, the subject of a sixth form transport complaint made to him or her unless satisfied that—
- (a) the matter has been brought to the notice of the local education authority concerned, and
 - (b) the authority have had a reasonable opportunity to investigate the matter and respond.
- (5) In this section “sixth form transport complaint” means a complaint that is—
- (a) about a local education authority’s exercise of, or failure to exercise, a function under sections 509AA to 509AD in relation to persons of sixth form age, and
 - (b) made by a person who is, or will be, a person of sixth form age when the matter complained of has effect, or by a parent of such a person, and “sixth form age” is to be construed in accordance with section 509AC(1).
- (6) For the purposes of sections 509AA(8) and (9), 509AB(1) to (5), 509AC and 509AD, the revision of a statement under this section is to be treated as the preparation of a statement under section 509AA.
- (7) Where a local education authority have published in a single document a statement prepared under section 508G and a statement prepared under 509AA, the requirement to publish a revised statement under subsection (3) is to be treated as a requirement to publish a version of the document that includes the revised statement.”
- (3) In section 509AA (provision of transport etc for persons of sixth form age), at the end insert—
- “(11) Subsection (9) is subject to section 509AE (complaints about transport arrangements etc for persons of sixth form age in England).”