



# Education Act 1996

## 1996 CHAPTER 56

### PART IX

#### ANCILLARY FUNCTIONS

#### CHAPTER II

##### ANCILLARY FUNCTIONS OF LOCAL EDUCATION AUTHORITIES

##### *Provision of services*

#### **[<sup>F1</sup>509AB<sup>F2</sup> LEAs in England: further provision about transport policy statements for persons of sixth form age]**

- (1) A statement prepared under section 509AA shall state to what extent arrangements specified in accordance with subsection (2) of that section include arrangements for facilitating the attendance at establishments such as are mentioned in that subsection of disabled persons and persons with learning difficulties.
- (2) A statement prepared under that section shall—
  - (a) specify arrangements for persons receiving full-time education or training at establishments other than schools maintained by the local education authority which are no less favourable than the arrangements specified for pupils of the same age attending such schools, and
  - (b) specify arrangements for persons with learning difficulties receiving education or training at establishments other than schools maintained by the authority which are no less favourable than the arrangements specified for pupils of the same age with learning difficulties attending such schools.
- (3) In considering what arrangements it is necessary to make for the purposes mentioned in subsections (2) and (3) of section 509AA the local education authority shall have regard (amongst other things) to—

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*Status: Point in time view as at 12/01/2010. This version of this provision has been superseded.*  
**Changes to legislation:** Education Act 1996, Section 509AB is up to date with all changes known to be in force on or before 22 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (a) the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made,
- (b) the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided,
- (c) the [<sup>F3</sup>distances, and journey times, between] the homes of persons of sixth form age in their area [<sup>F4</sup>and establishments] such as are mentioned in section 509AA(2) at which education or training suitable to their needs is provided, and
- (d) the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.

[ In considering whether or not it is necessary to make arrangements for those purposes <sup>F5</sup>(3A) in relation to a particular person, a local education authority in England shall have regard (amongst other things) to the nature of the route, or alternative routes, which he could reasonably be expected to take.]

<sup>F6</sup>(4) .....

- (5) In preparing a statement under section 509AA a local education authority shall have regard to any guidance issued [<sup>F7</sup>under this section by the Learning and Skills Council for England.]
- (6) In preparing a statement under that section a local education authority shall consult—
  - (a) any other local education authority that they consider it appropriate to consult,
  - (b) the governing bodies mentioned in subsection (4) of that section,
  - (c) the Learning and Skills Council for England <sup>F8</sup> ... <sup>F9</sup> ..., and
  - (d) any other person specified [<sup>F10</sup>for the purposes of this section by the Learning and Skills Council for England <sup>F11</sup> ...]
- (7) In preparing a statement under that section a local education authority shall also consult—
  - (a) where they are the local education authority for a district in a metropolitan county, the [<sup>F12</sup>Integrated Transport Authority] for that county, and
  - (b) where they are the local education authority for a London borough or the City of London, Transport for London.]

[<sup>F13</sup>(7A) In preparing and publishing a statement under section 509AA, a local education authority must have regard (among other things) to the need to—

- (a) include in the statement sufficient information about the matters that the statement must specify, and
- (b) publish the statement in time,

to enable persons who will be of sixth form age when the statement has effect and their parents to take reasonable account of those matters when choosing between different establishments at which education or training is provided.]

[<sup>F14</sup>(8) Any guidance issued by the Learning and Skills Council for England under this section must be published in such manner as the Council thinks fit.]

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### Textual Amendments

- F1** S. 509AB inserted (20.1.2003 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 19 para. 4** (with ss. 210(8), 214(4)); S.I. 2002/2952, art. 2; S.I. 2003/1718, art. 5, Sch. Pt. II
- F2** Words in s. 509AB title substituted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 2 para. 10(2)**; S.I. 2009/3317, art. 2, Sch.
- F3** Words in s. 509AB(3)(c) substituted (7.3.2009) by Education and Skills Act 2008 (c. 25), **ss. 83(a)**, 173(4); S.I. 2009/387, art. 3(1) (with art. 3(2))
- F4** Words in s. 509AB(3)(c) substituted (7.3.2009) by Education and Skills Act 2008 (c. 25), **ss. 83(b)**, 173(4); S.I. 2009/387, art. 3(1) (with art. 3(2))
- F5** S. 509AB(3A) inserted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 10 para. 5(a)**; S.I. 2007/935, art. 5(ee)
- F6** S. 509AB(4) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), Sch. 1 para. 4(3)(a), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1
- F7** Words in s. 509AB(5) substituted (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), **Sch. 1 para. 4(3)(b)**; S.I. 2009/371, art. 2(1), Sch. Pt. 1
- F8** Words in s. 509AB(6)(c) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), Sch. 1 para. 4(3)(c)(i), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1
- F9** Words in s. 509AB(6)(c) omitted (1.4.2006) by virtue of The National Council for Education and Training for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3238), art. 1(1), **Sch. 1 para. 35** (with art. 7)
- F10** Words in s. 509AB(6)(d) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), **ss. 83(2)(b)**, 188(3); S.I. 2007/935, art. 5(o) (with art. 8(7))
- F11** Words in s. 509AB(6)(d) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), Sch. 1 para. 4(3)(c)(ii), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1
- F12** Words in s. 509AB(7)(a) substituted (9.2.2009) by Local Transport Act 2008 (c. 26), Sch. 4 paragraph 60(2).
- F13** S. 509AB(7A) inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 55(1)**, 269(4); S.I. 2009/3317, art. 2, Sch. (with art. 3)
- F14** S. 509AB(8) inserted (1.4.2007) by Education and Inspections Act 2006 (c. 40), **ss. 83(2)(c)**, 188(3); S.I. 2007/935, art. 5(o)

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