



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 2

[^{F2}LOCAL AUTHORITY] 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 (^{F1}local authorities] in England: duty to have regard to religion or belief in exercise of travel functions) insert—

“509AE Complaints about transport arrangements etc for persons of sixth form age in England

- (1) A [^{F2}local 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 [^{F2}local 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Status: Point in time view as at 31/01/2019.

Changes to legislation: *Apprenticeships, Skills, Children and Learning Act 2009, Section 56 is up to date with all changes known to be in force on or before 20 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)

- (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 [F²local authority] 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 [F²local 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 [F²local 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 [F²local 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).”

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 16(3)**
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**

Commencement Information

- I1** S. 56 in force at 12.1.2010 by [S.I. 2009/3317](#), art. 2, **Sch.** (with art. 3)

Status:

Point in time view as at 31/01/2019.

Changes to legislation:

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