

*Status: Point in time view as at 01/09/2003.*

*Changes to legislation: Education Act 2002, Paragraph 4 is up to date with all changes known to be in force on or before 23 May 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)*

## SCHEDULES

### SCHEDULE 19

#### TRANSPORT FOR PERSONS OVER COMPULSORY SCHOOL AGE

4 After section 509AA there is inserted—

#### **“509AB Further provision about transport policy statements**

- (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—
  - (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 distance from the homes of persons of sixth form age in their area of 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.
- (4) In considering whether or not it is necessary to make arrangements for those purposes in relation to a particular person, a local education authority shall have regard (amongst other things)—

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- (a) to the nature of the route, or alternative routes, which he could reasonably be expected to take; and
  - (b) to any wish of his parent for him to be provided with education or training at a school, institution or other establishment in which the religious education provided is that of the religion or denomination to which his parent adheres.
- (5) In preparing a statement under section 509AA a local education authority shall have regard to any guidance issued by the Secretary of State under this section.
- (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 (in the case of a local education authority in England) or the National Council for Education and Training for Wales (in the case of a local education authority in Wales), and
  - (d) any other person specified by the Secretary of State for the purposes of this section.
- (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 Passenger 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.”

#### Commencement Information

- I1** Sch. 19 partly in force; Sch. 19 not in force at Royal Assent, see s. 216; Sch. 19 in force for E. at 30.1.2003 by S.I. 2002/2952, art. 2
- I2** Sch. 19 para. 4 in force at 20.1.2003 except in relation to W. by S.I. 2002/2952, art. 2
- I3** Sch. 19 para. 4 in force at 1.9.2003 for W. by S.I. 2003/1718, art. 5, Sch. Pt. II

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