
Kent County Council

**Post 16 Transport Policy
Statement including Post
19
for the
2026/27 Academic Year**

Produced by:

Fair Access – Transport Eligibility

Introduction

Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010.

All young people carrying on their education post 16 must reapply for travel support annually.

'Sixth form age' refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

Local authorities also have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25. However, a pupil in receipt of an Education, Health and Care Plan (EHCP), is not automatically entitled to transport support to whichever setting or establishment named in their Plan. This policy document specifies the support that Kent County Council (KCC) considers necessary to facilitate the attendance of Post 16 learners receiving education or training.

The statement also provides information about the provision available for young adult learners aged 19 – 25 with SEND.

Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

Where the policy refers to parents, it should be understood to equally apply to guardians and carers. Where a young person applies on their own behalf, the equivalent responsibilities that apply to their parent will transfer.

Where situations arise that are not directly addressed within this policy, Transport Officers will work in conjunction with the Assistant Director for Fair Access to apply the principles contained below to identify a suitable resolution.

This policy supersedes all previous policies and applies from the 2026/27 academic year.

Transport and travel support

Kent 16+ Travel Saver

KCC considers that in most circumstances the provision of the KCC 16+ Travel Saver card is sufficient to facilitate the attendance of Young People (YP) of sixth form age at their chosen education or training provider, including the majority of pupils with SEND including those with an EHCP. This may be at schools, academies, colleges or in the workplace through an apprenticeship or other work-based training provision.

The KCC 16+ Travel Saver card is available to purchase from KCC, with details of pricing and application processes available [here](#). The KCC 16+ Travel Saver card offers free at point of travel access, to the entire public bus network operating in Kent including single destination journeys out of Kent and back into the County. It is available for use 24 hours a day, 7 days a week. Learning providers can choose to further subsidise this charge to their students or trainees if they meet Bursary conditions.

The KCC 16+ Travel Saver card may be available at an even lower rate for young people with parents on a low income. Applications for cards at this lower rate should begin with the YP's education provider.

Alternatively, YP who are not otherwise eligible for help with transport can apply for a seat on vehicles hired by KCC under the Vacant Seat Payment Scheme (VSPS).

Vacant seats on hired vehicles that meet suitability requirements are only made available after the start of term, once all statutorily entitled YPs have been accommodated onto transport and vehicle spaces are known. Consequently, parents seeking to purchase a vacant seat may need to make other arrangements for their child to access school during the period when vacant seats are being collated for allocation. This will not be refunded by KCC. VSPS awards seats on a first come first serve basis.

It will also be necessary for applications for VSPS to consider Public Service Vehicles Accessibility Regulations 2000, which potentially limit a number of larger vehicles from being considered for use in the scheme if they are not suitably accessible to all potential passengers. The Department for Transport have applied a number of exemptions which have delayed the implementation of these regulations, however, KCC will be required to apply them in the event that no further extensions are granted.

Where a VSPS seat is granted, it may have to be withdrawn at a later date [for a YP who is entitled to transport support,] if KCC decide to stop running the vehicle or if it is decided to run a smaller vehicle.

If the seat is taken away, parents will be given until the end of the academic year when they will then have to make their own arrangements.

VSPS is not available on public transport.

Young people who are not in education, employment or training (NEET)

To support the provision of suitable education or training for young people who are 16 and 17 years old and not in education, employment or training (NEET), KCC may offer fixed term (up to one month) travel cards at subsidised rates to facilitate travel to interviews, work experience and other activities necessary to secure appropriate provision. To be eligible, young people must be registered and receiving support through Early Help and Preventative Services

Active Travel

Our Active Travel Strategy aims to make active travel an attractive and realistic choice for short journeys in Kent. Active travel means walking or cycling as a means of transport, in order to get to a particular destination such as school, the shops or to visit friends. Active travel can be for complete journeys or parts of a journey, and more people in the community making more active travel journeys can lead to a range of positive individual and shared outcomes. These include improved health, reduced traffic congestion, reduced pollution and financial savings to the individual and businesses. More information is available at www.kentconnected.org.

The 16-19 Bursary Fund

The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education.

There are 2 types of 16 to 19 bursaries:

- 1) A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:
 - in care
 - care leavers
 - in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
 - in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right
 - discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment
- 2) Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment

To be eligible for the discretionary bursary young people must:

- be aged 16 or over but under 19

- be aged 19 or over and have an EHCP
- be aged 19 or over and continuing on a study programme they began aged 16 to 18 ('19+ continuers')
- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a Government funding agency or KCC.

Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

Young parents / Care to Learn

If you are a young parent under 20, Care to Learn can help pay for your childcare and related travel costs. You can get:

- £180 per child per week if you live outside London
- £195 per child per week if you live in London

Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Types of child care

The childcare provider must be Ofsted registered and can be a:

- childminder
- pre-school playgroup
- day nursery
- out of school club

If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register for specialist provision.

If you want a relative to get Care to Learn for looking after your child they need to be both:

- providing registered childcare for children they're not related to
- living apart from you and your child

Payments

Childcare payments go directly to your childcare provider. Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance

- your school or college needs to confirm that you're attending your course

Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

Attendance

Payments will stop if:

- you stop attending your course
- you finish your course
- your child stops attending childcare

Eligibility

You can get Care to Learn if:

- you're a parent under 20 at the start of your course
- you're the main carer for your child
- you live in England
- you're either a British citizen or have a legal right to live and study in England
- your course is publicly funded (check with your school or college)
- your childcare provider is registered with Ofsted or the Care Quality Commission

Type of course

Care to Learn is only available for courses in England that have some public funding.

This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

For more information please visit <https://www.gov.uk/care-to-learn/how-to-claim>

Transport for sixth form aged young people for whom the KCC 16+ Travel Saver card, VSPS, Active Travel Strategy, 16-19 Bursary Fund and Care to Learn are not viable options

If, however, you have special circumstances which you believe should make you eligible to receive help of an alternative nature than those set out above you can apply for additional support at www.kent.gov.uk/applyforpost16transport You may rely upon any circumstances which are relevant to your application. You will need to demonstrate why it is necessary for KCC to provide travel support to facilitate your attendance to receive education or training.

In looking at the suitability of establishments, KCC will look at the availability of preferred or specialist courses at nearby establishments, including those outside of KCC's local authority area. If parents choose to send their YP to a school or college

(or the YP chooses this themselves), which is not the nearest suitable setting, as described earlier, travel assistance may not be provided by KCC.

Considerations which KCC will take into account

The following considerations will be given greater weight by KCC when we consider your application, but do not guarantee you will be eligible to receive additional assistance from KCC:

(i) that you have special educational needs and/or a disability and/or mobility problems, which mean that it is not/would not be reasonably practicable for you to attend the educational establishment or training provider at which you are registered or at which you would like to register to receive education or training using a KCC 16+ Travel Saver card on the terms described earlier. KCC recognises that in some circumstances public transport may not be appropriate as a result of special educational needs, a disability or a mobility problem and again in these exceptional circumstances other means of support will be considered.

Learners aged 16 – 19 years with SEND are also expected to seek a KCC 16+ Travel Saver card. It is expected that students will have taken opportunities where available to engage with KCC's Independent Travel Training Team at an earlier point in their academic career to be trained to use public transport. Refusal to embark on such training where this was considered appropriate, may affect any future decisions where additional support for transport is being requested. Where the learners are unable, even with appropriate independent travel training, to access public bus travel as a result of their levels of need, consideration will be given to other means of support.

(ii) that you have special educational needs and/or a disability and/or mobility problems, which mean that it may mean you are more likely to remain in education or training longer than your peers, which would in turn mean that your contribution to the cost of transport will go on over a longer period.

(iii) that it is not/would not be reasonably practicable for you to attend the educational establishment or training provider at which you are registered or at which you would like to register to receive education or training using a KCC 16+ Travel Saver card on the terms described earlier.

(iv) that the distances and/or journey times, between your home and the educational establishment or training provider at which you are registered or would like to register makes the use of a KCC 16+ Travel Saver card, on the terms described earlier impractical or not practical without alternative assistance.

(v) that you and your family cannot afford the KCC 16+ Travel Saver card on the terms described earlier and have been unable to secure support from your learning provider.

This will normally require proof of receipt of certain benefits i.e.

- Income support
- Income based jobseekers allowance

- Child Tax Credit (TC602 for the current tax year with a yearly income of no more than £16,385pa)
- Guaranteed element of state pension credit
- Income related employment and support allowance
- Maximum Level of Working Tax Credit
- Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods).

Assistance on this ground will normally only be given where the educational establishment or training provider is not more than 6 miles from your home. Any travel support would be reviewed on an annual basis and your parents would be required to provide the Transport Eligibility Team with up to date proof of the family's income at that time.

(vi) that the nature of the route, or alternative routes, which you can reasonably be expected to take with a KCC 16+ Travel Saver card makes the use of the Card impractical or not practical without alternative assistance.

(vii) that reasons relating to your religion or belief (or that of your parents) mean that the use of the KCC 16+ Travel Saver card is not practical or is not practical without alternative assistance.

Where a YP is attending or wants to attend an educational establishment of the same denomination as themselves (or religion in cases where the religion does not have denominations) in order to be considered for travel support, they must also have the application form signed by a vicar/priest or religious leader of the same denomination (or religion where there are no denominations) as the educational establishment stating that the YP is a regular and practising member of a church or other place of worship of the same denomination (or religion where there are no denominations) as the educational establishment concerned.

Where a YP is attending a church school of a different denomination or religion to that of the parent, in order to be considered for travel support, they must also have the application form signed by a vicar/priest or other religious leader stating that the YP is a regular and practising member of that religion or denomination. The YP will also need to explain why their religion or belief makes it desirable for the YP to attend that particular educational establishment rather than another educational establishment nearer to the YP's home, given that the chosen educational establishment is not of the same religion or denomination as that practised by the YP.

Where a YP is attending or wants to attend an educational establishment for reasons connected with his or her non-religious belief, in order to be considered for travel support the YP will need to explain what that belief is and why the belief makes it desirable for the YP to attend that particular educational establishment rather than another nearer educational establishment. The YP will also need to provide evidence to prove that they do indeed hold the belief in question. This could be confirmation from a person of good standing in the community who knows the YP, for example a councillor, a doctor, a social worker or a lawyer or alternatively proof of the YP or his

parent's medium or long term membership of a society or other institution relating to that belief.

Travel support will only be considered under any of the categories above where KCC is persuaded that the religion or belief is genuinely held and that the placement of the YP at the institution in question will be of significant benefit to the YP because of the relationship between the religion or belief of the YP and the nature of the educational institution in question.

KCC will normally only agree to all such requests outlined above for a maximum period of one year. Arrangements would then be reviewed. The Local Authority can then agree such requests for the duration of the course up until the end of the year in which the young person reaches the age of 19.

Other information you should provide with your application

You should also provide evidence to support any case that you may present, for example and where relevant:

- (i) proof that you have applied to or are registered at a particular educational establishment or training provider such as a copy of your acceptance/offer letter from the college;
- (ii) proof of your and/or your family's income and savings e.g. TC602 from HM Inland Revenue;
- (iii) proof of any special educational needs, disability or mobility problems that you have; (for example, a copy report from consultant or from your local authority's Special Educational Needs Department or a health or educational professional providing confirmation that you are unable to access a suitable educational establishment or training provider nearer to your home and/or are unable to access public transport). KCC is not able seek this information on an applicant's behalf;
- (iv) proof that you have applied to colleges or other educational establishment or training provider closer to your home (for the same course or for a similar course), which if accepted would have meant that you would not have required additional assistance from us and proof that that those applications were turned down. (Copies of refusal letters would be required);
- (v) details of the unsuitable route that you say you would need to travel and detailed reasons why you consider the same to be unsuitable;
- (vi) proof that you are a member of a particular religion or religious denomination or (where possible) that you have a particular belief where that is relevant to your argument. Ordinarily, where you are making an application on faith grounds, you will be required to attend an establishment with the same religious denomination as your place of worship.

Please note that we cannot return documents that you supply to us, and so you are requested to only provide copies of documents that you may wish to send accompanying or supporting your application.

KCC provided Travel Support

Where KCC assesses that the available support is not sufficient to facilitate the YP's attendance at their place of education or training, consideration will be given to a Personal Transport Budget (PTB). A PTB is a payment designed to help parents and YP make their own arrangements to facilitate school attendance. Applicants are not limited in how they make use of the PTB to support school travel, with the exception that funds cannot be used to purchase an alternative subsidised KCC pass or scheme for the YP.

PTB payments are made on the basis of the straight-line distance between the YP's home and their main educational establishment or training provider in the following Bands (minus an initial contribution in line with the full cost of the Kent 16+ Travel Saver pass, including with appropriate adjustment to the rates for low income applicants who are unable to secure direct bursary support from their provider, for the academic year that the application is being made). The Kent 16+ Travel Saver cost is subject to change annually and can be found [here](#), however, it is currently up to £600 per annum. While actual PTB funding levels will be confirmed at the point 2026/27 Kent 16+ Travel Saver costs are finalised in June/July 2026, the following table gives an indication based on current costs:

	Annual Fund	Annual Fund minus contribution (eg £600)	Annual Fund minus low income contribution (eg £300)
Band 1- Less than 5 miles	£2,000	£1,400	£1,700
Band 2 – Between 5 and 10 miles	£3,000	£2,400	£2,700
Band 3 - Over 10 miles	£5,000	£4,400	£4,700

Where a YP receives a PTB partway through an academic year, the total payment will be offered on a pro rata basis to account for the reduced timescale that the YP will undertake.

Where a YP is accessing education or training on a part-time basis, or they are making use of boarding facilities, their PTB payments will be offered on a pro rata basis to account for the reduction in journey frequency (in most cases for learners who board, mileage payments offer more benefit than the PTB, so will be offered as an alternative).

The PTB is reviewed termly taking into account the YP's attendance at the educational establishment or training. The YP's attendance will be monitored and where attendance falls below 90% within a term, payments for any days that they are absent

will be deducted from a later PTB payment. KCC will issue a payment schedule to each qualifying family that details how these deductions will be undertaken through the academic year, should they prove necessary. There is no guarantee that a PTB will continue to be paid where the YP's attendance is seen to be low. Parents will be required to enter into a contract with KCC in which they agree to ensure the YP accesses their educational establishment or training provider in a safe and legal way in return for the PTB payment.

PTB Payments are made in 11 monthly instalments. No payment will be made in July to allow KCC sufficient time to confirm that a reduction is not required in the final monthly instalment to account for low attendance. The final payment will be made in August to account for transport that parents have provided in July of that academic year.

Payments are paid directly into a bank account nominated on the PTB Agreement Form on the date specified within the payment schedule.

Payments will be calculated from the date that the Parental Agreement Form is returned.

Payments are not back dated and no refunds are provided if the application for a PTB is processed within six weeks of receipt of the application.

A PTB can be offered to up to two YPs within a family to the same place of learning, however, the additional YP will normally only be granted 50% of the entitlement. Any subsequent YP would not normally qualify for PTB to the same place of learning.

In exceptional circumstances, the Assistant Director for Fair Access may approve alternative, cost-effective arrangements to provide transport support to facilitate a YP's attendance at their place of learning. These decisions will take into account the principles and expectations outlined above. Such arrangements would be subject to an initial contribution in line with the total cost of the Kent 16+ Travel Saver pass (with similar adjustments to the rates for low income applicants) for the academic year that the application is being made. Requests for exceptional consideration should be made in writing at the conclusion of the normal application process outlined above, and should detail why the provision made available under this policy is insufficient to facilitate attendance. A response will be provided within 20 working days. Where exceptional arrangements are not provided as a result of this review, requests in future academic years will only be considered where applicants can demonstrate a material change in circumstances since the last review. KCC emphasises that where support in addition to a 16+ Travel Saver is provided, it is not generally considered necessary to make arrangements other than by way of a PTB.

Young adult learners, aged 19 – 25 with SEND.

Please note that this section only applies to young adults aged 19-25 who are in education or training and who have SEND (including those with an EHCP). The considerations to be taken into account in relation to sixth form age individuals with SEND are set out in the earlier section.

Initially, young adult learners would be expected to apply to their learning provider for a discretionary budget as outlined in the 16 to 19 Bursary Fund section above. Applicants will be expected to share evidence of these requests and the resultant decisions provided by the learning provider when submitting their application.

In the event that any support provided to learners via the 16 to 19 Bursary Fund is insufficient to facilitate that person's attendance at the place of education or training, an application can be made to KCC.

Travel support will be made available to a young adult learner (not being a person of sixth form age), where KCC has secured and named a setting in an EHCP which provides both the provision of education or training and the provision of boarding accommodation. This applies to an adult learner aged under 25, subject to an EHCP and where it is considered necessary to facilitate that person's attendance at the place of education or training.

Travel support may also be made available where an adult learner is receiving education or training at an establishment maintained or assisted by KCC and providing further or higher education or within the further education sector, and KCC considered that it was necessary for KCC to provide further support to facilitate that person's attendance at the place of education or training.

In deciding whether it is necessary for KCC to provide travel support for an adult learner, KCC would amongst other things, have regard to:

- the learner's age, ability and aptitude
- any SEND the person may have
- the locations and times at which the education or training is provided
- the nature of the route, or alternative routes, which the learner could reasonably be expected to take.
- the alternative support options available to learners and the assessment decisions provided by those processes

It will be necessary for applying young adults to provide evidence relevant to these factors.

For the purposes of deciding whether to provide transport support, KCC would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector. KCC expects to see evidence of the learner making progression if they are to consider providing discretionary support for transport, but each case will be considered on its own merits. This does not preclude a young adult learner from choosing to take part in whichever educational opportunity they prefer, but they should consider what transport support may be available to them before finalising their plans.

Where KCC assesses that any support, or lack thereof, provided to learners via the 16 to 19 Bursary Fund is insufficient to facilitate that person's attendance at the place of education or training, consideration will be given to a potential mileage payment.

Payments will be made at 45p per mile, paid termly in arrears, following confirmation of attendance and submission of appropriate fuel receipts.

Total annual payments will be subject to an overall contribution in line with the total cost of the Kent 16+ Travel Saver pass, (with appropriate adjustments to the rates for low income applicants) for the academic year that the application is being made. The Kent 16+ Travel Saver cost is subject to change annually and can be found [here](#).

Where there are two or more YPs from the same family attending the educational establishment or training provider, only one claim for mileage payment is allowed.

Mileage payments will be withdrawn where a YP has access to the use of an alternative subsidised KCC transport scheme. This includes the Kent 16+ Travel Saver and Vacant Seat Payment Scheme.

In exceptional circumstances, the Assistant Director for Fair Access may approve alternative, cost-effective arrangements to provide transport support to facilitate a YP's attendance at their place of learning. These decisions will take into account the principles and expectations outlined above. Where these arrangements include provision of a vehicle, it will be provided without cost. Requests for exceptional consideration should be made in writing at the conclusion of the normal application process outlined above, and should detail why the provision made available under this policy is insufficient to facilitate attendance. A response will be provided within 20 working days. Where exceptional arrangements are not provided as a result of this review, requests in future academic years will only be considered where applicants can demonstrate a material change in circumstances since the last review. KCC emphasises that, where support in addition to any support provided under the 16-19 Bursary Fund, it is not generally considered necessary to make arrangements other than by way of a mileage payment. Where KCC assesses that in order to attend education or training a young adult learner requires transport arranged by the local authority, such as a specialised vehicle or minibus, this will be provided without charge, in line with the statutory requirement under 508F of the Education Act 1996.

Appeals

In the event that travel support is not provided in any of the categories above, details of the appeals procedure can be found in Annex 2.

School Led Transport

The Assistant Director of Fair Access will work in conjunction with schools and other learning providers with a willingness and sufficient capacity, to develop bespoke arrangements to allow them to provide transport to eligible YPs on their roll. Such arrangements will be agreed in line with principles outlined in this policy, but will be managed via separate formal agreements with the establishment. These establishments may request, as a part of such arrangements, that all funding related to Personal Transport Budgets and/or mileage payments for students on their roll be paid directly to them instead of individual learners. Such establishments will be responsible for informing current and potential future students that this is a pre-

requisite of securing a place at the school, as exceptions to this direct establishment allocation will not be made.

PROPOSED

Annexes

Annex 1 - General Processes, Explanations and Definitions

Application timescales

KCC seek to administer the assessment process and provision of travel support inside of six weeks wherever possible. Several factors will determine KCC's ability to deliver on this commitment. In some instances, the assessment may be delayed where further information is required about a YP's individual needs, or at peak times of the year.

For YP with an EHCP, when Post 16 and 19 Transport applications are made to coincide with a new academic year, it is advisable to apply as soon as the learning provider has been named in the YP's EHCP.

Refunds

KCC is not responsible for any costs incurred by YP or parents during the normal application timescale. Where assessment for travel support takes longer than six weeks and a YP is subsequently found to require additional transport support, YP or parents may request a refund. Refunds will take the form of a backdated PTB or mileage payment, from the date that the assessment decision should have been made.

If a YP was initially assessed as not requiring additional transport support, but following a Transport Eligibility Officer review (See Annex 2) is reassessed as requiring support, a refund can be requested from the initial assessment decision date or the date six weeks after the initial application was received, whichever is earlier. If the review overturns the decision as a result of additional information that the YP or parent did not make available when first applying, a refund will only be made available where the review is completed after the 20 working day limit. In this event, refunds will be calculated from 20 working days after any new information was received by the Post 16 Transport Eligibility Team.

Where additional travel support is provided following a Stage 2 transport appeal, no refund will be provided for transport that a YP or parent has been required to organise until their appeal hearing date, as panel members have additional discretionary authority to consider wider personal circumstances which could not be considered during the normal assessment process. A full or partial refund will only be provided where panel members have concluded that this is appropriate during the appeal.

Refund payments will be issued separately from any required contribution toward KCC provided transport support.

Change of address or place or learning

If a YP moves or changes their place of learning, their suitability to receive travel support would be reassessed in accordance with the policy. There is no guarantee that because they may have received travel support previously, that they will continue to do so.

If a YP moves on a temporary basis, transport would not normally be provided.

Off-site provision

If educational establishments or training providers arrange any off-site provision for a YP who is on their roll, they will be responsible for making any transport arrangements and meeting the costs.

Work experience

KCC will not provide travel support for YPs on work experience. Any costs that arise as a result of work experience, including transport costs, are the responsibility of the educational establishment or training provider or parent.

Apprenticeships/Supported Internships

Where a YP considers that they may require travel support and they wish this to apply to either an apprenticeship or to a traineeship, they should submit an on-line application as for all other learners. The principles outlined throughout this policy will be used to assess whether travel support should be provided.

Out of county residents

A YP that resides outside of the administrative boundary of KCC but attends a Kent school must apply for transport assistance from their home Local Authority where this is required.

Independent schools

Where a YP attends an independent fee-paying school, travel support from KCC will not be provided unless it is named in an EHCP as a YP's nearest suitable learning provider.

Transport provided in error

If following an internal review it is identified that a YP has been incorrectly assessed as suitable for travel support and whose personal circumstances do not actually meet the required criteria, transport assistance will be withdrawn. If this incorrect assessment was as a result of misleading information supplied by the applicant, any provided funds will be recouped via KCC's centralised debt management processes.

Assessment and trial periods

Where it has been recommended by KCC that a YP attend an educational establishment or training provider for a period of assessment or trial, travel support will be provided as long as the YP meets the criteria.

Boarders

Travel support for boarders will be provided at the beginning and end of each agreed scheduled boarding period. Outside of these times, the YP or parent, assisted as necessary by the learning provider, will be required to facilitate and fund any exceptional transport arrangements that may be required in the event of extraordinary occurrences such as school closures, medical appointments etc.

Additional Support

Information about additional support provided through Adult Social Care can be found [here](#).

PROPOSED

Annex 2 – Post 16 Transport Appeals

Parents and YP are entitled to appeal against decisions by KCC to refuse their application for travel support. This appeal process has two stages and appellants should complete the first stage before moving on to the next.

Stage 1 – Procedure for Appeals to the Post 16 Transport Eligibility Team – Officer Review

Applications for travel support are only declined where a YP is not eligible under KCC's criteria. Where applicants receive a decline to their application, the first step is to carefully read the outcome letter that has been sent to you by KCC's Post 16 Transport Eligibility team. It will explain to you why travel support cannot be offered.

While applicants may feel strongly that they should be given travel support, Officers are obliged to follow the assessment criteria outlined in the main policy. There is no discretion for Officers to deviate from strictly applying the transport assessment procedures when considering spending from the public purse. This stage is designed to ensure that there have been no mistakes in the processing and to check that the information supplied was correct at the time of assessment.

Applicants should carefully consider before submitting an Officer Review whether they are likely to have their decision overturned, in light of the information above. If applicants feel that they can submit sufficient additional evidence to show that their application was assessed incorrectly, they should contact the Post 16 Transport Eligibility team with the YP's full name, learning provider, date of birth and an explanation as to why they feel that their application should be reassessed within 20 working days from receipt of KCC's home to school transport decision. Requests for Officer Review that are received after this date cannot be considered. Transport Officers cannot discuss an applicant's reasons for requesting a reassessment over the telephone. It is important that Officers maintain a written audit trail of their assessment decisions. Applicants will be responsible for any alternative transport arrangements while their application is being reassessed. Officers will endeavour to respond within 20 working days.

Applicants wishing to complain about the service provided by the local authority should use the local authority's complaints procedure.

If the Officer Review highlights that applicants received an incorrect initial assessment, a payment will be provided and backdated to the initial assessment decision date or the date six weeks after the initial application was received, whichever is earlier. If the review overturns the decision as a result of additional information that the applicant did not make available when first applying, a payment will be provided and will start from the date the parental agreement is returned.

Stage 2 – Procedure for Appeals to Members of the Regulation Committee Transport Appeals Panel

Where an applicant's Officer Review is not upheld, if they wish, they are then able to appeal to Members of the County Council's Regulation Committee Transport Appeal Panel.

You can attend the hearing to put your case to the panel, or have your case considered on your written submission only. You will be given an opportunity to select which option best suits your need.

The hearing panel consists of between 3 and 5 elected Members. The panel will consider whether our policy has been applied properly and, if so, whether the strength of your case outweighs the expectations of that policy. The panel cannot change the policy itself or the designation of the nearest appropriate school for the area.

You will be offered the following options for your appeal hearing:

- A face to face meeting
- A virtual meeting via Microsoft Teams (a secure system that is similar to Zoom)
- A paper-based process, where you submit information for the panel to take into account when considering your appeal.

A appellant has 20 working days from receipt of KCC's stage one written decision notification to make a written request to escalate the matter to stage two. Stage 2 requests that are received after this date cannot be considered.

Grounds for Appealing

Applicants can appeal for any reason or combinations of reasons that they wish. They will be given an opportunity to explain where they believe previous decisions have not been made in line with this policy, or on what grounds they believe support should be provided regardless of KCC's published transport offer.

The Members of the County Council's Regulation Committee Transport Appeal Panel ("the Members") will consider any arguments that are put to them.

Procedure

An online appeals form is available to complete [here](#).

It is important that you submit any evidence that supports your appeal (for example letters from your school, GP or social worker or financial evidence such as benefit receipts). You can appeal for any reason or combination of reasons, but you should carefully consider if you have sufficient additional evidence to support your case. No charge is made for the appeal but appellants must meet any costs they incur for preparing their appeal or attending the hearing, such as photocopying or transport costs.

The Transport Appeals Team in Democratic Services will acknowledge appellant's appeal and offer a date and time to hear the appeal. All paperwork will be issued electronically unless an alternative format is requested.

If appellants wish to, they can, for a good reason, reject the first hearing date. If the second hearing date is also rejected or if appellants fail to attend a hearing on a date that has been accepted they will not, other than in exceptional circumstances, be

offered a further hearing. The Members will, however, consider the appeal in their absence, based upon the information that has been provided in writing. Please note that it is not possible to hold appeals in the evenings or at the weekend.

At least five days before the hearing date, the Appeals Team will electronically send appellant and the Officer presenting the Council's case a copy of each other's written case and supporting documentation.

Witnesses

Appellants are welcome to bring a witness, including their locally elected Kent County Councillor, but they must advise the Transport Appeals team at least one day in advance who this will be. Appellants may wish to provide a written summary of the witnesses' evidence on the day of the hearing as this may be helpful to the Members considering the case.

Please note that the Members hearing the appeal have the right to refuse to listen to witnesses produced by appellants or by the Officer presenting the Council's case if they believe that the evidence given is irrelevant to the appeal.

No fees, expenses or allowances will be paid to the witnesses by the Council under any circumstances.

Appellants can have a friend to accompany them or represent them at the appeal and must ensure the Appeals Team know his or her identity at least one day prior to the hearing date. If the friend is a lawyer, they cannot act as one as part of a lawyer/client relationship.

Legal presentation is not allowed and the Officer presenting the case on behalf of the County Council will also not be allowed to have legal representation. The Members deciding the appeal do have the right to have a legal adviser if they so wish.

There will be an official note taker at the hearing provided by the Council and any video or attempt by appellants to record the hearing will lead to its immediate termination and the dismissal of the appeal.

As far as possible appellants should send all evidence with their appeal letter. Any additional evidence should be sent to the Transport Appeals Team at least two days before the appeal hearing. Written evidence produced on the day of the appeal hearing will be considered at the absolute discretion of the Members hearing the appeal and may lead to the hearing being adjourned to a later date.

The Appeal Hearing

There will normally be a panel of between three to five Members considering the appeal. There will also be a clerk to advise Members and take notes of the appeal hearing. If you opt to have your appeal heard under a face to face or virtual setting, at the beginning of the appeal hearing the Chairman elected by the Members will introduce everyone present at the hearing and explain the procedure. The procedure is as follows:

1. A Presenting Officer will explain the reasons that have prevented the County Council meeting parents wishes up to this stage.
2. Appellants and the Members may then ask the Officer questions.
3. Appellants and/or their representative (who can be a Member of the County Council) will explain the grounds of the appeal and its desired outcome.
4. The Presenting Officer and the Members will ask parents and/or their representative questions.
5. Appellants and the Presenting Officer will be asked to leave the room and the Members will make a decision.

For paper based appeals, Members and the Clerk will meet and make their decision based on the written submission only and neither appellants or a Presenting Officer will be in attendance.

The Members may ask anyone questions at any time or may alter the order of steps 3 and 4 above at any time. Members may agree to consider only written evidence for either or both parties.

The Decision

In reaching their decision the Members must have regard to Kent's Post 16 Transport policy. They need to satisfy themselves that the policy has been applied correctly. They will then look at the specific circumstances to determine whether they are sufficiently strong to enable them to use their discretion to make an exception. The Members have a responsibility to consider the most cost effective and appropriate travel support taking into account the family circumstances at the time of the appeal

The Members may decide to:

- uphold the appeal in all respects; **or**
- not uphold the appeal; **or**
- they may decide to partially uphold the appeal.

This can include meeting appellant's wishes in part or for a time limited period. At the end of the time limited period the Members can review the circumstances again and may ask that additional information such as up to date medical records or learning provider attendance records be made available at the time of the review.

In the event members agree to the provision of a mileage payment or Personal Transport Budget, they will decide the date at which calculation of payments will begin, how long this provision will remain available and whether there is a need for regular review of circumstances.

Appellants will receive a decision in writing within five working days of the appeal hearing. Decisions cannot be given over the telephone.

There is no further appeal within the Council's procedures. If appellants believe that they have suffered injustice as a result of maladministration by the Panel then they do have the right to pursue a complaint with the Local Government Ombudsman.

This is not a right of appeal and relates only to issues such as failure to follow correct procedures, or failure to act independently and fairly. If the person making the complaint simply disagrees with the decision there is no recourse. If appellants have a complaint of a procedural nature, they can refer it direct to the Local Government Ombudsman

Appellants will not be able to make any further applications for free or subsidised transport in relation to the same YP at the same learning provider unless

- they can demonstrate a significant and material change in circumstances since the previous appeal was decided; **or**
- the County Council changes the criteria for offering free or subsidised transport under the Council's published Post 16 Transport Policy and that change is relevant to the case; **or**
- there is a relevant change to the law.

If any of the above grounds apply parents will need to write a fresh appeal to the Transport Appeals Team, setting out the reasons in detail. Appellants will then be informed whether the Council will be prepared to consider the new application.

Annex 3 - Transport Related Responsibilities and Expectations

A copy of KCC's Transport Code of Conduct, which applies equally to YP in Post 16 education, can be [found on the kent.gov website](https://www.kent.gov.uk/transport).

Annex 4 - Home to School and Post-16 Transport Retendering Procedure for Pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs and Disabilities (SEND)

Introduction

Councils are required by law to adhere to the government's Public Contract Regulations 2015, which provides rules to the public sector for the procurement of goods or services. Procurement is how the public sector purchases services to ensure they provide value for money, are effective and deliver quality services.

The regulations govern how councils engage with commercial suppliers when buying their services, making sure there is a fair and transparent process. This process is applied in the purchasing of services for Home to School and Post 16 Transport.

Commissioning Cycle

Kent County Council (KCC) adopts a commissioning cycle when purchasing services. The commissioning cycle and how we apply it to Home to School Transport is summarised below:



Analyse: For Home to School Transport there is a statutory (legal) obligation to provide transport to entitled pupils. For Post 16 Transport, KCC has a duty to consider what additional support a learner may need to access education, which may result in the provision of a vehicle organised by KCC. To identify what the service needs to deliver we review each pupil's application and any additional supporting information and consider it in line with responsibilities detailed in the Education Act and statutory guidance.

Plan: Using the information gathered during the analysis phase we plan how to provide transport for identified pupils. We review the existing transport arrangements for pupils to determine whether we can manage the demand for services more efficiently. We consider; statutory guidance, pupil need and the efficient use of resources to deliver these services. This process may conclude that pupils may be able to share transport with others on existing services or determine that new services are required.

Do: Where there is a need to purchase services to provide transport, we will undertake a procurement process. The procurement process invites suppliers who have registered with the Kent Business Portal and agreed to our terms and conditions to submit a proposal for an advertised school contract. We award the contract to the supplier who submits the lowest cost proposal. This ensures we make efficient use of public money.

The contract with the successful supplier sets out the roles and responsibilities of both, the council, and the supplier, to deliver the services which include but not limited to:

- licensing regulations for drivers and vehicles, for example, DBS checks are undertaken to find out whether someone has a criminal record and insurances are in place
- arriving on time
- paying for services
- upholding contract management standards should something go wrong, for example by ensuring the service is running as we expect in accordance with our terms and conditions of contracts and taking action to address any concerns promptly. This ensures pupils travel in a safe and appropriate manner.

A contract may only be for a fixed period. A contract for our services shall not exceed a maximum of five years due to the level of change from pupils starting and leaving the service. This means we cannot guarantee the same supplier will deliver our services throughout the academic life of a pupil.

Review: We regularly review the transport arrangements for pupils by gathering feedback from families, learning providers and suppliers to ensure the services are performing as expected, are fit for purpose for pupils and the contracts represent value for money. KCC is reliant on parents and third parties to keep them updated with this information. Legislation and guidance are also kept under review. The information gathered will help inform the next commissioning cycle.

By adopting the commissioning cycle it allows us to prepare for “planned changes”. These are when we expect services to change when a contract has reached its natural end date. It may also occur as a result of pupils leaving the service meaning the contract may become financially unviable for the supplier or council. When planned changes are due to occur, we notify parents and carers in good time to allow them to prepare their child for a potential change. Parents will be contacted again when the outcome of the retendering process is known and an appropriate provider has been identified.

How we will communicate and engage with key stakeholders

We will:

1. provide parents and carers with notice two months prior to planned changes occurring
2. explain why the change is occurring

3. engage with schools and/or learning provisions to inform them of any planned change and where possible seek their views on new travel arrangements prior to commissioning services
4. listen and consider the views of parents and carers regarding their child's travel needs
5. inform parents and carers via letter or email upon determining a child's transport arrangement and securing those arrangements.

Unexpected changes in transport

On occasion transport may need to change more suddenly - this would be considered a "not planned" change. This may be due to the supplier/transport operators serving notice on their contract, or they may be unavailable with immediate effect due to factors outside of the council's control. Where these cases occur, we will endeavour to inform parents and carers as soon as reasonably practicable. However, by their nature it will not be possible to provide as much warning as a planned change. As the council is reliant on the supplier to be informed of these changes, it is possible that parents may hear from their child's driver before KCC is able to make contact. In any event, KCC will immediately begin the process of sourcing new services via the process outlined above.