

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Beverley Fordham, Cabinet Member for Education and Skills

DECISION NO:

25/00044

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

Key decision: YES

Key decision criteria. The decision will:

- a) *be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:*
- the adoption or significant amendment of major strategies or frameworks;*
 - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.*

Subject Matter / Title of Decision:

Determination of the Post 16 Transport Policy Statement including Post 19 Transport 2025-26

Decision:

As Cabinet Member for Education and Skills, I agree the Post 16 Transport Policy Statement including Post 19 Transport 2025/26.

Reason(s) for decision:

Background

KCC has a duty to consult on and publish its Post 16 Transport Policy Statement every year. Whilst there is no statutory duty to provide transport for Post 16 Learners, there is a duty to consider applications for assistance with transport and to enable access to education and training to age 18. The transport policy sets out how KCC will meet this duty and what learners can expect by way of support. Councils also have a duty to make such arrangements as they consider necessary for the provision of transport and otherwise in respect of Adult learners including those with an EHCP.

Equality Implications

KCC is not proposing to make any substantive changes to the 2025-26 Post 16 Transport Policy Statement. The policy does clarify some wording relating to how contributions and refunds are made, to better explain these processes. It also included some limited new wording to explain KCC's current approach more clearly. Because no substantive changes are proposed it is not anticipated that there will be any particular impacts on protected groups.

Financial Implications

The Home to School Transport net budget is £97.7m for 2025-26. There are no specific Government grants for home to school transport and the Council are expected to fund their responsibilities

through the General Fund (Council Tax and other wider council funding) or where applicable, parental contributions. This budget covers mainstream, post 16 and SEN transport for eligible children aged up to 25.

The Council currently spends approximately £10m per annum on Post 16 transport to schools and further education providers. There are no substantive changes proposed to the 2025-26 policy and therefore spending patterns are expected to remain unchanged from the proposed 2025-26 Post 16 Transport Policy statement.

Legal Implications

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.

Local authorities do not have a general obligation to provide council tax funded 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 policy statement also sets out the duties on the LA to consider requests for transport support. KCC is required to enable access to education and will consider applications for support where a Kent 16+ Travel Saver pass is not suitable. Where support is agreed, the policy makes clear that learners will initially be assessed for Travel Training and alternative transport arrangements will only be provided where this training is not appropriate. Where additional support is refused learners can appeal to the Transport Regulation Committee Appeal Panel.

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.

Cabinet Committee recommendations and other consultation:

A public consultation was held between 27 January and 23 March 2025

The proposed decision will be considered at the Children's, Young People and Education Cabinet Committee on 15th July 2025.

Any alternatives considered and rejected:

No alternatives considered for 2025. However, a parallel consultation was held which proposed changes for 2026/27, which are covered by a separate paper.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date