

From: **Beverley Fordham, Cabinet Member for Education and Skills**

Sarah Hammond, Corporate Director for Children, Young People and Education

To: Children, Young People and Education Cabinet Committee

Subject: **Post 16 Transport Policy Statement 2025/26**

Decision: **25/00044**

Classification: **Unrestricted**

Future Pathway of Paper: Cabinet Member Decision

Summary: Each year KCC has a legal duty to consult on its policy for Post 16 Transport including Post 19 and publish a Post 16 Transport Policy Statement.

Recommendation(s): The Children, Young People and Education Cabinet Committee is asked to **CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS** to the Cabinet Member for Education and Skills on the proposed decision as set out in the PROD.

1. Introduction

- 1.1 The report is designed to update Members in regard to decisions to be taken relating to the Post 16 Transport Policy Statement including Post 19 Transport 2025/26. A companion paper discusses proposed provision for 2026/27, which includes potential changes in how support will be delivered for that academic year. It has been necessary to consult on both transport policies concurrently to fulfil Kent's legal duties, while providing parents and learners with sufficient early warning of potential changes for future academic years.
- 1.2 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 *learners of sixth form age* receiving education or training. This includes support for 19+ learners with an Education, Health and Care Plan (EHCP) who started their course before their 19th birthday.
- 1.3 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* (i.e. those aged 19 or over, whose course started after their 19th birthday) for the purpose of facilitating their attendance at local authority maintained or assisted Further or Higher Education institutions or institutions within the Further Education sector; and
- *Adult learners with an EHCP* (which can be maintained up until the age of 25) for the purpose of facilitating their attendance at institutions where they are receiving education and training outside the Further and Higher Education sectors, where the council has secured the provision of education or training at the institution and the provision of boarding accommodation in connection with that education or training.

1.4 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.

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

1.6 The attached policy statement (Appendix A) makes it clear that in the first instance there is an expectation that all learners of sixth form age, including those with SEND (Special Educational Need and Disabilities) and/or an Education Health and Care Plan (EHCP) will make use of the Kent 16+ Travel Saver. This is a discretionary scheme which aids access to both education and employment with training. This provides up to a 50% reduction in travel costs for the average user. Learning providers, at their discretion, can further subsidise this using bursary funding and we would expect bursary to be provided for up to 50% of the cost for low-income families. Because schools and colleges use bursary funding at their discretion, some choose to subsidise other localised bus travel cards as opposed to the KCC scheme which offers a broader transport offer.

1.7 In addition to this provision, the Policy Statement outlines the following additional options available to learners of sixth form age:

- Direction to provider led 16 to 19 Bursary Fund
- Subsidised travel cards for Young people who are not in education, employment or training (NEET)
- Active Travel Strategy
- Vacant Seat Payment Scheme
- Care to Learn
- Alternative Support for those learners requiring additional assistance

1.8 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. The following options are available for adult learners:

- 16 to 19 Bursary Fund – learners 19 and over could also get a bursary if they either:
 - are continuing a course they started aged 16 to 18 (known as being a '19+ continuer'), or
 - have an Education, Health and Care Plan (EHCP)
- Active Travel Strategy
- Care to Learn, for young parents under 20.
- Alternative Support for those learners requiring additional assistance

1.9 KCC currently provides a Kent 16+ Travel Saver to 6,625 pupils. 1,334 Post 16 pupils receive support via a KCC provided vehicle. 148 Post 16 pupils are provided a Personal Transport Budget. The number of young people using KCC arranged transport to FE colleges has nearly doubled in the past 5 years, in line with the extension of duties for SEN up to 25, with the average cost of transport increasing by around 40% over the same period.

2. The Report

- 2.1 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.
- 2.2 KCC consulted with current and future service users between 27 January and 23 March 2025 on a Post 16 Transport Policy Statement for 2025/26, stating that no changes were proposed for this year. 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. However, it was necessary to consider the Post 16 Transport Policy Statement for 2025/26 fulfil our statutory responsibilities for annual review.
- 2.3 The policy is attached as Appendix A.
- 2.4 A copy of the consultation documentation including Equality Impact Assessments can be found at [Post 16 School Transport for Mainstream and SEND Students | Let's talk Kent](#)

3. Consultation outcomes

- 3.1 To raise awareness of the consultation and encourage participation, the following activity was undertaken:
- Emails to stakeholders including head teachers, FE providers, bus operators and other school transport providers, such as taxis.
 - Email/letter to all parents of year 10, 11 and post 16 students with an EHCP.

- Invite on the launch of the consultation to 8,957 Let's talk Kent registered users who have expressed an interest in being kept informed of consultation regarding transport, education, young people and children and families and a reminder email to 9,480 users on 13 March.
- Media release - <https://news.kent.gov.uk/articles/consultation-opens-on-kccs-home-to-school-transport-policy>
- Promoted through KCC's resident e-newsletter, SEND newsletter and Kelsi e-bulletin and intranet.
- Posters displayed in libraries and Gateways and feature on home screen of public computers in libraries.
- Promotional banners added to Kent.gov homepage and relevant service pages.
- Social media via KCC's corporate Facebook, Twitter, Instagram, LinkedIn and Nextdoor accounts and paid targeted Facebook adverts.
- Promotion through KCC's intranet.
- All consultation material included details of how people could contact KCC to ask a question, request hard copies or alternative format.
- A Word version of the questionnaire was provided on the consultation webpage for people who did not wish to complete the online version.
- Large print, easy read and audio versions of the consultation material were available from the consultation webpage and on request.

3.2 Engagement with the consultation webpage, material and social media:

- 3,213 visits to the consultation webpage by 2,879 visitors during the consultation period.
- 691 document downloads, including 329 downloads of the Consultation Document
- 158 downloads of the Post 16 Transport Policy Statement 2025/26
- Organic posts had a reach of 62,04 on Facebook and Instagram. There were 76,793 impressions on X (Twitter), LinkedIn, Nextdoor and Instagram. Reach refers to the number of people who saw a post at least once and impressions are the number of times the post is displayed on someone's screen. The posts generated approximately 2,266 clicks through to the consultation webpage. (Not all social media platforms report the same statistics.)
- 111 responses to 2025-26 Post 16 Transport Policy Statement sections of the consultation.

3.3 As outlined above, while no changes are being proposed for the 2025-26 Post 16 Transport Policy Statement, KCC is legally required to conduct an annual consultation. Many responses appear to have been influenced by proposals in the consultation for the 2026-27 Post 16 Transport Policy Statement, which are discussed and analysed separately in a corresponding paper.

3.4 However, some comments are relevant to this consultation. Among those who commented on the 2025-26 policy, 22% stated that the policy is unfair or discriminatory to families and those with SEND. While KCC's transport policy statement expects a universal contribution from learners for the transport support they receive, it gives due regard to learner's SEN and provides a higher level of support to those with a higher level of need. Consideration is

also given to a family's financial circumstances, with reductions in expected contributions where appropriate. As such, KCC is content that its policy statement is not discriminatory to learners with SEND or their families.

- 3.5 Some 18% of respondents believe that all education transport should be provided or funded by KCC. Additionally, 12% noted that children and young people are legally obligated to be in education until the age of 19. While national legislation requires learners of sixth form age to remain in education or training, statutory entitlement to council tax funded school transport is not extended to these same learners. Councils are not provided dedicated funds by Government to support transport for these learners. This means that national legislation and funding does not support an expectation that all learners should be provided fully funded transport support.
- 3.6 A Further 8% raised concerns about the payments, basis, or criteria for charging. While KCC has historically provided a high, above average level of transport support for some learners of sixth form age and adult learners, (particularly those with SEND and or EHCPS) there is no default legal entitlement to council tax funded school transport. It should be noted that even with the current parental contribution, KCC are providing an average subsidy for each child of over 94%.
- 3.7 On a positive note, 5% of respondents agreed with the proposals and praised KCC, while another 5% expressed satisfaction with the status quo and the lack of changes for the next year
- 3.8 A full consultation report providing an independent analysis of demographic profile and corresponding feedback received is available in Appendix B.

4. Financial Implications

- 4.1 The Home to School Transport net budget is £97.7m for 2025-26. There are no specific 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.
- 4.2 The costs will vary depending on take up levels and journeys undertaken by cardholders. 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 savings resulting from changes made to this policy in 2024-25, including the introduction of charging, ceasing lunchtime pick-ups and changes in eligibility for Post 19 learners have been achieved and are expected to continue, as detailed in the previous key decision (decision number [23/00069](#)).

5. Equality Impact Assessment

- 5.1 The consultation included a detailed Equality Impact Assessment (EqIA) which can be found in Appendix C.
- 5.2 As the policy remains unchanged from the previous annual iteration, the EqIA did not identify any new or unmitigated risks that required further consideration
- 5.3 Similarly, respondents did not provide any new suggestions to those that were already considered. This suggests that Kent's EqIA sufficiently identified how the proposed policy impacts local residents.

6. Legal Implications

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 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.
- 6.5 Section 1 of this report highlights how this policy fulfils KCC's statutory duties in this area.

7. Data Protection Impact Assessment

- 7.1 The Kent 16+ Transport privacy statement can be found here ([Kent Travel Saver and Kent 16+ Travel Saver privacy notice - Kent County Council](#)) and advised parents that they are consenting to the usage of their submitted data, how the data will be used, who it will be shared with and how long it will be held, in line with KCC's duties.

7.2 The policy associated with this consultation do not affect the data that is collected or how it is used, so previous DPIAs remain valid and do not require revision.

8. Recommendation(s)

Given the stable nature of Kent's Post 16 transport offer for 2025/26 academic year, which exceeds its statutory duties in a number of areas:

The Children, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposed decision as set out in the PROD.

9. Background Documents

- Post 16 Transport Policy – Appendix A
- Consultation Report – Appendix B
- Proposed Record of Decision – Appendix C

[Post 16 School Transport for Mainstream and SEND Students | Let's talk Kent](#)

10. Contact details

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