

Kent Freedom Pass

Terms and Conditions for scheme year 2009/10

These Terms and Conditions should read in conjunction with the explanatory leaflet provided.

Definition

Kent is defined as the administrative area of Kent County Council as defined by the Local Government Act 1992 (as amended).

The date of application is defined as being the date on which the application is received at KCC's Transport Integration office.

Scheme Year

The Scheme Year is defined as follows:

Schools in the districts of Ashford, Dartford, Gravesham, Sevenoaks – from 1 June 2009 until 31 August 2010.

Schools in the districts of Canterbury, Dover, Maidstone, Shepway, Swale, Thanet, Tonbridge & Malling and Tunbridge Wells – from 1 September 2009 until 31 August 2010.

The Pass

The Kent Freedom Pass (hereinafter referred to as KFP) remains the property of Kent County Council.

Payment of the fee (currently £50) and submission of an application form is deemed to be acceptance of these Terms and Conditions. The fee is a one-off charge and does not vary during the period until August 2010, irrespective of the date of application or issue. No refunds shall be made under any circumstances.

All passes expire on 31 August 2010.

Eligible persons

A pupil in academic year groups 7 - 11 from September 2009 onwards, normally resident within Kent, and enrolled at a school specified in the list of Countywide Participating Schools, is eligible to apply. A pupil enrolled at a school outside of Kent, but attending an educational establishment in Kent on a part-time basis is not eligible to apply. A pupil enrolled at an educational establishment in Kent but not one specified in the list of Countywide Participating Schools, is not eligible to apply, unless the establishment is subsequently accepted into the scheme by the Children, Families and Education directorate.

Students moving to a participating school will not be issued a pass until they are attending the school.

Young People in Care:

A person aged 16 – 18 in Kent County Council Local Authority Care is eligible to apply.

Applicants must live within Kent and have their form endorsed by Catch 22 (formerly Rainer)

Kent Services within the Children, Families and Education directorate. They are eligible until the end of the scheme year in which they reach the age of 18. For those in residential care, Catch 22 Kent Services will meet the £50 administration fee. For those in foster care, the foster carer, through the young person's transport allowance, must meet the £50 administration fee.

Care Leavers:

A person aged 18 – 20 as defined in the Children Act 1989 and the Children (Leaving Care) Act 2000. Applicants must live within Kent and have their application endorsed by Catch 22 (formerly Rainer) Kent Services within the Children, Families and Education directorate. Care leavers can apply for a pass until the end of the scheme year in which they reach the age of 20. Catch 22 Kent Services will meet the £50 administration fee.

Educated at Home:

Applicants must live within Kent and be registered as Educated at Home with the Admissions and Transport team within the Children, Families and Education directorate. There is no need to have the application form endorsed prior to submission, as this will be checked as part of processing the application. Any applicant not registered as Educated at Home, may be subject to further investigation by the Children, Families and Education directorate.

Application Process

The closing date for applications is 31 May 2010. Kent County Council will not be liable for, and will not refund, transport costs incurred while applications are processed or transport costs incurred during the period between 1 June or 1 September and the date when the school is open for the pass to be collected. It is the responsibility of the applicant to contact Kent County Council if the pass is not available to collect within 28 days of the scheme start date (1 June 2009) or date of application, whichever is later.

KCC reserves the right to specify dates during the scheme year by which time applications must be made in order to manage the volume of applications and plan for bus service capacity.

Replacement Pass

Only one application for a replacement KFP will be accepted during the period until August 2010. A charge of £10 will be made irrespective of the circumstances in which it is required and will not be waived. In the event that the replacement pass itself is lost, damaged or stolen, a new application with a fee of £50 will be required.

Replacement applications will normally be processed within 10 working days of receipt however Kent County Council will not be liable for, and will not refund, transport costs incurred while replacement pass applications are being processed. If an application for a replacement pass is made but the pass has not been received 28 days after the application, it is the responsibility of the passholder to contact Kent County Council.

Eligibility for free home to school transport

Applications from pupils already entitled to free home to school transport, either by virtue of the Education Act 1944 (as amended), or by discretionary transport policy of KCC, will be checked against the last recorded home address. No passholder can have two permanent addresses and any discrepancy between the addresses given will be investigated, which may result in entitlement to free transport being withdrawn.

Change of circumstances

A passholder who no longer qualifies for the scheme (for example by virtue of a change of home address or school to outside of Kent) must return the pass to Kent County Council with immediate effect.

A change of circumstances that does not affect eligibility for the scheme, such as change of address within Kent, must be notified to the Council within 14 days of the event.

Limitations of Use

The KFP is valid on virtually all registered local bus services which start and/or finish in Kent, except for those of operators who elect not to participate in the scheme, or where a restriction agreed by Kent County Council applies. Some bus services, by virtue of their limited operation, are designated as special services within the scheme and require an additional payment arrangement to the KFP. Additional payments for special services can only be required by operators and/or schools where this has been agreed by KCC. Arrangements for the payment of any such additional payments will remain subject to the operator and/or school's normal terms of business. Exceptions and special services are listed in the list of Participating Operators and Services.

Coach and private bus services (such as vehicles hired to provide school transport under the Education Act 1944 (as amended)) are not included. Rail travel, with the exception of the Romney, Hythe and Dymchurch Railway, is not included. It is the passholder's responsibility to ensure that the KFP is valid for travel on the service on which it is intended to be used.

There are no restrictions on the times when travel can be made or the number of journeys that can be made on any day.

Bus travel can be undertaken where the intended journey starts or finishes in Kent.

Any student that cannot produce a valid pass must pay the appropriate fare in order to travel. Passes will not be accepted for travel, and must be replaced, if they become damaged such that the student's name or photograph or the Kent County Council logo are not clear, or give rise to legitimate concern about the validity of the pass. The standard replacement charge will still apply in these circumstances.

Conditions of Carriage

All travel undertaken by the passholder is subject to the Conditions of Carriage of the relevant operator and the Kent Freedom Pass Code of Conduct. The passholder is responsible for their own behaviour when travelling. All bus companies have their own Conditions of Carriage and operators have the right to refuse travel or withdraw a KFP in the event that Conditions of Carriage are breached. In serious circumstances, the bus operator may ban the passholder from their services permanently and ask the Police to take action against those involved in serious anti-social behaviour or fraudulent use of passes.

A passholder who has their KFP withdrawn and is also entitled to statutory free home to school transport, should report this to Kent County Council with immediate effect. A replacement KFP will not be issued but a statutory free home to school pass may be provided.

Liability and disclaimer

The KFP does not entitle or guarantee a space (whether standing or seated) on any bus service at any time, nor does it give any expectation of new bus services being provided, or the continuation of existing bus services.

Kent County Council accepts no liability for any consequential loss, delay or injury arising from the use, or intended use of the KFP. Any complaint arising from a journey which is not operated as expected should be addressed to the operator of the service concerned.

KCC reserves the right to amend these Terms and Conditions during the course of the scheme year in response to changes of circumstances.

Any correspondence regarding these Terms and Conditions, or the Kent Freedom Scheme in principle should be addressed to:

Kent Freedom Pass
Sustainable Transport
Kent Highway Services
1st Floor Invicta House
County Hall
Maidstone
ME14 1XX

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Email: kentfreedompass@kent.gov.uk