



Revenue Protection Policy

A Common Sense Approach

November 2021

TransPennine Express

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Treating our customers fairly

At TransPennine Express we understand that sometimes customers may forget or misplace a ticket or Railcard and we will do our best to treat you fairly if you make a mistake. For this reason, we are taking a ‘common sense’ approach to our revenue protection policy outlined below.

Purpose

The purpose of our Revenue Protection Policy, with a common-sense approach, is to make sure that customers, who have not deliberately avoided paying the relevant fare, are treated fairly. Furthermore, it explains how we try to ensure that everyone pays the correct fare for their journey, and ensure that those who intentionally avoid, or attempt to avoid, their fare are dealt with appropriately. It is important to us to protect our fare paying customers.

This policy gives you everything you need to know about how we make sure our customers pay the right fare for their journey. It follows the National Rail Conditions of Travel, when it comes to tickets and other guidelines for revenue protection. There’s information about what to expect from us, your responsibilities when you travel and what could happen if you don’t travel with a valid ticket. We have specially trained staff whose role is to reduce ticketless travel as well as investigating matters of fare evasion.

What this means for our customers

We will enforce this policy both at stations and on-board our trains. We will make sure that all customers have a valid ticket for the journey they are making. We train all our employees to a high standard in customer service and we expect them to behave politely and with respect towards all our customers whatever the circumstances.

In February 2020, Transpennine Express introduced a Penalty Fare scheme across our network. This will adhere to a “Penalty Fares Scheme”, which we have shared with Transport Focus and Transport for the North.

We operate under The Railway (Penalty Fare) Regulations 2018, with a Buy Before You Board Policy. Which means that if either an open ticket office or ticket vending machine (TVM), are provided at the station that you start your journey, you need to ensure you purchase your ticket prior to boarding the train. It is your responsibility to arrive at the station with enough time to purchase your ticket. TransPennine also offer the ability to buy your ticket before you arrive at your departure station through our website (www.tpexpress.co.uk) or on your phone using our ticketing buying App. This will avoid you having to queue at the ticket office or TVM at busy times. If you are using your mobile phone or electronic device to buy tickets online, please ensure your ticket is bought and activated prior to boarding the train. Once you are on board, we are unable to accept tickets that have not been activated.

If ticket buying facilities are not available at the station that you start your journey from, you must, as soon as you are reasonably able, buy an appropriate ticket to complete your journey. The price of the ticket you purchase will be the same as if you had bought a ticket at the station from which you first departed. If you didn’t buy a ticket when you had the chance, it may seem like you tried to avoid paying.

If you travel without a valid ticket

We have staff specially trained to deal with fare evasion and revenue protection, who can report people to our Prosecutions department. If you are unable to show a valid ticket when asked, what happens next will depend on which member of staff asks to see your ticket.

If you're stopped by a member of the Revenue Protection Team, they may:

- Excess your fare (This would normally be the difference between the fare you have paid and the new correct ticket price. However, an advance ticket cannot be excessed, and a new ticket will have to be purchased)
- Sell you a ticket (usually a full price Anytime ticket for your journey (with no discount))
- Give you an Unpaid Fare Notice (UFN) or a Penalty Fare Notice (PFN)
- Report you to our prosecutions department – which could mean you have to go to court. TransPennine Express take fare evasion seriously and when fare evasion occurs, we do prosecute.

If you're stopped by a train conductor, they may

- Excess your fare (This would normally be the difference between the fare you have paid and the new correct ticket price. However, an advance ticket cannot be excessed, and a new ticket will have to be purchased.)
- Sell you a ticket (usually a full price Anytime ticket for your journey (with no discount))
- Give you an Unpaid Fare Notice (UFN)
- Report you to our prosecutions department – which could mean you have to go to court

It is your responsibility to buy and collect tickets prior to travelling and you may find that discounts are not available when you buy your ticket on the train.

Tickets need to be valid for the date and time of your journey and you are required to keep hold of them until you exit the station, so they can be inspected by Conductors, Revenue Protection Staff or used in automatic ticket barriers.

If you have bought a ticket that has restrictions, and/or a Railcard discount, make sure that you stick to these restrictions and have your Railcard with you; otherwise you may end up paying for your journey again at the full price.

We also carry out unannounced ticket and barrier checks at stations on our routes to make sure no one is getting a free ride.

What if I could not purchase a ticket before boarding?

If you do get on a train without a ticket, no discounts will apply when you purchase your ticket from the Conductor or Revenue Officer except in the circumstances below. However, you can buy the ticket you wanted using any Railcard discounts that apply if there is no way of buying the ticket you want at the station where you start your journey; if

- the station has no ticket office or TVM;
- the ticket office is closed;
- the TVM isn't working or can't issue the ticket you want;
- you cannot use the ticket office or ticket machine as a result of a disability; or
- you're entitled to concessionary fares without a Railcard, for example, if you are a permanent wheelchair user.
- In certain circumstances a member of staff may give you permission to travel without having purchased a ticket. (In these situations where a person appears to be acting for or on behalf of a train Operator, it is advisable for a customer to make a note of the person who has indicated travel is allowed; such as name (if a name badge is worn), physical description and where on the station they are located (outside ticket office, at the gates etc.) This can assist with later verification or appeal.) This may include if you had to queue a long time for a ticket, if there are problems with a ticket machine, if there is disruption to the service.

What if I don't have my Railcard with me?

If you get on our trains with a ticket that should be accompanied by a discount card (for example, a Senior Railcard) and you are unable to present the discount card, you could be charged an excess fare, new ticket or issued an Unpaid Fare Notice or Penalty Fare, if you do not have the means to pay at the time. We are unable to accept a screenshot or picture of the Railcard as it cannot be verified by the staff on train.

However, if this is the first time you have forgotten your railcard, TransPennine Express will refund the excess amount or void the Unpaid Fare Notice, if you bring the discount card to a ticket office that we operate within 21 days. Penalty Fares Appeals should be dealt with through Penalty Services Limited as detailed on page 7.

You will also need to bring the original ticket (in paper format or on your mobile device), the excess fare ticket along with the receipt which shows you bought it on a TransPennine Express service. We can only give you a refund using the same method you paid by, for example, to your credit or debit card or in cash. If you are unable to get to a TransPennine Express - operated ticket office, please contact our Customer Relations team for help.

Phone: 0345 600 1671

Email: tpecustomer.relations@tpexpress.co.uk

Customer Relations

First TransPennine Express

Freepost

ADMAIL 3878

Manchester

M1 9YB

TransPennine Express operate ticket offices at the following stations. Brough, Cleethorpes, Dewsbury, Grimsby, Huddersfield, Hull, Malton, Manchester Airport, Middlesbrough, Northallerton, Scarborough, Scunthorpe, Selby, Stalybridge, Thirsk and Thornaby.

What if I have forgotten my season ticket or photocard?

If you have forgotten your season ticket or photocard, you should buy a ticket to cover your journey before getting on your train.

TransPennine Express will allow for

- A full refund on 1 occasion on a Weekly or Monthly Season ticket. Thereafter a £10 administration fee will apply
- A full refund on 3 occasions on a yearly season ticket. Thereafter a £10 administration fee will apply

You can apply for a refund on this ticket at any TransPennine Express Station ticket office or through Customer Relations.

If you get on the train and realise that you haven't got your season ticket or photocard, you need to speak to the conductor as soon as possible. You will be sold a ticket for your journey and you can claim a refund when you bring the season ticket to one of our ticket offices. If you have no way of paying for the ticket, we will give you an Unpaid Fare Notice or Penalty Fare, which you can appeal against or you can bring the Unpaid Fare Notice, with your season ticket, to one of TransPennine Express Station ticket offices within the 21 days allowed. Penalty Fares Appeals should be dealt with through Penalty Services Limited as detailed on page 7.

Lost and forgotten tickets

What if I have a reservation and receipt but I've lost my ticket?

It is the ticket, and no other documentation (for example a receipt), which gives you the right to travel. If you lose your train ticket there are no systems, once you are on board the train, to validate that you bought one. You will have to buy a new one or we will give you an Unpaid Fare Notice or Penalty Fare.

You then have 21 days to find your lost ticket and show it to us and be refunded or appeal the Unpaid Fare Notice or Penalty Fare Notice. The appeal process for this is clearly written on both the Unpaid Fare Notice or Penalty Fare Notice issued

What if I lose or forget my reservation with an advance ticket?

You will not have to pay as a result of not producing a reservation with any Advance ticket as long as you provide other proof of the reservation, for example, if you have a copy of your booking confirmation or a confirmation email and your travel ticket (and assuming the ticket is valid) you can still travel.

What is an Unpaid Fare Notice?

This is a travel document showing details of the journey and the fare which should have been paid. This gives you permission to travel and pay the fare within 21 days. You will be given a copy of this and it summarises all the relevant information. The member of staff who issues this will also explain this in more detail, including your right to appeal, and answer any questions you may have.

Do I need to pay it immediately?

You have 21 day from the date of issue to pay an Unpaid Fare Notice. If you don't pay in 21 days, we'll add an admin charge to the amount you need to pay – unless you've submitted an appeal. We will send you a reminder after 21 days and give you another 14 days to pay. If you don't pay this Unpaid Fare Notice and admin charges after the extra 14 days, you can expect to get a summons to go to court. There's more about this on page 8.

How can I pay my Unpaid Fare Notice?

You can pay your Unpaid Fare Notices in two ways

- Electronically through the website at www.tpxpress.co.uk/unpaid-fare-notice
- Or you can pay by cheque or postal order made payable to **First TransPennine Express Ltd.**. Write the Unpaid Fare Notice reference number on the back and post your payment to:

Revenue Protection Compliance Manager
Hull Paragon Station
Platform 2
Ferensway
Kingston-upon-Hull
North Humberside HU1 3QX.

Please allow enough time for the payment to reach us within 21 days. If we have not received your payment within the 21-day deadline, you may have to pay an administration fee.

How to appeal

You can appeal against your Unpaid Fare Notice. You must appeal within 21 days of it being issued. You need to make your appeal in writing, and include:

- a copy of the Unpaid Fare Notice;
- the reason you couldn't produce a valid ticket or authority to travel;
- name of the station where you started your rail journey;
- the exact date and time you were travelling; and
- any other relevant information or documents such as tickets and booking confirmation.

You then need to send your letter to:

Revenue Protection Compliance Manager
Hull Paragon Station
Platform 2
Ferensway
Kingston-upon-Hull North Humberside HU1 3QX.

Alternatively, you can email revenueprotection.office@tpexpress.co.uk

Along with the Customer Relations Manager, we will consider your reason for the dispute based on the facts of the case. This will “stop the clock” on this matter until the appeal outcome has been decided.

If an appeal is not upheld, the clock will be re-started and you will have to pay the amount you owe within 21 days. If you fail to pay, you may also have to pay administration fees.

How many Unpaid Fare Notice do we issue?

The figures are published on our website and updated every month.

How many Unpaid Fare Notice appeals have been made and upheld?

The figures are published on our website and updated every month at tpexpress.co.uk/unpaid-fare-notice

What is a Penalty Fare Notice?

If you travel in a penalty fare area from a penalty fare station and cannot show a valid ticket, we may give you a Penalty Fare Notice. This means you'll have to pay £20 or twice the appropriate single fare to the next station that the train stops at – whichever is more. If you want to continue your journey after the next station, you'll have to buy a full standard single ticket for the rest of your trip or get off at the station, on your notice, where you can choose from a range of tickets as if you were starting your trip from that station.

Do I need to pay it immediately?

You have 21 days from the date of issue to pay a Penalty Fare Notice. If you don't pay in 21 days, we'll add an admin charge to the amount you need to pay – unless you've submitted an appeal. We will send you a reminder after 21 days and give you another 14 days to pay. If you don't pay the penalty and admin charges after the extra 14 days, you can expect to get a summons to go to court. There's more about this on page 8.

How to pay

If you can't pay the penalty fare in full in cash at there and then or you have 21 days to pay. We won't charge you any extra costs in that time.

There are two ways you can pay:

- Pay online at www.tpexpress.co.uk/penalty-fare-notice
- Or you can pay by cheque or postal order made payable to **First TransPennine Express Ltd.**
Write the Penalty Fare Notice reference number on the back and post your payment to:
Revenue Protection Compliance Manager
Hull Paragon Station
Platform 2
Ferensway
Kingston-upon-Hull
North Humberside HU1 3QX.

How to appeal

Although we issue and manage Penalty Fare Notices, the appeals service is external and independent from TransPennine Express and managed by Penalty Services Limited (PSL). This ensures that all appeals are dealt with by an independent third party. This means that appeals are dealt with impartially and fairly.

If you want to appeal against the Penalty Fare Notice, you need to send a written appeal to PSL within 21 days of the date you got your notice. It should include details of:

- why you couldn't show a valid ticket or authority to travel when we asked you
- the station you started your journey
- the time and date of your trip
- any other information relevant to your appeal

This will "stop the clock" on this matter until the appeal outcome has been decided. If an appeal is not upheld, you will have 14 days to re-appeal or pay after an appeal has been concluded. It must be noted however, if a PFN is issued and appealed and the appeal concluded within the first week after it was issued, you will have until the end of the 21 days to pay which may be more than 14 days. If you fail to pay, you may also have to pay administration fees.

PSL manage 3 stages of the appeal process, however if the appeal progresses to a third stage, this is heard by an independent appeals panel, and their details will be given to you at that time.

You can submit your appeal in two ways:

- www.penaltyservices.co.uk
- Post: Penalty Services Limited
12 Deben Mill Business Centre
Old Maltings Approach
Woodbridge
IP12 1BL

What is a Ticket Irregularity Report?

If you do not have a valid ticket for the journey you are making or have made, and we have good reason to suspect that you have committed an offence, we can question you to find out the facts of the matter. This can be done by conductors and revenue protection staff – who will be identified by their badge with their name and job title clearly visible.

Will I be under arrest at this point and do you have the power to stop me from leaving?

You will not be under arrest, and you are free to leave at any point, but if you fail to provide a valid name and address to an officer of the railway, it is a criminal offence.

What questions will I be asked, and do I have to answer them?

This depends on whether you are being dealt with by a conductor or by a member of revenue protection staff. The member of staff will make it clear who they are and how things will progress.

A conductor will simply ask for your name, address and date of birth (see above) and report the details of the journey you have made or are making. The conductor can withdraw your ticket or any other documents to support that ticket if they suspect it is not valid. They will then provide these with their report on the incident. In these circumstances the conductor will give you travel documentation to allow you to complete the journey you are making.

The conductor's report will then be sent to our Revenue Protection Compliance Department for processing, and they will correspond with you in relation to the incident.

If a member of revenue protection staff stops you, they will ask questions to see whether you deliberately tried to avoid paying for your journey.

- Revenue protection staff question you appropriately about the journey and may make notes on that interview on a Ticket Inspection and Prosecution System (TIPS) App.
- They can withdraw your ticket or any other documents to support that ticket if we suspect it is not valid and will send these with our report on the incident. In these circumstances we will give you travel documentation to allow you to complete the journey you are making. Staff may take pictures of tickets electronically to use as evidence at later date.
- After the interview the TIPS system will send the report on the incident to the Revenue Protection Department, who will then correspond with you regarding the matter.

We will do our best to settle out of court

TransPennine Express realise that a prosecution can have a serious effect on your personal and professional life. We will still try to avoid taking you to court and we may send you an offer to settle out of court. This usually means asking you to settle with an amount that covers our costs and the fare you owe. We will give you 21 days to accept our offer with instructions on how to settle the matter out of court and pay the amount we have asked for.

What happens if we go to court?

If we decide to take this matter to court for criminal prosecution, this will be handled by Arriva Rail North Ltd (trading as Northern Rail) Prosecution Services.

You'll get a court summons about two weeks before the date of your hearing in court.

This will include:

- the details of the court hearing
- a copy of the evidence we'll rely on for the court hearing
- forms you can send to the court to tell them how you plead to the charges if you can't go, or don't want to go, to the hearing

The maximum sentences for not paying your fare

If you're found guilty of fare evasion in court, you'll get a sentence from the magistrates. The sentence you get depends on the offence and your explanation of what happened, as well as the magistrates.

If you're found guilty under the Railway Byelaws, you may have to pay a fine of up to £1,000. If you're found guilty under the Regulation of Railways Act, you may have to pay a fine of up to £1,000 and/or go to jail for three months. Please remember, these are the maximum sentences you can get. You may also have to pay other charges if they apply to your offence. For example, a Victim Surcharge.

You may have to pay our costs, whenever we go to court, we claim to recover our costs. We claim compensation for the unpaid rail fare wherever possible, as well as the cost of going to court. This is to make sure our fare-paying customers are not affected by the costs of tackling fare evasion. If our claim is successful, the court may ask you to pay our costs.

What do I do if I am unhappy with the response?

If you are unhappy with the response, you may want to refer your case in writing to the Rail Ombudsman. They are an independent government organisation set up by Parliament to consider unresolved complaints between customers and rail operators and which may be able to take the matter up. Their contact details are:

Tel: 0330 094 0362
Online at: <https://www.railombudsman.org/making-a-complaint/start-a-complaint/>
By Post :
Rail Ombudsman
1st Floor
Premier House
Argyle Way
Stevenage
Hertfordshire
SG1 2AD

What can I do if I feel I have not been treated politely and with respect?

If, at any stage of any of the procedures outlined above, you are not satisfied with the behaviour of any member of railway staff, you should contact our Customer Relations team.

Phone: 0345 600 1671

Email: tpecustomer.relations@tpexpress.co.uk

Customer Relations

First TransPennine Express

Freepost

ADMAL 3878

Manchester

M1 9YB

Members of the Customer Relations team can **only** deal with complaints about behaviour and cannot comment on the details of any case if we suspect you tried to avoid paying your train fare.