



Revenue Protection

Common Sense Policy

31 January 2017

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 using a 'common sense' approach to our revenue protection policy outlined below.

Purpose

The purpose of this common-sense policy is to make sure that passengers who have not deliberately avoided paying the relevant fare are not unduly or unfairly treated as a result of the payment or penalty that is due. Furthermore, it explains how we endeavour 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.

Protecting our revenue

Most of our customers understand that if they want to travel they need to buy a ticket, but people not paying for tickets still cost the rail industry an estimated £250 million a year. With the help of feedback from our customers, focus groups and Rail North, we're doing everything we can to stop people cheating by not paying fares.

Revenue protection is designed to protect all the customers who are paying the correct fare for their journey, and ensuring that people who do not are dealt with in a firm but fair way. Our policy follows the principles set out in the National Rail Conditions of Travel with regards to ticketing and other revenue protection aspects contained within it. We have specially trained staff whose role is to reduce ticketless travel as well as investigating matters of fare evasion. Some Revenue Protection staff are also trained and authorised to conduct interviews under caution and report people for the consideration of criminal prosecution.

Before you travel

It is your responsibility to buy and collect tickets before you travel. We expect that before you travel you have a ticket or an authority to travel document (this is a credit-card sized document or letter giving you permission to travel) which is valid for the train or trains you plan to use and for the journey you plan to make.

Tickets need to be valid for the date and time of your journey before you get on the train and you need to carry these documents with you at all times so they can be inspected by conductors or other staff or used in automatic ticket barriers. You need to keep your ticket safe as it gives you the right to travel.

If you're trying to travel with a ticket that isn't valid you'll be asked to buy a new one or pay the amount you still owe for the correct ticket, we call this the excess.

What is an excess?

We charge an excess on tickets that are being used incorrectly. When we charge the excess, you are then paying the correct fare for the journey. This would normally be the difference between the fare you have paid and the new correct ticket price or a new ticket priced at the cheapest available fare for the service you are using.

When is the excess charged?

- If you use your Advance ticket other than on the train you have booked, or you don't have the corresponding seat reservation coupon needed to confirm your ticket (and you can't show a copy of your booking confirmation in any other form), you will have to buy a new ticket for your journey, priced at the cheapest available fare for the service you use.

However, if you miss your service because of a delay caused by a connecting train or if your train is delayed or cancelled, you will be able to travel on the next service we or any other rail company provide, as authorised by rail staff at the time, without paying the excess or penalty.

- If you get on a train at a time when your Off-Peak ticket is not valid, we will charge you the difference between the fare you have paid and the cheapest available fare for the service concerned.
- If you get on a train with a ticket that should be accompanied by a discount card, for example, a Senior Railcard, we will charge you an excess fare. You will have to pay this as a result of not producing the appropriate accompanying discount card.
- If you choose to travel in first class but only have a standard class ticket and it is appropriate to upgrade on that service, we will charge you a first class upgrade fare valid for the service concerned.
- If you are aged between 16 and 18, but have bought a child ticket believing you are entitled to this, we would expect you to pay the excess.
- If you have stayed on a service past your original destination, we would expect you to pay the excess fare – it is your responsibility to make sure you pay this at the first opportunity either on the train from the conductor or at the next available opportunity at a station.
- If your ticket is valid only with another train operator, you will have to buy a new ticket and will be charged the valid fare for the service concerned.

What this means for our customers

We will enforce this policy both at stations and also 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.

If ticket buying facilities 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 sufficient time to purchase your ticket.

If ticket buying facilities are not available at the station that you start your journey then we expect you to actively seek to offer to pay for your fare at the first available opportunity, this may be on board the train, at a station that you are interchanging, or as a last resort before you exit your destination station. If you do not attempt to purchase a ticket at the first available opportunity it may be considered that you were attempting to avoid payment of your rail fare.

If you are unable to produce a valid ticket then you may have to purchase a full priced ticket, be issued with an Unpaid Fares Notice, or you may be reported for the consideration of prosecution. Staff on the railway are authorised to request you to provide your name and address if they believe a fare has not been paid. It is an offence to refuse to provide these details when requested, or to provide false details.

What if you 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.

However, you can buy the ticket you wanted using any Railcard discounts that apply if:

- the ticket office is closed;
- a self-service ticket machine that accepts cash or cards isn't working;
- there is no way of buying a ticket at the station where you start your journey;
- 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 a ticket. This could 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 and so on. You will be told what to do at the time.

What happens if I travel without a valid ticket?

If you travel without a ticket, where none of the exceptions above apply, you will need to buy a ticket at the full standard or first class single or return rate. You won't be entitled to a Railcard discount.

If you have a ticket, but it's not valid for the journey, you will be asked to either pay an excess fare or buy a new one (depending on the kind of ticket).

Below are examples of the kind of situations where you may be asked to pay an excess fare or buy a new ticket.

- If you have an advance ticket, but get on another service to the one shown on your reservation coupon (or you don't have the corresponding seat reservation coupon needed to confirm your ticket).
- You're travelling on a peak service with an off-peak ticket.
- You have a ticket you bought with a Railcard discount but don't have the valid Railcard with you (or you haven't met the conditions of the Railcard).
- You're in first class but only have a standard class ticket.
- You're aged 16 years or older, but have a child ticket.
- You've travelled beyond the destination of your ticket.
- Your ticket is valid only with another train operator.

If you can't pay the fare on the spot, a member of staff will give you an Unpaid Fare Notice. This is not a penalty or a fine – it is an invoice for the unpaid fare, which allows you to travel on the day and pay the fare within 21 days.

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 will be charged an excess fare or issued an Unpaid Fare Notice if you do not have the means to pay at the time.

However, TransPennine use their discretion in this regard and as long as you bring the discount card to a ticket office we operate within 10 days of paying the excess fare, we will refund this excess amount or void the Unpaid Fare Notice issued.

You will also need to bring the original ticket, the excess fare ticket along with the receipt which shows you bought it on a TransPennine 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-operated ticket office, please contact our Customer Relations team for help.

Phone: 0845 600 1671

Email: tpecustomer.relations@firstgroup.com

Customer Relations

First TransPennine Express

Freepost

ADMAIL 3878

Manchester

M1 9YB

TransPennine 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. You may be able to apply for a refund on this ticket at any ticket office or through Customer Relations.

If you get on the train before realising 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 will be able to claim a refund when you bring the season ticket to one of our offices. If you have no way of paying for the ticket, we will give you an Unpaid Fare Notice, which you can appeal against or which you can bring, with your season ticket, to one of our ticket offices within the 21 days allowed.

Lost and forgotten tickets

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

If you lose your train ticket and because we can't check on board the train that you bought one, unfortunately you will have to buy a new one or we will give you an Unpaid Fare Notice.

You then have 21 days to find your lost ticket and show it to us, or you will need to pay your Unpaid Fare Notice. The appeal process for this is clearly written on the Unpaid Fare Notice issued.

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

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

What is an Unpaid Fare Notice?

This is a document which has a serial number at the top starting TPE 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 and answer any questions you may have.

Frequently asked questions

If I am given an Unpaid Fare Notice do I need to pay it immediately?

When given an Unpaid Fare Notice, you have 21 days from the date on it to make the full payment to us even if you are lodging an appeal.

How can I pay my Unpaid Fare Notice?

You can pay by cheque or postal order made payable to First TransPennine Ltd. Write the Unpaid Fare Notice reference number on the back and post your payment to:

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

Unpaid Fare Notices issued electronically by Revenue Protection will also have details on how to pay through the website.

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.

If you want to appeal or dispute the issue of the Unpaid Fare Notice, you must do so in writing within 21 days and send this and any supporting documents to:

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

Along with the Customer Relations Manager, we will consider your reason for the dispute based on the facts of the case.

Any dispute does not mean you should not pay the amount you owe. If you fail to pay, you may also have to pay administration fees.

How to appeal

If you don't feel you have been treated fairly, you can appeal against your Unpaid Fare Notice but you will need to do this 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 why you couldn't produce a valid ticket or authority to travel;
- details 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
Platform 2
Ferensway
Kingston-upon-Hull
North Humberside
HU1 3QX.

Even if you appeal, you still need to pay the amount you owe within 21 days. This will be refunded if your appeal is upheld.

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 Transport Focus. They are an independent government organisation set up by Parliament to consider unresolved complaints between passengers and rail operators and which may be able to take the matter up. Their contact details are:

Transport Focus
Freepost RTEH-XAGE-BYKZ
PO Box 5594
Southend-on-Sea
SS1 9PZ.
Phone: 0300 123 2350
Email: advice@transportfocus.org.uk

How many UPFNs do you issue?

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

How many UPFN appeals have been made and upheld?

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

Disputes and appeals

What happens if you don't pay within 21 days?

If we don't receive your payment within 21 days, we will send you a reminder and give you another 14 days to pay. We will also add an administration charge at this point.

If you have not paid after the extra 14 days, we'll pass your details to our Prosecutions department so that they can start preparing for court.

Legal proceedings could be brought against you as part of the Railway Byelaws and the Regulation of Railways Act 1889, Section 5.3(a). The decision to prosecute is always based on the circumstances of each case.

We will do our best to settle out of court

TransPennine realise that a prosecution can have a serious effect on your personal and professional life and if you don't pay your fare 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 would give you 21 days to accept our offer to settle out of court and pay the amount we have asked for. If you continue to court you will receive a summons approximately 14 days before the court date.

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 clearly 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 and address (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 a free ticket 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 them to consider, and they will correspond with you in relation to the incident.

If we decide to take this to court for criminal prosecution, this is passed on to Arriva Rail North Ltd (trading as Northern) Prosecution Services, who go to court on our behalf. They will send you any correspondence relating to this incident.

If a member of revenue protection staff stops you, they will ask questions to see whether or not you deliberately tried to avoid paying for your journey.

1. Revenue protection staff receive intensive training and this involves training by members of the legal profession and British Transport Police.
2. Some members of revenue protection staff are trained and carry a warrant badge accredited under PACE - the Police and Criminal Evidence Act.
3. These officers will caution you with the following words: "You do not have to say anything but it may harm your defence if you do not mention when questioned anything you later rely on in court. Anything you do say may be used in evidence."
4. They will then question you appropriately about the journey and may make notes on that interview.
5. You will be invited to sign the officer's notebook underneath the notes to confirm that they are a true and correct version of what has taken place and what has been said.
6. We 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 a free ticket to allow you to complete the journey you are making.
7. After the interview the officer will send a report on the incident to the Prosecution Department.

How will I find out what is going to happen to me?

If you have been reported to the Prosecutions Unit by a member of railway staff we will endeavour to write to you regarding the incident as soon as possible.

We do not take the decision to prosecute lightly, we appreciate that it can have serious consequences both personally and professionally. We will only prosecute if there is a realistic prospect of conviction, and it is in the interests of justice.

In most circumstances we will offer the opportunity to settle the matter out of court, however there are circumstances when it is necessary to proceed the matter straight to court. If you have been reported to the Prosecutions Unit previously you may not be

afforded the opportunity to settle the matter out of court and the case may proceed to court without a settlement offer being made. Each case is decided on an individual basis.

If your case does proceed to court you will receive a court summons approximately 2 weeks before the date of the hearing. Included with the court summons will be a copy of the evidence that we will rely on during the court hearing. In addition, there are forms contained within the summons paperwork that will allow you to enter a plea to the court by post if you are not able or do not wish to attend.

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: 0845 600 1671

Email: tpecustomer.relations@firstgroup.com

Customer Relations

First TransPennine Express

Freepost

ADMAIL 3878

Manchester

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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.