

Revenue Protection Policy

Our Approach

June 2024



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Purpose of this policy

Our Revenue Protection Policy explains how we try to ensure that everyone pays the correct fare for their journey, and ensures that those who intentionally avoid, or attempt to avoid, paying the correct fare are dealt with appropriately. It is important to us to protect our fare paying customers.

We recognise that on many occasions our customers do not intentionally avoid paying the correct fare, however it is important that all customers are treated consistently.

This policy tells 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 (www.nationalrail.co.uk/travel-information/your-rights-and-obligations-as-a-passenger) which details tickets, their purchase and other guidelines for revenue protection across the UK rail network. It contains 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 enforce our Revenue Protection 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.

We operate a Penalty Fares Scheme under The Railway (Penalty Fare) Regulations 2018, as amended in 2022 (www.legislation.gov.uk/ukxi/2022/1094/made), with a Buy Before You Board Policy. We also enforce the Railway Byelaws (www.gov.uk/government/publications/railway-byelaws). This means that, if either an open ticket office or operational Ticket Vending Machine (TVM) are provided at the station that you start your journey, or change trains, you need to ensure you have a valid ticket prior to boarding the train.

It is your responsibility to arrive at the station with enough time to purchase your ticket. TransPennine Express 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 smart phone using any ticket buying app. This will avoid you having to queue at a ticket office or TVM at busy times. If you are using your smart phone or electronic device to buy tickets online, please ensure your ticket is bought, downloaded and activated (where needed), or collected, prior to boarding the train.

It is your responsibility to ensure that you have downloaded your ticket to your device so it can be shown at any point during the journey, (including when you have no data connection) and that your mobile device has sufficient battery life to display your ticket at any time.

Making your journey

It is your responsibility to collect any pre-purchased tickets or to buy a ticket prior to travelling. Tickets need to be valid for the date and time of your journey and you must 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 specific restrictions of use (e.g. it is valid only on certain routes; only on trains operated by certain train companies; or is for one specific train only), and/or has a Railcard discount, make sure that you comply with these restrictions and/or have your Railcard with you.

If you do not follow the restrictions applicable to your ticket, or you do not have your Railcard with you, then your ticket will not be valid. What happens in these situations is explained below.

If you had the opportunity to purchase a valid ticket before boarding, but join the train without a ticket; or the ticket you have is not valid.

If you had the opportunity to purchase a valid ticket before you got on the train but are unable to show a valid ticket, when asked, what happens next will depend on which member of staff asks to see your ticket. Our staff will either:

- Sell you a ticket (usually a full price Anytime Single ticket for your journey (with no Railcard or other discounts), if you get spoken to by a Conductor; or
- Issue a Penalty Fare Notice if you get spoken to by a member of the Revenue Protection team.

In some cases our staff may be able to:

- Excess your fare (This would normally be the difference between the fare you have paid and the new correct ticket price. This is only available with certain ticket types and in certain circumstances); or
- Issue you with an Unpaid Fare Notice (UFN).

Alternatively, our staff may choose to report you to our Investigations and Prosecutions Department and issue a Travel Irregularity Report. TransPennine Express take fare evasion seriously and when fare evasion occurs, we may prosecute, and you may have to go to Court. This is explained in further detail on [page 10](#).

What if I was unable to purchase a ticket before boarding the train?

Most stations that we call at have a ticket office and at least one Ticket Vending Machine (TVM). You need to make sure you have a valid ticket before boarding the train if either of these are available.

However, you can buy your ticket on board, and get any Railcard discounts that apply, if any of the following apply at the station where you start your journey;

1. the station has no ticket office or TVM;
2. the ticket office is closed and the TVM is not working;
3. the ticket office is closed and the TVM doesn't sell the ticket you want;
4. the ticket office is closed and the TVM only accepts payment by card and you want to pay by cash; or
5. you cannot use the ticket office or ticket machine as a result of a disability.

In circumstances (3) and (4) above, you must obtain a "Promise to Pay" voucher from the TVM, if the TVM at the station is able to issue one.

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

If you join a TPE train with a ticket that should be accompanied by a Railcard (which includes any other type of discount card or pass which entitles you to a discount on your fare, for example, a West Yorkshire Under 19 MCard or a Concessionary Travel Pass issued by a Local Authority) and you are unable to present a valid Railcard at the same time as your ticket, you may be dealt with in either of the following ways, depending on who is checking your ticket:

- Issued a Travel Irregularity Report (TIR) – this will give you 21 days to produce your Railcard to us. If you do produce your Railcard, and it was valid at the time that the journey was made, the report will be withdrawn and no further action will be taken. You will need to send evidence of your Railcard to the details printed on the notice you are given.
- Sold a new ticket – however, if you are able to produce the Railcard within 21 days to our Customer Relations team a refund will be arranged. Please note that refunds cannot be issued at station ticket offices.

Please note that we are unable to accept a screenshot or picture of your Railcard on board the train, as its validity cannot be verified by our staff. If you do produce a screenshot or photo that cannot be verified, you will be treated as not being able to produce a Railcard. If you have a digital Railcard, you must show it inside the relevant app, in the correct digital format.

A refund can only be arranged, or a TIR cancelled, once per Railcard holder in each 12 month period. If you have already had a refund or had a TIR cancelled within the previous 12 months, then you will not be able to claim any further refunds and may have to pay additional charges in relation to the outstanding TIR.

What if I have forgotten my season ticket or photocard?

If you have forgotten your season ticket or photocard (where one is required), you should buy a ticket to cover your journey before getting on your train.

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 or revenue protection staff as soon as possible and you will be sold a new ticket for your journey. If you have no way of paying for the ticket we will give you an Unpaid Fare Notice (UFN) or a Travel Irregularity Report (TIR).

You can then, within 21 days, apply for a refund on the additional ticket you are required to purchase, or apply to have the UFN / TIR cancelled. A maximum of two such claims per customer will be considered in any 12-month period regardless of the number of Season Tickets bought during that time.

Applications for Refunds for any additional ticket you have purchased must be made via our Customer Services Team, and details of how to appeal and cancel the UFN / TIR will be shown on the Notice you are given or are shown on [page 8](#).

Lost or forgotten ticket and flat mobile phone battery

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, we are not able to verify that you bought one, or to confirm that the ticket has not been cancelled, refunded or used by someone else. If you cannot show your ticket then you will either:

- be charged for a new ticket;
- be issued with a Travel Irregularity Report;
- be issued with an Unpaid Fare Notice; or
- be issued a Penalty Fare Notice.

What if my mobile phone battery is flat and I cannot show my ticket?

If you have a digital ticket stored on your device, it is your responsibility to make sure that it has sufficient battery and is working at all times so that you can show your ticket when asked. If you are unable to show a ticket stored on your device then you will either:

- be charged for a new ticket;
- be issued with a Travel Irregularity Report;
- be issued with an Unpaid Fare Notice; or
- be issued with a Penalty Fare Notice.

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

You will not have to pay any extra as a result of not producing a reservation with an Advance ticket so long as you provide other proof of the reservation. For example, if you have a copy of your booking confirmation or a confirmation email, which shows your reservation details, and your travel ticket, then assuming the ticket is valid, you can still travel.

What is an Unpaid Fare Notice (UFN)?

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 notice, 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.

A UFN makes no extra charge, penalty or fine in the first instance. The amount outstanding shown on the UFN is only the correct (or additional) fare for the actual journey that has been made. Simply, the passenger has completed their journey and now has a bill to pay because a valid ticket was not available for inspection when they travelled.

Do I need to pay it immediately?

You have 21 days from the date of issue to pay an Unpaid Fare Notice. If you don't pay in 21 days, we will add a Fixed Penalty 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 21 days to pay. If you don't pay this Unpaid Fare Notice and Fixed Penalty Charge after the extra 21 days, you can expect to get a summons to go to Court. There's more about this on [page 11](#).

How do I pay my UFN?

You can pay your Unpaid Fare Notice in two ways:

- Electronically through the website at www.tpexpress.co.uk/paymynotice; or
- You can pay by postal order made payable to **TransPennine Trains Ltd**. Write the Unpaid Fare Notice reference number on the back of the postal order and post your payment to:

TransPennine Express
Debt Recovery & Prosecutions
Hull Paragon Station
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 a penalty charge.

How to appeal

You can appeal against your UFN. You must appeal within 21 days of the date on which it was issued. You need to make your appeal in writing, and include:

- The Unpaid Fare Notice Number, this will start TPEUFN;
- 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 need to send your appeal via email to:
revenueprotection.office@tpexpress.co.uk

Please make sure you include the **Unpaid Fare Notice Number**, in full, in the 'Subject' line of your email.

Alternatively, if you are unable to send us an email, you can submit your appeal via post to:

TransPennine Express
Debt Recovery & Prosecutions
Hull Paragon Station
Ferensway
Kingston-upon-Hull
North Humberside
HU1 3QX.

We will consider your reason for appeal based on the facts of the case. This will "stop the clock" on this matter until the appeal outcome has been decided.

There are always mitigating circumstances for not having a valid ticket and while these may be compelling, they tend to be irrelevant to the facts of a strict liability matter. Any appeal would, therefore, need to prove that any ticket shown when travelling was actually valid for the exact journey which was made. Even producing a valid ticket later does not negate liability to pay the bill for not producing a valid ticket when requested at the time of travel.

If your appeal is not upheld, the clock will be re-started and you will have to pay the amount you owe within 21 days.

What is a Penalty Fare Notice (PFN)?

If you travel 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 £100, reduced to £50 if paid within 21 days, plus the full single fare applicable for the journey in question.

Please note that there is no automatic right to be given a Penalty Fare Notice, and if you have previously been issued a PFN, or the circumstances of the situation warrant it, we will normally issue a TIR instead.

Do I need to pay it immediately?

You have 21 days from the day after the date of issue to pay a PFN.

If you don't pay or appeal within this time, the PFN will increase from £50 plus the fare for the journey made to £100 plus the fare for the journey made - 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 Fare after the extra 14 days, you can expect us to take legal action.

How to pay

There are two ways you can pay:

- Pay online at www.tpexpress.co.uk/paymynotice; or
- by postal order made payable to **TransPennine Trains Ltd**. Write the Penalty Fare Notice reference number on the back of the postal order and post your payment to:

TransPennine Express
Debt Recovery & Prosecutions
 Hull Paragon Station
 Ferensway
 Kingston-upon-Hull
 North Humberside
 HU1 3QX.

How to appeal

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

If you want to appeal against the PFN, 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" until the appeal outcome has been decided. If an appeal is not upheld, you will have 14 days to re-appeal or pay the Penalty Fare.

PSL manage all 3 stages of the appeal process, however the third stage appeal is heard by someone independent from stages 1 and 2.

You can submit your appeal in two ways:

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

What is a Travel Irregularity Report (TIR)?

A TIR may be issued if you are unable to produce a valid ticket for your journey, the reference for this will start with TPEMG or TPETIR. This report allows our team to take some details from you in order for our Investigations and Prosecutions Department to investigate the matter and subsequently contact you.

A TIR can be issued for any matter when we consider there has been a breach of Railway Laws and Regulations. This includes (but is not limited to):

- Failing to purchase a ticket before travel
- Travelling beyond the destination on the ticket
- Altering documents
- Forged documents
- Providing false details
- Refusing to provide details
- You are an adult aged 16 and above, using a Child ticket.
- You are unable to show a ticket when requested
- Failure to show a valid Railcard or other identification required to validate a ticket
- Anti-Social and Disorderly behaviour
- Abusive language/ behaviour

The Conductor or Revenue Protection staff will ask you to provide your name and address details which we will check for accuracy. It is a legal requirement to provide your name and address to an authorised member of railway staff if you are requested to do so. If you fail to do so, or you give false details, then you are committing a criminal offence, and we may request the assistance of the British Transport Police.

What will happen next?

Once the member of staff has issued the TIR you should expect to receive a letter in the post. We normally aim to send this within 21 days, however if your case requires further investigation before we write to you, this may take longer.

Parking in our station car parks

At TransPennine Express stations, charges apply for parking your vehicle.

Collection of Car Parking charges is managed by APCOA, on our behalf. You will need to pay, using a Debit or Credit Card, via either the APCOA Connect App; the APCOA Website; or via their telephone payment line. Our car parks do not have Pay & Display machines and you are unable to pay by cash. Details of how to pay for car parking are displayed on notices in each of our car parks.

We monitor the car parks via Automatic Number Plate Recognition (ANPR) cameras and by physical inspections by our Revenue Protection team.

If you fail to pay for your parking, or do not comply with any of the other rules and regulations applicable to the car park you are in (e.g. parking outside a marked bay, or parking in a disabled parking pay without displaying a blue badge), then we will issue you a Parking Penalty Notice. This will either be affixed to your car by our inspectors or sent to the vehicle's registered keeper in the post.

If necessary, we will obtain the vehicle's registered keeper details from the DVLA.

You can appeal the Penalty Notice and details of how to do this will be printed on the notice you are issued.

Please note that if you fail to pay for parking or fail to comply with the notices and regulations of the car park, then you commit a criminal offence under the Railway Byelaws and therefore should you fail to pay your Parking Penalty Notice you may have to go to Court.

Will I have to go to Court?

We prefer to settle out of Court as TransPennine Express realise that a prosecution can have a serious effect on your personal and professional life.

We regard Court proceedings as a "last resort", so we may offer to resolve matters through the use of a Fixed Penalty Notice where the circumstances of the offence and the offender are appropriate. Resolution by this method will not result in a criminal conviction.

We will always contact you and do all we can to resolve any matter that is reported to us. We will always give you opportunities to engage with us to ensure that outstanding fares and penalties can be paid, and we will send you a reminder of the amounts you owe. It is in everyone's interests to avoid going to Court wherever possible.

However, if you fail to engage with us or fail to pay the amount you owe, we reserve the right to take legal action. In some very rare and exceptional cases with aggravating factors, we may decide to proceed directly to Court.

It should be remembered that most offences on the Railway are considered as Criminal offences, and if you are found (or plead) guilty at Court then you may receive a criminal record.

We may consider prosecuting those persons alleged to have committed offences contrary to:

- The 2011 Railway Byelaws made pursuant to the Transport Act 2000 (www.gov.uk/government/publications/railway-byelaws);
- The Regulation of Railways Act 1889 (www.legislation.gov.uk/ukpga/Vict/52-53/57/section/5);
- The Fraud Act 2006 (www.legislation.gov.uk/ukpga/2006/35/contents).

What happens if we take you to Court?

In most cases we will use the Single Justice Procedure (SJP) to process the matter through Court. We will provide details of this process to you in writing when the matter is assigned to a Magistrate's Court.

If we cannot process the matter via the SJP route, and take this matter to an open Court, or you elect to go to a trial, this will be handled by Northern Trains Ltd (trading as Northern) Prosecution Services, on our behalf.

In either case you will get a Court summons about three 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 and may receive a criminal conviction.

- If you're found guilty under the Railway Byelaws, the maximum penalty is a fine of up to £1,000.
- If you're found guilty under the Regulation of Railways Act, the maximum penalty is a fine of up to £1,000 and/or up to three months in prison.
- If you're found guilty under the Fraud Act 2006, the maximum penalty is a fine and/or up to ten years in prison.

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 and Court Costs.

Whenever we go to Court, we claim compensation for the unpaid rail fare (if applicable), 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 your response at any part of the process?

If you are unhappy with our response to you at any stage of the procedures outlined above, then you have the right 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 which may be able to take the matter up. Their contact details are:

- Tel: **0330 094 0362**
- Online at: 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 our staff, you should contact our Customer Relations team.

- Phone: **0345 600 1671**
- Email: tpcustomerrelations@tpexpress.co.uk
- Post: **Customer Relations, TransPennine Trains Limited**, Freepost ADMAIL 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.

