

Rail Staff Travel eligibility of Family Members

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This document provides an overview of the Rail Staff Travel (RST) eligibility criteria that are applied to family members and the documentation that is required to support any application. As it is an overview, it cannot contain all variations that may need to be considered for eligibility. If your circumstances are not covered by this, please contact RST as we may be able to assist.

Section 1 applies to everyone, and the other sections are for different family members. Please ensure that you read each section that is relevant to your particular circumstance.

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Section 1: General Eligibility Conditions

1. The issue of rail staff travel facilities to any eligible family member is solely at the discretion of the primary cardholder. The primary cardholder is the employee, former employee or their widow(er).
2. The issue of rail staff travel facilities to an eligible spouse or partner is solely at the discretion of the primary cardholder. For the avoidance of doubt, if a spouse or partner is not in receipt of rail staff travel facilities and the primary cardholder dies, they will not be eligible to rail staff travel facilities.
3. The primary cardholder can hold rail staff travel facilities for only one eligible spouse or partner at any one time.
4. The primary cardholder can only add a new spouse or partner to their rail staff travel record once all cards/passes issued to the previous spouse or partner have either been returned or have expired.
5. For all employees who hold a Rail Staff Leisure Card or RST Online Leisure Card eligibility for rail staff travel facilities ceases for all family members on the death of the employee.

Section 2: Eligibility of Spouses

1. A spouse is eligible to receive rail staff travel facilities from the same day as the Employee's eligibility commences once the employee has completed an Add Spouse/Partner Form and it has been accepted by RST
2. Rail staff travel facilities will only be issued to an eligible spouse upon completion by the Employee of an Add Spouse/Partner Form and by providing of a copy of the Marriage Certificate. To

be eligible the Employee and Spouse must be living at the same address. There are some limited circumstances such as moving into a care home where facilities can be retained. Contact RST for more information,

3. If the Marriage Certificate is not in English, then the Employee must supply an official or certified translation of the full Marriage Certificate at their own expense.
4. The eligibility for rail staff travel facilities for a spouse ceases upon legal separation, divorce or if the Employee is no longer living with the spouse. In these circumstances, all unexpired rail staff travel facilities that have been issued to the former spouse must immediately be returned.

Section 3: Eligibility of Civil partners

1. A Partner is eligible to receive rail staff travel facilities from the same day as the Employee's eligibility commences once the employee has completed an Add Spouse/Partner Form and it has been accepted by RST
2. Rail staff travel facilities will only be issued to an eligible civil partner upon completion by the Employee of an Add Spouse/Partner Form and by providing of a copy of the Civil Partnership Certificate that is evidence of the legal civil partnership issued by a governmental authority. To be eligible the Employee and Civil Partner must be living at the same address. There are some limited circumstances such as moving into a care home where facilities can be retained. Contact RST for more information,
3. If the Civil Partnership Certificate is not in English, then the Employee must supply an official or certified translation of the full Civil Partnership Certificate at their own expense.

4. The eligibility for rail staff travel facilities for a Civil Partner ceases upon formal dissolution or annulment of the civil partnership or if the Employee is no longer living with the Civil Partner. In these circumstances, all unexpired rail staff travel facilities that have been issued to the former Civil Partner must immediately be returned to RST.

Section 4: Eligibility of Partners (Not spouses or civil partners)

1. Where there is no marriage or civil partnership certificate, an employee may add a co-habiting partner to their rail staff travel record by making a Statutory Declaration in front of a body authorised to sign and stamp them. These authorised bodies include a Solicitor, a Notary Public, A Magistrate or Justice of the Peace sitting in court or a Commissioner for Oaths.
2. A Partner is eligible to receive rail staff travel facilities from the same day as the Employee's eligibility commences once the employee has completed an Add Spouse/Partner Form and Partner Declaration Form and it has been accepted by RST..
3. Rail staff travel facilities will only be issued to an eligible Partner upon completion by the Employee of an Add Spouse/Partner Form and by providing of a copy of, and RST accepting, a Partner Declaration Form, that is completed in accordance with the instructions issued by RST. To be eligible the Employee and Partner must be living at the same address. There are some limited circumstances such as moving into a care home where facilities can be retained. Contact RST for more information,
4. The eligibility for rail staff travel facilities for a Partner ceases when terms of the Statutory Declaration on the Partner

Declaration Form are no longer valid. This means if the Employee and Partner are no longer living together (in the same single location) and/or there is no longer a close and meaningful relationship between the Employee and Partner. In these circumstances, all unexpired rail staff travel facilities that have been issued to the former Partner must immediately be returned to RST.

Section 5: Child dependants – general information

1. The use of the word "Dependant" in this section refers in each case to an eligible:
 - a. biological child of the Employee,
 - b. biological child of the eligible Spouse, Civil Partner, or Partner,
 - c. legally adopted child of the Employee,
 - d. legally adopted child of the eligible Spouse, Civil Partner, or Partner,
 - e. fostered child of the Employee where the child has been continually fostered by the Employee for 12 months or more,
 - f. fostered child of the eligible Spouse, Civil Partner, or Partner, where the child has been continually fostered by the Spouse, Civil Partner, or Partner for 12 months or more,
 - g. child in the care of the Employee where the child is subject to a Special Guardianship Order, Residence Order or is a Ward of Court, or
 - h. child in the care of the Spouse, Civil Partner, or Partner, where the child is subject to a Special Guardianship Order, Residence Order or is a Ward of Court.

2. A Dependant is eligible to receive rail staff travel facilities from the same day as the Employee's eligibility commences, once the employee has completed an Add Child Form and it has been accepted by RST.
3. National and TOC Specific rail staff travel facilities are not normally issued to Dependants under the age of 5 years as they are eligible to travel free on these services. National and TOC Specific rail staff travel facilities may however be issued to Dependants at the age of 4 years if they are required to support the issue of International rail staff travel facilities.
4. International rail staff travel facilities are not normally issued to Dependants under the age of 4 years as they are generally eligible to travel free on these services.
5. Rail staff travel facilities will only be issued to an eligible Dependant upon completion by the primary cardholder of an Add Child Form and by providing of a copy of the required evidence. These are:
 - a. for the biological child of the Employee, the full birth certificate (the short birth certificate is not accepted by RST) showing the parent's names that provides the eligibility connection to the Employee or
 - b. for the biological child of the Spouse, Civil Partner, or Partner, the full birth certificate (the short birth certificate is not accepted by RST) showing the parent's names that provides the eligibility connection to the Spouse, Civil Partner, or Partner or
 - c. for the legally adopted child of the Employee, the adoption certificate showing the parent's names that provides the eligibility connection to the Employee or
 - d. for the legally adopted child of the eligible Spouse, Civil Partner, or Partner, the adoption certificate showing the

- parent's names that provides the eligibility connection to the Spouse, Civil Partner, or Partner or
- e. for the fostered child of the Employee, legal documentation from the fostering authority showing the parent's names that provides the eligibility connection to the Employee or
 - f. for the fostered child of the eligible Spouse, Civil Partner, or Partner, legal documentation from the fostering authority showing the parent's names that provides the eligibility connection to the Spouse, Civil Partner, or Partner or
 - g. for a child in the care of the Employee where the child is subject to a Special Guardianship Order, Residence Order or is a Ward of Court, legal documentation from the court showing the parent's names that provides the eligibility connection to the Employee or
 - h. for a child in the care of the Spouse, Civil Partner, or Partner, where the child is subject to a Special Guardianship Order, Residence Order or is a Ward of Court, legal documentation from the court showing the parent's names that provides the eligibility connection to the Spouse, Civil Partner, or Partner.
6. If any part of the documentation required by RST is not completed in English, e.g. a birth or adoption certificate, then the primary cardholder must supply an official or certified translation of the document at their own expense.
7. To be eligible to receive rail staff travel facilities, the Dependant must be financially dependent upon the primary cardholder, and generally be permanently living with the primary cardholder. Eligibility for a Dependant that is not the biological child of the Employee generally ceases if the eligibility was established

through a Spouse, Civil Partner or Partner and that Spouse, Civil Partner or Partner is themselves no longer eligible for rail staff travel facilities. There may be exceptions to this, for example if the child is still living with the Employee or financially dependant on them. Contact RST for further advice.

8. A child can only have one set of rail staff travel facilities issued to them. If both parents work in the rail industry then the parents need to determine who will apply for rail staff travel facilities for the child. If the parents relationship ceases, and both work in the rail industry then they need to decide who will continue to apply for rail staff travel facilities for the child. Whilst the child can only have one set of national rail staff travel facilities, they can get any TOC/Group specific cards/passes if the parents work for different companies.
9. Eligibility for a Dependant is ceased permanently if:
 - the Dependant is no longer continuously and permanently residing with the primary cardholder (unless they are aged under 18 and their living arrangements are split between two parents) or
 - the Dependant marries, or commences a similar relationship, irrespective of the place of residence, or
 - the Dependant has income that is in excess of the current weekly limit from employment. Since April 2022 the weekly limit is £156.85.
 - the Dependant is over the age of 25 and has any income including benefits, but excluding disability benefits. Please contact RST for further advice.
10. In the circumstance that the Dependant is no longer eligible for rail staff travel facilities, all unexpired rail staff travel facilities that have been issued to the Dependant must immediately be

returned to RST. Failure to do so can be considered as a Travel Irregularity.

11. As detailed in section 6, once children are aged 18 or over, they need to complete an annual child declaration to confirm eligibility. However, RST reserves the right to request a Child Declaration Form for 16-17 year olds.

Section 6: Eligibility of child dependants aged 18+

1. Once a child dependant turns 18, RST require a declaration of continued eligibility (Child Declaration Form) to be completed by the primary cardholder and accepted by RST every year to establish continuing eligibility for the Dependand. RST reserves the right to request a Child Declaration Form for 16-17 year olds
2. A Dependand aged 18+ only remains eligible to rail staff travel facilities if they:
 - a. attend an educational establishment on a full-time basis for school or advanced education, or
 - b. attend an educational establishment for school or advanced education or are undertaking an apprenticeship, and have a gross income below the weekly limit from employment and/or benefits (Since April 2022 the weekly limit is £156.85) or
 - c. have a gross income below the weekly limit from employment and/or benefits (Since April 2022 the weekly limit is £156.85), or
 - d. have a disability as defined by the Equality Act 2010, and have never been able to (and will not be able to)

follow any employment and are eligible for disability benefits

3. If a Child Declaration Form is not completed by the primary cardholder, then eligibility to rail staff travel facilities will not continue for the Dependant until this is provided.
4. If a Child Declaration Form is not accepted by RST as sufficient proof of continued eligibility, then eligibility to rail staff travel facilities will cease until the required proof is received.
5. RST reserve the right to request evidence of the Dependant's continued eligibility to rail staff travel facilities. This includes, but is not limited to, copies of:
 - attendance at an educational establishment. This is a letter from the education establishment confirming that the Dependant is following a full-time course and should include start and end dates. For the avoidance of doubt, an acceptance letter to a future course or institution is not evidence of attendance at an educational establishment.
 - wage slips or pay slips covering the last 3 months (i.e. the last 3 monthly wage slips or the last 13 weekly pay slips),
 - benefits awards or statements dated within the last 6 months,
 - evidence of previous, current and continued unemployment by way of an Employment History Letter (OCA41) from HMRC
6. If a Dependant ceases to be eligible to rail staff travel facilities by virtue of employment in which they have earned more than the weekly limit, then they cannot become eligible for rail staff

travel facilities again, even if there is a reduction in their earnings to below the weekly limit. There is one exception detailed in point 7.

7. If a Dependant has previously ceased to be eligible to rail staff travel facilities by virtue of employment in which they have earned more than the weekly limit but has continuously and permanently lived at the primary cardholder's home (subject to certain exceptions), then they may regain eligibility to receive rail staff travel facilities once they commence a full-time non-remunerative education course. This means that they can have no income at all from either work or benefits.
8. Once a child dependant is aged 25 and over their eligibility to rail staff travel facilities generally ceases. They generally only remain eligible to rail staff travel facilities if they:
 - attend an educational establishment on a full time basis for advanced education and have no income whatsoever, including benefits (excluding disability benefits) but can have income from the primary cardholder or the Student Loan Company. This means that if they have been working in term time they need to stop. **Or**
 - are disabled, as defined by the Equality Act 2010, and are unable to work and are in receipt of disability benefits and have no other income.
9. Dependants aged 25 and over are not eligible for any FIP facilities unless they are disabled, as defined by the Equality Act 2010.

Section 7: Eligibility of Widow(er)s and their children

1. A Widow(er) remains eligible for rail staff travel facilities only if their spouse/partner was a Safeguarded employee. For employees who joined the railway after 1 April 1996 eligibility for rail staff travel facilities ends for all family members on the death of the employee.
2. Widow(er)s cease to be eligible to receive rail staff travel facilities through their late Spouse, Civil Partner or Partner record if they re-marry, or begin a similar relationship. This includes sharing a household with a domestic partner without being married or in a civil partnership. If such a relationship exists all unexpired rail staff travel facilities that have been issued to the Widow(er) must immediately be returned to RST. Biological children of the Safeguarded Employee remain eligible, even if the widow(er) does not.