

Travel Irregularity Guidelines

August 2019



Rail Delivery Group



Rail Staff Travel is part of the Rail Delivery Group

Travel Irregularities Guidelines - August 2019

Introduction and General Summary

1. These guidelines are effective from 1 April 2015 and the procedures and penalties detailed are applied to travel irregularity incidents occurring on or after this date.
2. Within these guidelines, use of the term employee refers both to active and retired employees. These guidelines apply equally to all active and retired employees and their eligible family members, irrespective of age
3. In making travel facilities available, Rail Staff Travel Limited relies to a large extent on the co-operation of employees, their dependants and their employers to prevent their abuse or misuse. However, any case which comes to light must be reported immediately to Rail Staff Travel.
4. In applying for and using any staff travel facilities, employees agree to be bound by the Conditions of Issue and Use, which can be found online at www.raildeliverygroup.com/rst
5. It is the responsibility of the employee to ensure that any and all cards and passes used by family members are not abused or misused. Specifically, they must ensure family members are fully aware of the Conditions of Issue and Use of the cards and passes they hold.
6. Rail Staff Travel facilities are a valuable commodity. It is the responsibility of the employee to report lost or stolen cards immediately to Rail Staff Travel. Where a lost or stolen card is used by an unauthorised person, and this has not been reported to Rail Staff Travel, the employee and/or dependant will be subject to the Travel Irregularity procedure.
7. In all cases where the prime cardholder (active or retired employee or widow(er)) is the offender the penalty will be applied to all travel facilities holders within the family.
8. Where the offender is a spouse, partner or dependent child the penalty will be applied to the offender only.
9. Where card, pass or ticket is referred to in the following paragraphs this encompasses all staff travel documents including privilege rate

Travel Irregularities Guidelines - August 2019

season tickets. Certain paragraphs refer to the use of Staff Travel Cards only.

10. All cases of verbal or physical abuse of Train Operating Company staff by staff travel holders should be treated as a civil matter and not as a travel irregularity.

Examples of misuse where a warning is given

The offender will be given a warning in regard to their future use of travel facilities and advised that these will be permanently withdrawn if the offence is repeated.

- Alteration of one date on a Staff Travel Card provided it is not in the final available box on the card.
- Active employees using a Staff Travel Card to purchase privilege tickets for residential travel to work or a place of education (this practice is permitted for travel between a temporary place of residence and a place of employment or education for a period not exceeding 14 days).
- Retired employees and spouses/partners and dependent children of active or retired employees using a Staff Travel Card to purchase privilege tickets for residential travel to a place of education (this practice is permitted for travel between a temporary place of residence and a place of education for a period not exceeding 14 days).
- Travelling on a published restricted service, or contravening any other aspect of the staff travel restrictions.

Examples of misuse where the penalty is withdrawal of travel facilities for a minimum period of 12 months

In addition to withdrawal of travel facilities the offender will be given a warning as to their future use of travel facilities and advised that their travel facilities will be permanently withdrawn if the offence is repeated.

- Alteration of the date in the final available box on a Staff Travel Card.

Travel Irregularities Guidelines - August 2019

- Alteration of more than one date on a Staff Travel Card.
- Travelling in First Class Accommodation (or equivalent) when not eligible.

Examples of misuse for which the penalty is permanent withdrawal of travel facilities

- A repeat of any irregularity detailed in the previous sections.
- Transfer of or attempted transfer of a card or pass to another person.
- Transfer of or attempted transfer of a Privilege Rate Ticket, purchased with a Staff Travel Card or TOC Privilege Card to another person.
- An attempt to use a forgery of a card, pass or ticket (includes a photocopy of the original).
- Alteration/Defacement of card, pass or ticket details including use of cling film, plastic inserts or other such devices.
- Using a card, pass or ticket beyond availability.
- Travelling without a valid ticket. This includes subsequent use of a Staff Travel Card for free travel without dating a box on the card having been warned on previous occasions by a revenue protection officer (see *Procedure for Dealing with Travel Irregularities* section A1).
- Using a card, pass or ticket for residential travel (to work or a place of education) or business journeys, where it is only valid for leisure travel purposes. This does not apply when used for unpaid voluntary work.
- Retired employees and Spouses/partners or dependent children of active or retired employees using a Staff Travel Card to purchase a privilege ticket for journeys to work.
- Making a false application for spouse/partner or dependent child travel facilities to be issued to an ineligible person.
- Permitting a spouse/partner or dependent child who is no longer eligible to receive travel facilities to retain the cards, passes or tickets on issue to them.

Travel Irregularities Guidelines - August 2019

- Failure to notify the issuing office that a spouse/partner or dependent child is no longer eligible to receive travel facilities and where possible return their cards, passes or tickets for cancellation.
- Fraudulent applications for refunds or delay repay payments.

Procedure for dealing with Travel Irregularities

A. Dating of Staff Travel Cards – Revenue Protection Staff

1. Revenue protection staff are instructed to cancel the first available box on the card and ask the holder to date the next one in the following circumstances:
 - First attempt to make a free journey without dating a box on the card.
 - First attempt to make a free journey with an incorrectly dated box on the card.
2. Revenue protection staff are instructed to withdraw a card in the following circumstances:
 - Subsequent attempts to make a free journey without dating a box on the card.
 - An attempt to make a free journey using a card without dating a box and where the allocation of free boxes is exhausted.
 - The date in a box on the card has been altered, overwritten, erased or tampered with in any way.

B. General

1. All travel irregularities are recorded by RST on an employee's staff travel record.
2. The TOC on whose services an incident occurs must notify RST immediately when a card or pass has been withdrawn, so that:
 - i. if the travel irregularity is found to be an error or misunderstanding, the individual faces the shortest possible time without facilities; or

Travel Irregularities Guidelines - August 2019

- ii. if the travel irregularity is found to be correct, the individual's case can be dealt with promptly, especially if cards of family members also need to be withdrawn.
3. TOCs should therefore notify RST as a matter of urgency, initially by telephone or email, so that this can be recorded on the individual's record immediately.
4. TOCs must then submit a full normal Travel Irregularity Report.
5. If an alleged travel irregularity occurs but cards, passes or tickets are not withdrawn, RST must still be informed immediately so that records can be marked as "suspended", until the full outcome of the incident is known.
6. If there is an unreasonable delay in fully reporting an alleged travel irregularity, in accordance with the best traditions of English law, facilities will be restored to the alleged offender.
7. Any cards, passes and tickets retained by a TOC should be returned to RST immediately or, if the actual cards or passes need to be kept as possible evidence, scanned copies should be sent to RST instead.
8. Any TOC decision to prosecute should be communicated to the individual concerned without delay.
9. The individual alleged to have committed a travel irregularity must be given the opportunity to put his/her side of the case. RST will carry out this exercise via the employer for active staff and their dependants, or directly with the individual for retired staff.
10. If the former employer of a retired member of staff is still in business, RST may inform that company of the incident as a matter of courtesy.
11. In any communications at this stage of the proceedings, RST will make clear to those concerned what penalties are likely to be applied, in accordance with the Scheme Facility Rules.

Appeals Procedure

1. Employees may appeal on behalf of themselves or their family member against a decision to withdraw their travel facilities.

Travel Irregularities Guidelines - August 2019

2. Active employees should detail the basis for their appeal in writing to their employer. This must include any new evidence which may require a case to be reviewed.
3. The employer concerned will consult the Head of Rail Staff Travel as to the validity of the grounds of the appeal and whether the original decision should be revised.
4. Retired employees may appeal direct to the Head of Rail Staff Travel. However, the employer at the time of their retirement (if still in existence) will be consulted in regard to the outcome.
5. Appeals must be based on additional evidence, as the Scheme does not accommodate mitigating circumstances or excuses.

Employers are asked to note the following

- While the application or not of any disciplinary procedure is at the employer's discretion, as indeed is the decision to proceed to prosecution, the penalties regarding the withdrawal, both permanent and temporary, of travel facilities are laid down unequivocally in the Scheme.
- While an employer may be informed of the results of the application of the Scheme Rules to a travel irregularity (i.e. what degree of withdrawal of facilities is indicated), employers do not have the authority to override the Facility Rules.