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Title: Transport Committee – Tram and Bus Safety report

Executive Summary

The Transport Committee undertook two public meetings on the topic of Tram and Bus Safety. At its meeting in December 2019, the Committee resolved:

That authority be delegated to the Chair in consultation with the Deputy Chair and party Group Lead Members, to agree any outputs on the review of Tram and Bus Safety.

Following consultation with the Deputy Chair and party Group Lead members, the Chair, Dr Alison Moore AM, agreed the Committee's report.

Decision

That the Transport Committee's Tram and Bus Safety report be agreed.

Assembly Member

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature

Date 28 July 2020



Printed Name Dr Alison Moore AM (Chair, Transport Committee)

Decision by an Assembly Member under Delegated Authority

Notes:

1. *The Lead Officer should prepare this form for signature by relevant Members of the Assembly to record any instance where the Member proposes to take action under a specific delegated authority. The purpose of the form is to record the advice received from officers, and the decision made.*
2. **The 'background' section (below) should be used to include an indication as to whether the information contained in / referred to in this Form should be considered as exempt under the Freedom of Information Act 2000 (FOIA), or the Environmental Information Regulations 2004 (EIR). If so, the specimen Annexe (attached below) should be used. If this form does deal with exempt information, you must submit both parts of this form for approval together.**

Background and proposed next steps:

The Transport Committee undertook two public meetings on the topic of Tram and Bus Safety. The first meeting was held on 15 May 2019 with representatives from Transport for London and other guests. The second meeting was held on 11 September 2019 with the Deputy Mayor for Transport and Michael Liebreich, a former Board Member of Transport for London.

At its meeting in December 2019, the Committee resolved:

That authority be delegated to the Chair in consultation with the Deputy Chair and party Group Lead Members, to agree any outputs on the review on Tram and Bus Safety.

Following consultation with the Deputy Chair and party Group Lead members, the Chair of the Transport Committee, Dr Alison Moore AM, agreed the Committee’s report.

Confirmation that appropriate delegated authority exists for this decision

Signed by Committee Services



Date 30/06/20

Print Name: Laura Pelling

Tel: 5526

Financial implications

NOT REQUIRED

Signed by Finance N/A Date

Print Name N/A Tel:

Legal implications

The Chair of the Transport Committee has the power to make the decision set out in this report.

Signed by Legal  Date 6 July 2020

Print Name Emma Strain, Monitoring Officer Tel: X 4399

Additional information should be provided supported by background papers. These could include for example the business case, a project report or the results of procurement evaluation.

Supporting detail/List of Consultees: Caroline Pidgeon MBE AM, Joanne McCartney AM, Keith Prince AM, David Kurten AM, Caroline Russell AM

Public Access to Information

Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? No

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

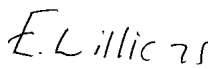
Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form - No

Lead Officer/Author

Signed  Date 27-7-20
.....

Print Name **Gino Brand** Tel: x. 5792
Job Title

Countersigned by  Date
Director 27.07.2020
.....

Print Name **Ed Williams** Tel: x. 4399

LONDON ASSEMBLY

TRAM AND BUS SAFETY IN LONDON

Progress and lessons learned on safety
on the London transport network



Holding the Mayor to account and
investigating issues that matter to
Londoners

LONDONASSEMBLY

Transport Committee Members



Dr Alison Moore AM
(Chair)
Labour



David Kurten AM
Brexit Alliance Group



Caroline Pidgeon
MBE AM
(Deputy Chair)
Liberal Democrat



Joanne McCartney AM
Labour



Shaun Bailey AM
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Contents

Forward	5
Summary	8
Recommendations	11
1.SAFETY MEASURES AND DATA.....	17
2.WELLBEING OF BUS AND TRAM DRIVERS.....	30
3.RESPONSE AND SUPPORT FOR VICTIMS.....	41
Appendix 1: Data tables	46
Appendix 2: Minority Report from the GLA Conservatives and Brexit Alliance Group	50
Our Approach	53
Other formats and languages.....	54

Dr Alison Moore AM

Chair of the Transport Committee



Londoners should feel – and be – safe when travelling on the city’s transport network. In November 2016 seven people tragically lost their lives and 62 were injured in a tram derailment near Sandilands in Croydon. This posed significant questions about the underlying causes which led to such a tragic event.

Bus and tram safety provide a particular challenge for London’s transport network. In our latest investigation, we aimed to understand the process followed by Transport for London (TfL) in its response to the tram derailment, the progress TfL has made on bus safety since our 2017 report, *Driven to Distraction: Making London’s buses safer*, and to identify wider learning for safety across London’s transport network.

The Rail Accident Investigation Branch (RAIB) investigation into the 2016 tram crash highlighted several key safety concerns. The risks which trams can, and do, pose were not clearly understood prior to this tragic event. It is encouraging to see that decisive action has since been taken by the regulator, the Office of Rail and Road (ORR), and TfL to improve the design of trams. This is a vital step in recognising the actual level of risk associated with operating the tramway, particularly in relation to overspeeding on a curve.

The RAIB investigation also revealed parallels between the dangers posed by tram and buses, finding that many of the solutions to address the issues are the same. Tram drivers interact with road users, and safety measures need to account for this. If TfL wants to instil a safety culture across the whole network, as it should, then the focus on improving safety standards for trams must be sustained from now into the future.

“ Tram drivers interact with road users, and safety measures need to account for this. ”

During our investigation, we learnt that bus and tram drivers often operate within a negative corporate culture which prevents them from being open about the daily challenges they face. The pressure of dealing with multiple, unpredictable factors on the road network and managing risks to pedestrian and cyclist safety is compounded by fatigue, which is pervasive across the network. Drivers still lack access to adequate welfare facilities such as 24/7 toilets and comfortable places to rest in between shifts. This has been further complicated by the COVID-19 social distancing response.

Our 2017 report into bus safety recommended several measures to reduce distractions and alleviate factors leading to stress. Since 2017, TfL has introduced a range of safety initiatives, including a Bus Safety Standard and the Bus Safety Innovation Challenge. These are welcome steps, but urgent action is required to support drivers' wellbeing if safety is to be guaranteed on the roads.

The Mayor has already committed to improving conditions for bus drivers, working towards a Vision Zero ambition for road safety and establishing new and revised safety standards. However, safety improvements can only be achieved with a clear shift from a blame culture to one that encourages transparent reporting. Equally important is an urgent and concerted effort by TfL to address fatigue, one of the biggest risks to safety on the network.

Even one casualty or one incident caused by poor safety management is one too many. This investigation took place prior to the national pandemic. In light of the pandemic the Committee is aware that the transport network faces an unprecedented challenge. The exact nature and scale of the challenges ahead are yet to be determined but we strongly believe that safety must always remain at the core of TfL's operations.

As service levels resume on both buses and trams, there will be important implications for workers' safety.¹ At the end of May 2020, approximately 2,700 bus operator staff were estimated to be unavailable, either as a result of being furloughed, through sickness or as they had identified themselves or a relative as being vulnerable.² As approximately 9,000 buses are in operation on the

¹ TfL, *Restarting London*, <https://tfl.gov.uk/campaign/restart>.

² TfL (2 June 2020), *TfL Board Meeting - Supplementary Agenda and Papers - TfL Commissioner's Report*. <http://content.tfl.gov.uk/board-20200602-agenda-and-papers-supplementary.pdf>, pg. 7 (page 10 of pack).

London bus network, losing 2,700 drivers will have a detrimental impact.³ Given the current pressures on drivers and the fluctuation in available capacity, the issue of driver fatigue has the potential to worsen. This must be addressed, and TfL must not lose sight of the need to maintain and increase focus in this critical area.

The Committee acknowledges and welcomes the safety measures which TfL has put in place throughout the COVID-19 crisis to protect TfL staff across all transport modes. On the bus network measures have included, enhanced protection on driver's screens, barring off seats closest to the drivers and ensuring all bus vehicles are regularly sanitised with 30-day antiviral cleaning processes.⁴ On the wider network measures have included improved signage to customers, one-way systems and over 236,000 stickers applied to highlight social distancing requirements.⁵ These are welcome steps to ensure safety at such a critical time.

Our investigation surfaced a series of critical safety issues and in order to ensure continued safety improvements, we urge that the recommendations in this report are acted upon as a priority. We are also committed that this issue remains a top priority for the Transport Committee to monitor, to help avoid tragedies like Sandilands ever happening again.

I would like to thank my fellow members of the London Assembly Transport Committee, and all those that provided evidence to our investigation.

³ GLA, *TfL – Number of buses by type of bus in London*, <https://data.london.gov.uk/dataset/number-buses-type-bus-london>.

⁴ London Assembly Transport Committee of June 2020, page 34

⁵ Ibid

Summary

On 9 November 2016, a tram derailed near the Sandilands tram stop in Croydon. Tragically, seven people lost their lives and 62 people were injured. Since this incident there have been several key investigations including the Rail Accident Investigation Branch investigation. The RAIB made 15 recommendations intended to improve tramway safety. These were addressed to the tram sector, Transport for London, and the Office of Rail and Road as its regulator.

Both bus and tram safety continue to be a challenge for London's transport network. The Committee welcomes the latest TfL figures from Quarter 4 2019/20 which show a 36 per cent decrease in the number of people killed or seriously injured by buses, compared with Quarter 4 2018/19.⁶ As of Quarter 3 2019/20, there had been a 64 per cent reduction in the number of people killed or seriously injured by buses from the 2005-09 baseline.

The Committee is reassured to see this downward trend in serious incidents involving buses. However, there has been an anomaly in this trend. Between Q3 2018/19 and Q3 2019/20 there was an increase of 15 per cent (60 versus 69).⁷ TfL should seek to understand the individual factors behind the increase and take the appropriate action to ensure a sustained reduction of those killed or seriously injured. In July 2018, TfL published its Vision Zero Action Plan stating that the ambition was to reduce the number of people killed or seriously injured on London's streets to zero by 2041.⁸ The Committee welcomes this ambition and supports the Mayor's continued work to reduce the number of avoidable and tragic incidents taking place on London's streets. As safety is paramount, we must ensure a relentless focus on this to meet the challenge.

The Committee investigated the challenges which transport workers face every day in London, the underlying factors which increase the likelihood of an incident, what could be done to mitigate against these and what action the Mayor and TfL can take to better address the ongoing challenges. As part of

⁶ TfL, [Transport for London Safety, Health and Environment report Quarter 4 \(8 Dec 2019- 31 March 2020\) page 11](#), June 2020

⁷ Ibid *In the year which follows publication, sometimes minor revisions are made to the data. Here the reported number in Q3 2019/20 has dropped from 69, as reported in Q3 2019/20 report to 66 in the report: [Transport for London Safety, Health and Environment report Quarter 4 \(8 Dec 2019- 31 March 2020\) page 11](#).

⁸ Mayor of London, [Vision Zero Action Plan](#), July 2018.

this investigation, the Committee visited the Sarah Hope Line, TfL's incident support line, to understand how TfL responds to and supports those who have been involved in, or affected by, an incident on the network. The Committee also visited the tram depot near Croydon to hear about the new tram safety features which have been implemented following the Sandilands crash, and were given the opportunity to understand how TfL and Tram Operations Limited have been engaging with the community, victims of the tram derailment and tram drivers.⁹

This investigation builds on previous work undertaken by the London Assembly in 2017 into safety on the bus network. For example, the Committee's report *Driven to distraction: Making London's buses safer*¹⁰ focused on examining safety practices within TfL and bus operating companies.

The Committee held two public meetings, in May and September 2019. In May, the Committee heard from representatives from the tram and Bus Operating Companies, TfL, the rail union Associated Society of Locomotive Engineers and Firemen (ASLEF) and the bus union, UNITE. They covered several issues such as driver fatigue, corporate culture and the relationship between TfL and bus and tram operating companies.

In September 2019 the Committee also heard from Michael Liebreich (former Board Member, TfL) on his view that there should be an investigation into the management of the fatigue report;¹¹ into how it was disseminated; and, into the way that the conflicts of interest were handled. In response the Committee heard from the Deputy Mayor for Transport, Heidi Alexander, who was confident that while there were mistakes made, such as not sharing the fatigue report with the investigating authorities sooner, when the mistake became obvious it was rectified and a public apology was made.

We note the fact that the RAIB's review of the TfL audit report identified no evidence of additional factors, which are likely to have contributed to the derailment at Sandilands junction and that the conclusions of the TfL audit are consistent with RAIB's own finding that; at the time of the derailment, Tram

⁹ Sarah Hope Line, [Incident support service, TfL](#).

¹⁰ London Assembly Transport Committee, [Driven to distraction: Making London's buses safer](#), 2017.

¹¹ TfL, [Internal Audit Report – Management of fatigue in Tram Operations Limited](#), September 2017.

Operations Limited's management of fatigue risk was not in line with published industry practice, and that there was significant scope for improvement.

There is no consensus on the Committee over whether to call for an independent investigation into the handling of the fatigue report. We do however note that there was an Assembly motion agreed on 4 July 2019 in support of such an investigation¹², and note the Mayor's response to the motion on 1 October 2019.¹³ There is a consensus on the Committee, however, for the Transport Committee to revisit this issue in the future, particularly to review progress TfL has made on updating its processes to ensure no such event occurs again, and the Mayor's response to this report, to ensure that safety remains the highest priority at TfL.

We have found a need for set and consistent safety standards on and around trams, improving the wellbeing of tram and bus drivers, (including implementing preventative measures to mitigate against the risk of fatigue), changing the existing corporate culture and ensuring better support for victims of road traffic incidents. We call on the Mayor and TfL to take urgent action. Such steps are vital if we are to avoid another Sandilands incident and avoid yet more deaths on London's roads.

This report represents the majority view of the Committee.

The dissenting views of the GLA Conservatives and Brexit Alliance Group are set out in a minority opinion in Appendix 2 to this report.

¹² The motion in the name of Keith Prince AM, <https://www.london.gov.uk/motions/gmb-union-motion>

"This Assembly notes that the GMB Union recently passed Motion 412 which called for the Mayor of London to appoint an independent investigation to review why TfL failed to supply critical tram safety evidence to the Croydon Tram Crash Investigators, the Office of Road & Rail and the British Transport Police."

"This Assembly agrees with the GMB Union that there are serious questions to answer with regard to the Croydon Tram Crash, wholeheartedly supports the GMB's request and calls upon the Mayor to appoint an independent investigation".

was agreed, the vote was not unanimous (10 votes were cast in favour and no votes were cast against). See: <https://www.london.gov.uk/moderngov/mgAi.aspx?ID=29606>.

¹³ See www.london.gov.uk/sites/default/files/78_motions_response_mayor_to_chair.pdf.

Recommendations

Review application of highways legislation on trams.

Recommendation 1

TfL should consult with the Department for Transport (DFT) to review the Highways Act (1980) and the Road Traffic Signs Regulations and General Directions (2016) in relation to tram signs, signals and road markings, in order to assess how their application best meets the safety requirements of trams when operating in a street environment.

We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

Develop a Tram Safety Standard and include targets on tram safety

Recommendation 2

TfL should work with the Light Rail Safety and Standards Board (LRSSB) and the Office of Rail and Road (ORR) to monitor and report on how sector-wide industry guidance, designed by LRSSB, is being implemented on the London tram network, with a particular focus on:

Safe design of cycle facilities and pedestrian environments; and

Safety design features on tram rolling stock

TfL should provide a timeline for implementation of this recommendation by September 2020.

Recommendation 3

TfL should work with the newly established LRSSB and the ORR to develop a 'Tram Safety Standard', focussed on both tram vehicle design and tram infrastructure.

TfL should provide a timeline for implementation of this recommendation, informed by LRSSB and ORR timelines to develop safety standards. The Committee would like a response on the timelines by September 2020.

Improve safety data

Recommendation 4

TfL should:

- 1) Report all data associated with road traffic casualties, involving buses, together to enable comprehensive evaluation of data and trends of road traffic casualties; and
- 2) Regularly review and update the Committee on their progress towards improving and ensuring greater consistency between available datasets, to ensure highly accurate long-term trend reporting and analysis of collisions.

We ask that a timeline on implementation of this recommendation is provided in the response to this report, by September 2020.

Recommendation 5

TfL should provide an update to the Committee on steps it has taken to improve the timeliness, accessibility and visibility of its safety datasets to the public. We ask that a timeline on implementation of this recommendation is provided in the response to this report, by September 2020.

Where applicable, Loughborough University research on bus driver fatigue should be applied across the transport network, in addition distinct fatigue research should be carried out across other transport modes.

Recommendation 6

TfL should ensure that the pioneering research undertaken on bus driver fatigue is also carried out in other transport modes, particularly trams.

Recommendation 7

TfL should ensure that adequate welfare facilities are provided to bus and tram drivers, including the prompt provision of 24/7 toilets and adequate rest rooms.

Recommendation 8

Following the Committee's recommendations from its 2017, bus safety report, TfL should work with operators to reduce the number of distractions bus drivers face, including vehicle maintenance, radio contact and a review of best practice for bus infrastructure and design.¹⁴

¹⁴ London Assembly Transport Committee, *Driven to distraction: Making London's buses safer*, 2017. The report suggested several recommendations to remove distractions from bus drivers and found several issues such as poor vehicle maintenance, increased and constant radio contact from contact centre and difficulty accessing bus lanes due to poor infrastructure and road design. Particularly on the issue of bus infrastructure and design the Committee recommended changes were made to bus lane installation, bus stop siting and consideration of the impact other infrastructure, like parking bays, has on the driver's ability to navigate the route safely. The report can be accessed [here](#).

Recommendation 9

TfL should examine and consult with relevant stakeholders, bus operating companies and unions to understand:

- a) variance in drivers' hours and shifts; and
- b) current rate of progress towards implementing changes to rota agreements within bus operating companies.

TfL should provide a timeline for implementation of the above recommendations by September 2020.

Implement measures to ensure drivers feel comfortable reporting incidents or fatigue at work

Recommendation 10

TfL, tram and bus operating companies should take actions immediately to ensure that drivers feel comfortable to report near-misses and do not go to work when they feel it would be unsafe for them to drive. All stakeholders across bus and tram sectors must be brought into implementation of a just culture and drivers must be consulted on changes which affect their work.

We ask that an action plan of immediate measures to encourage open and transparent reporting of incidents is shared with the Committee by September 2020.

Recommendation 11

TfL, tram and bus operating companies should measure behavioural change from managers in response to the shift towards a just culture across both bus and tram sectors. We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

Improve case management of calls and ensure consistent reporting in line with TfL's datasets

Recommendation 12

TfL should review case management of the Sarah Hope Line to gain more clarity on the following:

the channels available to Londoners to get in touch with the Sarah Hope Line;

how calls are logged and the process for subsequent action; and

how and when calls result in new cases.

We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

Increase awareness and use of the Sarah Hope Line

Recommendation 13

TfL should ensure more effective promotion of the Sarah Hope Line. TfL should outline which measures are in place to track the uptake of the service across all transport modes, including measuring how effective current promotional practices are in increasing awareness and use of the line.

Recommendation 14

TfL should publish information on how the agencies involved in promoting the Sarah Hope line including the British Transport Police (BTP), the Metropolitan Police Service (MPS), the NHS and other support services are proactively contacting those involved in an incident and their families.

In addition, TfL should track and measure how these agencies are conducting their engagement with victims of road traffic incidents to ensure they are providing the best support to anyone injured during, or affected by, a serious incident on London's roads. The Committee asks that this information is shared with the Transport Committee by September 2020.

Recommendation 15

In addition, TfL should ensure there is a robust measurement process in place to track uptake of the service.

We ask that a timeline of implementation of the above recommendations is shared with the Committee by September 2020.

1.SAFETY MEASURES AND DATA

Key findings

- Trams operate in a complex regulatory environment; they share many of the same challenges as both off and on road modes of transport.
- There must be a sustained focus on ensuring consistent and accurate safety data for long-term trend reporting and analysis of collisions.

The Committee heard that trams pose a unique challenge to the transport network because they do not neatly sit within one clearly defined categorisation of transport mode - they sit between two transport categories, namely rail and road. Trams operate on the road, as well as off-road, and have notable features that align them with rail transport. For instance, trams run on a track and are partly based off-street. However, the tram also operates in the same external environment as road transport and is therefore subject to the same challenges buses experience, namely: 1) responding to the behaviour of pedestrians and cyclists; 2) interacting with other road vehicles; and 3) operating within a street design which can sometimes increase the risk of injury or collision. This view was stated clearly in evidence to the Committee:

“ From my point of view, a tram is not a bus and it is not a train, but it is covered by the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS). The emphasis has been about maybe raising our game a little. All of our standards within tram that we have introduced are all based on railway, but we have to remember because we travel in the town that we are still covered under the Highways Act.

Jackie Townsend, (Tram Operations Limited)

Tram Operations Limited (TOL) has chosen to apply railway standards to the running of trams but given that trams operate on road they are also subject to the Highways Act 1980. The Committee heard how this has created certain challenges whereby special authority was required to enable the design of signs which were more visible to tram drivers, but which still needed to remain in line with the Highways Act:

“ It is quite complex and sometimes there are things that the highways need. For example, road signs are very small in comparison to railway signs, which was one of the reasons that we worked with TfL about putting the yellow...around the signs, because we cannot have railway signs under the Highways Act and we have to have authority to do that. Things that you can take for granted within rail, we cannot within tram. ”

Jackie Townsend, (Tram Operations Limited)

According to the Tramway Principles and Guidance (TPG), trams on highways are subject to relevant road and traffic signage legislation. It states, “Where a deviation or derogation from the Road Traffic Signs Regulations and General Directions (TSRGD) is required then this must be obtained from the Secretary of State (or his agents).”¹⁵ The application of these regulations is supported by guidance set out in the Department for Transport’s Traffic Signs Manual.¹⁶

The RAIB report into the Sandilands incident concluded that visibility of signs was a crucial factor in the Sandilands crash.¹⁷ The Committee, therefore, believes it is imperative that appropriate signage is in place to help guide adequate safety standards on the tramway, and any conflict with regards to regulation that may disrupt this should be addressed. The London tram system

¹⁵ Page 11 of 101, [Tramway Principles & Guidance](#), 2016

¹⁶ Office of Rail and Road, [Strategy for regulation of health and safety risks, chapter 14: Tramways](#), April 2019

¹⁷ RAIB, [Rail Accident Report: Overturning of a tram at Sandilands Junction](#), Croydon, December 2017. Prior to this, the RAIB published two interim reports in November 2016 and February 2017. An update to the final report was published in October 2018 and included an addendum by TfL on their audit of Tram Operations Limited’s fatigue risk management system.

poses a challenge because it operates both on and off road and as such is subject to multiple forms of regulation. Given this complexity, the Committee believes there will continue to be a conflict between what is required to ensure the safety of trams in a street environment and adherence to the relevant regulatory guidance. The Committee, therefore, believes that the relevant and intersecting pieces of legislation should be reviewed against the necessary safety requirements of the tramway in a street environment.

Recommendation 1

TfL should consult with the Department for Transport (DFT) to review the Highways Act (1980) and the Road Traffic Signs Regulations and General Directions (2016) in relation to tram signs, signals and road markings, in order to assess how their application best meets the safety requirements of trams when operating in a street environment.

We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

Tram infrastructure and tram design.

In addition, the Committee agrees with the RAIB's recommendation that common standards and good practice guidance should be developed for the tram industry. The Committee welcomes the work undertaken by the Light Rail and Safety Standards Board (LRSSB) throughout 2019 to develop sector-wide guidance, which includes an update to the 2018 Tramway Safety Principles¹⁸, in addition to further guidance on elements such as non-motorised crossings and

¹⁸ *London Assembly Transport Committee, Response from ORR, April 2020.

UK Tram completed its review of the Railway Safety Publication 2 (RSP2) "Guidance on Tramways", which was the safety guidance current at the time of Sandilands, in early 2018 with the publication of "Tramway Safety Principles (TSP)". LRSSB then took responsibility for TSP from UKTram and again updated and re-issued it in 2019. The updated version is the Tramway Principles and guidance.

tramway signage.¹⁹ However, during the Committee’s investigation we heard that the safety features on tram rolling stock were largely manufacturer led. For instance, TfL explained:

“ One of the things that happened when we bought the new trams on the tram network was that the modern Stadler trams have an under-run protector. That is a device that stops objects or people falling underneath the wheels of the tram. That was not on the original design but was provided as an option by the manufacturer when we bought the Stadler trams.

Jon Fox, Director of Rail and Sponsored Services, TfL

In the LRSSB guidance it stipulates the need to implement a means of preventing pedestrians from being trapped underneath the tram.

There should be a means of preventing pedestrians from either being crushed between the road surface and the tram underfloor or from going under the tram wheels at all areas identified in the risk assessment.

*Tramway Principles and Guidance, LRSSB*²⁰

Whilst the Committee is reassured to see that new guidance has specified the importance of such a device to ensure high safety standards, the guidance is as LRSSB states intended to ‘give advice and not set an absolute standard.’²¹

¹⁹ LRSSB, [LRSSB Portal](#), 2020.

²⁰ LRSSB, [Tramway Principles and Guidance \(TPG\)](#), appendix F Pedestrian issues, page 76, 2019.

²¹ Ibid, [introduction](#), page 5-6, 2019

As such there is no industry-led standard enforcing what should be included. If safety measures are provided by manufacturers, it is more difficult to ascertain whether these are yielding the best results. Safety in this case is subject to manufacturers' standards as opposed to evidence-based and industry-wide standards that account for a complex regulatory environment and the issues inherent to operating a tram.

In addition, TfL's Vision Zero Action plan sets clear targets to eliminate the number of those injured or killed on London's streets by 2041, this includes a specific target to reduce the number of those killed or seriously injured in, or on a bus by 2030.²² As we heard from TfL, the Action Plan covers appropriate speeds, safe vehicles, street design and the key interaction of people and their behaviour in relation to the design of vehicles.²³ The Committee heard that there are many challenges in the external environment facing trams similar to buses and other road vehicles.

“ I have to hand it to the drivers in this case - the way they handle the risk of pedestrians walking across the environment outside East Croydon Station is a testament to their skill, frankly. They approach that by using the bell. They use the horn if they need to and the number of incidents that have not happened there is incredible. ”

Jon Fox, Director of Rail and Sponsored Services, TfL

The built environment has a significant impact on trams, this is recognised and reflected further in the current guidance which stipulates:

²² TfL, The Mayor's Transport Strategy, [Vision Zero Action plan](#), 2018

²³ London Assembly Transport Committee of May 2019

In the design and operation of an on-street tramway it is particularly important to recognise that the behaviour of other road users will influence the safety of the tramway. The design and operation may need to take into account likely deliberate actions and errors of judgement by other road users.

*Tramway Principles and Guidance, LRSSB*²⁴

Stringent safety standards have been developed for buses through TfL's Bus Safety Standard (BSS)²⁵. The bus safety standard sets out requirements that all operators will need to adopt by 2024. It is an evidence-based and collaborative project, involving both bus manufacturers and operators to develop, test and assess a number of potential and new safety features to be implemented across the network. The BSS stipulates a clear set of requirements to ensure high safety standards and also sets out a clear roadmap for future safety measures and technologies, allowing manufacturers time to invest in new safety features. The Committee supports this approach as it ensures that standards are consistent across the network and that safety considerations are fully embedded into decisions taken on both vehicle design and infrastructure.

The Committee believes that the tram network would benefit significantly from a similar approach to the development of standardised safety standards and practices adopted in the bus sector. This approach would both benefit and support safety improvements on the tram network both on and off street. We have heard there is a clear risk to people walking and cycling in and around the tram network. The Committee heard of several examples of fatalities that have occurred on tram networks. For instance, a cyclist at the Morden Hall footpath

²⁴ LRSSB, [Tramway Principles and Guidance \(TPG\)](#), Integrating the tramway, page 16, 2019

²⁵ TfL, [The Bus Safety Standard](#), 2018

crossing was killed in 2008 following a collision with a tram. The RAIB's investigation into the incident suggested that there should be some work done to the foot crossings to make sure that it was more obvious for cyclists, drivers and tram drivers who had the right of way. There was also an incident in 2013 when a cyclist was killed after his bike got stuck in a tram line and he fell into the path of a bus. In response to this incident, it took five years after his death for safety improvements to be made.²⁶ The Mayor's response to the COVID-19 pandemic has included promoting an unprecedented increase in active travel. It is essential that the rapidly implemented infrastructure changes are made in a way that does not undermine the safety of cyclists in areas where trams operate on the highway.

TfL does not have any detailed guidance on the safe design of cycle facilities around tram infrastructure. This issue has been explored to an even lesser extent for pedestrians walking around trams and tram infrastructure. The importance of both tram design and infrastructure to minimising risk to pedestrians, passengers and cyclists is evident. The Committee welcomes the principles within the LRSSB guidance regarding safe integration of the tramways with existing highways, and guidance on cyclist and tramway interface. However, the Committee believes that TfL should go one step further in ensuring high safety standards across the network. The Committee believes that the LRSSB guidance should help to inform the design of a 'Tram Safety Standard'. Similarly, to the bus sector, such a standard should bring together a cohesive package of safety measures that fully encompass both tram design and infrastructure, and which should be shared and agreed by all relevant stakeholders central to the safe functioning of the tram network.

²⁶ [London Assembly Transport Committee of May 2019.](#)

Recommendation 2

TfL should work with the Light Rail Safety and Standards Board (LRSSB) and the Office of Rail and Road (ORR) to monitor and report on how sector-wide industry guidance, designed by LRSSB, is being implemented on the London tram network, with a particular focus on:

Safe design of cycle facilities and pedestrian environments; and

Safety design features on tram rolling stock

TfL should provide a timeline for implementation of this recommendation by September 2020.

Recommendation 3

TfL should work with the newly established LRSSB and the ORR to develop a 'Tram Safety Standard', focussed on both tram vehicle design and tram infrastructure.

TfL should provide a timeline for implementation of this recommendation, informed by LRSSB and ORR timelines to develop safety standards. The Committee would like a response on the timelines by September 2020.

The Committee is aware of the fundamental importance of bus safety data as it serves multiple purposes which aid improved safety on the network. Primarily, injury and collision data can be used to identify the root causes behind incidents, provide a long-term view of performance and identify preventative measures which seek to improve safety. The application of safety data has also importantly been used to inform the Bus Safety Standard through a programme of research, the first phase of which analysed several datasets on collisions.²⁷ This research utilised safety data to examine road casualties and the effectiveness of the countermeasures in place. However, the Committee is aware of the challenges that TfL faces in linking together the police data,

²⁷ Transport Research Laboratory, [Analysis of bus collisions and identification of countermeasures](#), 2018

hospital data and its own data from bus operators, to understand how safe buses are and improve its understanding of trends in injuries and collisions.²⁸

The Committee understands that STATS19 is a nationally defined dataset which excludes certain incidents. For example, if there was a collision and one of the people involved in that collision dies more than 30 days after the incident, STATS19 excludes that as a record of a fatality. If the collision is determined to be as a result of a suicide, that is excluded. If the collision takes place off the public highway, for example, in a car park or on private land, that is excluded, and so on.²⁹ In May 2019 the Committee heard from TfL that the incident reporting and investigation service (IRIS) is a much more comprehensive dataset, *"it is our database and we are able to go deeper into it."* TfL stated that they had looked at the possibility of amalgamating both and found that the two datasets were not compatible.³⁰

The Committee welcomes the work undertaken by TfL since the 2017 report *"Driven to Distraction"* to achieve greater consistency between the STATS19 and IRIS data sets. We note that work has been underway to further embed the Case Overview and Application System (COPA), put in place at the end of 2016, by the Metropolitan Police Service (MPS). As stated in TfL's response to our previous investigation in 2017, the system will enable *"enhanced quality and timeliness; including live data, live validation and improved injury definition, which means both STATS 19 and IRIS data now becomes available to us within a similar timeframe and records are easier to match."*³¹ In addition, it was also stated that a field would be added within the IRIS system for operators to

²⁸ TfL, [TfL response to GLA Transport Committee report on bus safety, 2017](#).

²⁹ London Assembly Transport Committee, May 2019

³⁰ London Assembly Transport Committee, May 2019.

³¹ TfL, [TfL response to GLA Transport Committee report on bus safety, 2017](#).

confirm whether or not the Police have been involved in the incident which will enable TfL to match incidents with STATS19 entries if required.³²

However, in spite of this progress, TfL is still using STATS19 as the main source of road safety data for London and as the authoritative source for analysing road traffic casualties across the city.³³ The Committee believes that given the limitations with the STATS19 dataset, and as TfL has suggested that IRIS provides more comprehensive data, TfL should maintain a relentless and sustained focus on their approach to linking and ensuring greater consistency between these datasets. The Committee believes that this will help to ensure the most accurate and complete data is being reported which further supports accurate long-term trend reporting and analysis of collisions is available.

Furthermore, the Department for Transport guidance issued in 2013³⁴ also notes that *“ as has long been known, Stats19 is not a complete record of all injury accidents and resulting casualties, and this can lead to discrepancies with the other sources of data ”*. The guidance also points out that there are the following data sources available:

- Death registrations data;
- Hospital Episode Statistics (hospital admissions), and HES data linked to Stats19 data;
- National Travel Survey questions on road accidents and casualties; and
- British Crime Survey data on road accidents and casualties.³⁵

As the guidance points out other datasets such as these *“ can be useful both as a check on the quality and completeness of Stats19 and in providing*

³² [ibid](#)

³³ TfL, [Casualties in Greater London 1 April-30 June 2019 provisional figures](#), 2019.

³⁴ Department for Transport (DFT), [Reported Road Casualties in Great Britain: guide to the statistics and data sources](#), 2013,

³⁵ [ibid](#)

information, which is not collected by the police, for example relating to more detailed medical consequences of road accidents.” ³⁶ Given the usefulness of other data in providing further details on the safety picture, the Committee recommends that TfL provides all data sources when reporting on bus safety performance. The Committee believes that this will help to best reflect the current state of safety on the bus network, noting the limitations of each dataset is important, but overall this approach will enable a more thorough and comprehensive comparison of different trends.

In addition, in May 2019 the Committee heard from TfL about the statistics available on bus safety and road collisions. Stuart Reid of TfL noted that:

“ We are now looking at what we might do in a more public-facing way that kind of cuts through the tables full of figures and the trends and so on and tries to explain the story in a more straightforward way. ”

Transport for London currently provides a wide range of statistics, especially on bus safety with many accessible via dashboards.³⁷ However, some of this data has not always been published in a timely manner. The Committee would like an update on steps TfL has taken to improve the accessibility and visibility of its dataset to the public. In addition, TfL has had to revise data on customer injuries to ensure a consistent approach was taken on serious injuries.³⁸ TfL should ensure that they are publishing data reliably, in a timely manner and that they are providing data and reports that are clear and show the changes in bus safety performance over time – including from trials of technology.

³⁶ [ibid](#)

³⁷ TfL, [London Buses Safety Dashboard- Q3, 2019](#)

³⁸ TfL, [Customer Service and Operational Performance Panel, 27 November 2019,](#)

Recommendation 4

TfL should:

- 1) Report all data associated with road traffic casualties, involving buses, together to enable comprehensive evaluation of data and trends of road traffic casualties; and
- 2) Regularly review and update the Committee on their progress towards improving and ensuring greater consistency between available datasets, to ensure highly accurate long-term trend reporting and analysis of collisions.

We ask that a timeline on implementation of this recommendation is provided in the response to this report, by September 2020.

Recommendation 5

TfL should provide an update to the Committee on steps it has taken to improve the timeliness, accessibility and visibility of its safety datasets to the public. We ask that a timeline on implementation of this recommendation is provided in the response to this report, by September 2020.

2.WELLBEING OF BUS AND TRAM DRIVERS

Key findings

- A shift from a disciplinary culture to a 'just culture' is vital to encourage more open and honest reporting of incidents and can help prevent incidents in the future.
- Fatigue is a chronic issue and requires preventative measures to mitigate against the negative impact on drivers' wellbeing.

Across both bus and tram, fatigue has been reported as the single biggest issue that affects drivers on a daily basis.³⁹ There has been little research conducted on fatigue despite how widespread the issue is across the transport network. Issues of fatigue were being reported for several years prior to the Sandilands crash in 2016, as noted in the 2014 Confidential Incident Reporting and Analysis System (CIRAS) report on tram driver fatigue.⁴⁰ Similarly, for bus drivers we know the issue of fatigue has been a particularly significant issue, as highlighted in the Loughborough University study, which TfL commissioned in July 2018.⁴¹ The study found that: *“21% of survey respondents indicated that they have to fight sleepiness at least 2-3 times a week, and 36% of respondents had a ‘close call’ due to fatigue in the past 12 months.”*

Fatigue in bus drivers has also been reported as a significant issue by the bus campaigner, Tom Kearney, who told the Committee that bus drivers and unions had told him *“fatigue driving is their single biggest worry.”*⁴²

The Committee understands that there are several measures that can help address the issue of fatigue for both tram and bus drivers. For instance, we heard that adequate welfare facilities are a critical countermeasure to fatigue. The Loughborough University study found that the stress associated with not having access to necessary facilities contributes significantly to overall fatigue, and that improved facilities are necessary to mitigate the risk of fatigue:

*“By providing access to appropriate rest areas, drivers would have the opportunity to nap or rest prior to duty, during breaks, or prior to commuting home, which could potentially counteract fatigue during shifts.”*⁴³

³⁹ London Assembly Transport Committee of May 2019.

⁴⁰ Confidential Incident Reporting and Analysis Report, May 2014 – the report is available via CIRAS.org.uk.

⁴¹ Dr A Filtness et al., [Bus driver fatigue: Final report](#), Loughborough University’s Transport Safety Research Group, 2019.

⁴² London Assembly Transport Committee meeting, 15 May 2019, Tom Kearney.

In 2017, the Transport Committee's report *Driven to Distraction: Making London's buses safer*, made a clear recommendation to reduce distractions, by providing adequate toilets, minimising radio contact, and improving bus stop and bus lane infrastructure. The report noted that these were all factors known to cause underlying stress and mental overload, contributing towards overall fatigue.

In response to the 2017 Transport Committee's report *Driven to Distraction: Making London's buses safer*, TfL committed to a programme to provide 24/7 toilets along 42 priority bus routes.⁴⁴ The Committee understands that as of February 2020, 37 of those routes had a toilet installed, with 2 further routes to be delivered in March 2020 and 5 to be delivered by Autumn 2020. TfL has also provided toilets at an additional 10 priority routes not on the original list, bringing the total number of priority routes with a toilet to 45, as of February 2020.⁴⁵ ⁴⁶The Committee acknowledges that there are a number of challenges in identifying suitable locations, including ensuring there are no undue impacts on residential areas. ⁴⁷However, given the importance of adequate facilities in reducing the risk of fatigue, the Committee would stress the urgency in working towards ensuring all bus routes have access to a 24/7 toilet.

Further to this, the Committee would like to understand TfL's plans to provide adequate welfare facilities across the full transport network, and what improvements have been made to minimise radio contact and improve bus lane and stop infrastructure, in light of our 2017 report recommendations and

⁴³ Dr A Filtness et al., [Bus driver fatigue: Final report](#), Loughborough University's Transport Safety Research Group, 2019.

⁴⁴ TfL response to GLA Transport Committee report on bus safety.

⁴⁵ TfL, [Safety, Sustainability and Human resources panel, Bus driver facility improvements](#), February 2020, pages 149-155

⁴⁶ *In light of COVID-19, TfL have adopted some interim measures which may mean that longer-term installations have been delayed.

⁴⁷ MQT, [Bus driver toilets programme completion](#), September 12 2019

the issue of fatigue. The Committee also recommended in 2017 that TfL should carry out a review of how bus incidents are investigated in London, including consideration of making investigations independent, ensuring consistency and distributing good practice.

The Committee welcome the introduction of the Notification of an Investigation into a Major Incident (NIMI) system in 2018, which TfL set up in response to this recommendation. The use of a standardised template to capture details such as location of incident, driver hours and CCTV stills, ensures consistency in the overall analysis of potential causes and contributory factors of incidents. The Committee also welcomes this structured approach and the added benefits it can bring to sharing wider lessons across the industry and improved identification of trends and statistical analysis. However, whilst it is a step in the right direction to improving how incidents are investigated, it still does not provide a wholly independent review of incidents on the bus network. TfL, also agreed in their response to the 2017 recommendation that in order to *“maximise the potential for improving safety on buses and the wider road network, a similar organisation would need to be set up”* such as those which exist across other transport modes such as the RAIB.

Fatigue is also an important issue affecting the tram network. During our Committee meeting on May 2019, we heard from the tram drivers’ union:

“ If you are tired on your half-hour break, you should be able to sit down in peace and quiet and have a 10-minute nap. That is a really good idea. There are no facilities for people to do that in Tramlink. There is hard seating in the mess room. It is small stuff like that. The new health and safety representative is now engaging globally with these issues and making those changes. ”

Finn Brennan, Associated Society of Locomotive Engineers and Firemen (ASLEF)

The Committee recognises that the issue of fatigue is complex. At our Committee meeting in May, we heard from TfL, TOL and the driver unions that there are a variety of external factors that can contribute to making fatigue a chronic issue. For instance, scheduling and shift patterns can increase the risk of fatigue. The Loughborough University study noted that reduced sleep is common prior to early morning shifts, potentially affecting alertness, performance and safety.⁴⁸ Sleepiness may then accumulate over consecutive early shifts, increasing fatigue risk, as individuals may struggle to obtain adequate sleep prior to duty. The study encourages conducting fatigue risk assessments to minimise the impact certain factors may have on fatigue. However, the study also flags that there are factors that are unpredictable (for instance, illness in the family) and which may contribute to fatigue, making it necessary to have measures in place to respond to these. Ensuring a ‘just culture’ is in place is part of the solution, as a just culture can ultimately allow for an environment of trust where drivers can be honest about their ability to operate a bus or tram.

⁴⁸ Dr A Filtness et al., [Bus driver fatigue: Final report](#), Loughborough University’s Transport Safety Research Group, 2019.

The Loughborough University research focused on the extent and nature of fatigue amongst bus drivers, the contributory factors to fatigue and potential solutions to addressing fatigue.⁴⁹ The research developed a list of proposed solutions including educating drivers on aspects of sleep, shift work, effective measures to counteract sleepiness, improving working conditions and reviewing schedules and rosters and ensuring drivers are in optimum health. As such, many of these are universal solutions and should be applied to the tram sector. However, given that working conditions vary across different transport sectors and in particular that trams are subject to similar but also differing pressures to buses, the Committee believes that there would be great benefit in distinct fatigue research being carried out across different transport modes. As a result, this research could help inform and feed into the tram safety design guidelines and principles being developed by the LRSBB and the ORR.

The Committee's 2017 report *Driven to Distraction: Making London's buses safer* highlighted the serious issue of fatigue and stress. Following this, in 2019 the Committee heard from Sinisa Cica of UNITE that they have encountered challenges when attempting to renegotiate agreements with bus companies on rotas:

"Yes, but unfortunately these agreements are very historical. They have been done some of them, 15 to 20 years ago. Now when you are approaching the company from the union perspective and saying, "We feel that this is not right, and we would like to have a change" they are not very forthcoming and willing to listen." Sinisa Cica (Convener, Unite)⁵⁰

⁴⁹ Dr A Filtness et al., [Bus driver fatigue: Final report](#), Loughborough University's Transport Safety Research Group, 2019.

⁵⁰ London Assembly Transport Committee meeting of May 2019.

The Loughborough University research recommended reviewing shift patterns and rosters as one potential effective intervention to mitigate against the risk of fatigue. A September 2019 update on the Bus Safety Programme to the Safety, Sustainability and Human Resources panel of TfL noted the variance in driver hours and shifts.⁵¹ The Committee recognises that due to COVID-19 interim arrangements have been put in place with regards to scheduling and reviewing shift patterns. As we move into the recovery phase, the current standards in place to minimise fatigue must be maintained moving forward. The Committee therefore, believes that as we transition into the recovery phase, TfL should examine and consult with relevant stakeholders, bus operating companies and unions to understand: a) the variance in driver hours and shifts; and, b) the rate of progress toward implementing changes to rota agreements within bus operating companies.

At its meeting in May 2019, the Committee heard from TOL and First Group that a 'just culture' was essential to ensuring staff report incidents without fear of disciplinary action. The concept of a just culture is widely used in other safety critical industries such as medicine, aviation and train transportation.⁵² The healthcare industry, an industry where safety is paramount, describes a just culture as being one where organisational processes and internal cultures are considered and balanced carefully alongside the role and the actions of the individual.⁵³ With regards to this, the Committee heard that the current culture within both the tram and bus sectors prevented staff from coming forward and being honest and transparent about the issues they were facing, including mistakes made or near-misses.⁵⁴ The Committee acknowledges that TOL is

⁵¹TfL, [Safety, Sustainability and Human Resources Panel, Bus Safety Programme \(pages 125-280\), page 130](#)
TfL, 4 September 2019.

⁵²NCBI, [Just Culture: A Foundation for Balanced Accountability and Patient Safety](#), 2013.

⁵³ See, for example: a 2010 article for Health Leaders Media: [Developing a just culture](#); [NHS guidance](#) on a just culture; and, an overview on the topic by the Just Culture Community: www.unmc.edu/patient-safety/documents/patient-safety-and-the-just-culture.pdf.

⁵⁴ London Assembly Transport Committee meeting of May 2019.

moving away from a disciplinary culture and towards a just culture focused on learning and developing staff after an incident or error has occurred. This is a welcome and important shift towards ensuring that staff feel able to report incidents rather than hide mistakes for fear of disciplinary action.

The adoption of this type of culture could have beneficial effects on the open and transparent reporting of fatigue. The Committee understands that there is currently an issue with both tram and bus drivers feeling they cannot report any issues relating to fatigue. This relates to being able to report a near miss due to fatigue and being able to miss work due to fatigue. Given how widespread the issue of fatigue appears to be amongst frontline staff, it is safety-critical that staff can report honestly when fatigue will affect their ability to work safely. The Committee also heard that improving the relationship between drivers, managers and traffic controllers is a key part of the solution, which the introduction of an effective just culture can help to achieve through the building of an honest and open culture. Particularly, with regards to trams, the Committee heard that the relationship between controllers and drivers presents a challenge, as they are normally the first people they see before starting a shift:

“ One of the things that came out of a couple of the surveys was the relationship between the driver and the controller. That was not a great relationship. What we have done is the drivers no longer report to the controllers ”

Jackie Townsend, Managing Director, TOL

Ensuring the wellbeing of both tram and bus drivers is reliant on improving the active consultation with frontline operators. The Committee heard that this is

not happening principally due to a top down approach from TfL and tram operators.

“ Edicts come down from TfL saying, ‘First Group, you have to do this’. First Group management then say to their staff, ‘You have to do this’. No one is really consulting the people right at the front and saying, ‘What impact will this have on you?’ ”

Finn Brennan, District Organiser, ASLEF

Similar comparisons were drawn from the experience of bus drivers:

“ We feel that the union has been seen as a tick box exercise and we feel that we are the experts in this field. If anyone can come up with ideas to influence safety, it is the bus drivers themselves.” ”

Sinisa Cica, Convenor, UNITE

The implementation of the in-cab Guardian Device, a device designed to alert drivers to any incidents or signs of distraction, was a clear example of this, as drivers were not consulted on this decision, which impacts their day-to-day work. Engaging frontline staff, in particular on the implementation of measures that directly affect their work, is indispensable to encourage a relationship of trust, which is the foundation of a just culture. A just culture must include all stakeholders involved at every level, including TfL, to ensure that the culture and resulting behaviours are materialising into opportunities for positive engagement with staff, and an open culture where individuals can report problems and mistakes.

Recommendation 6

TfL should ensure that the pioneering research undertaken on bus driver fatigue is also carried out in other transport modes, particularly trams.

Recommendation 7

TfL should ensure that adequate welfare facilities are provided to bus and tram drivers, including the prompt provision of 24/7 toilets and adequate rest rooms.

Recommendation 8

Following the Committee's recommendations from its 2017, bus safety report, TfL should work with operators to reduce the number of distractions bus drivers face, including vehicle maintenance, radio contact and a review of best practice for bus infrastructure and design.¹⁴

Recommendation 9

TfL should examine and consult with relevant stakeholders, bus operating companies and unions to understand:

- a) variance in drivers' hours and shifts; and
- b) current rate of progress towards implementing changes to rota agreements within bus operating companies.

TfL should provide a timeline for implementation of the above recommendations by September 2020.

Recommendation 10

TfL, tram and bus operating companies should take actions immediately to ensure that drivers feel comfortable to report near-misses and do not go to work when they feel it would be unsafe for them to drive. All stakeholders across bus and tram sectors must be brought into implementation of a just culture and drivers must be consulted on changes which affect their work.

We ask that an action plan of immediate measures to encourage open and transparent reporting of incidents is shared with the Committee by September 2020.

Recommendation 11

TfL, tram and bus operating companies should measure behavioural change from managers in response to the shift towards a just culture across both bus and tram sectors. We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

3.RESPONSE AND SUPPORT FOR VICTIMS

Key findings

- The Sarah Hope Line data is reported inconsistently from quarter to quarter and is not in line with TfL data.
- There is a relatively low number of calls to the line compared to the total number of those seriously injured.

The Sarah Hope Line is TfL's incident support line. The line opened on 25 January 2016 and offers help and support to people who have been injured during, or affected by, a serious incident involving TfL services. The line is named after Sarah Hope, whose mother died and whose two-year-old daughter lost her leg when they were hit by a bus in April 2007.

The Committee believes there are three key points to raise regarding the Sarah Hope Line, namely:

- the promotion of the line;
- the low contact rate with people who have been injured during, or affected by, a serious incident on London's roads; and
- inconsistency in the data reported.

On the latter two points, the transport modes used in each quarter are inconsistent, meaning it is difficult to track the number of calls regarding a certain mode of transport. For instance, only Q2 and Q3 in 2018 provide figures for tram-related calls. However, Q1 and Q4 do not provide any information on tram-related incidents (See Appendix, Table 1). The information provided quarter to quarter is therefore inconsistent, which makes it difficult to compare each quarter across the year. The case management system is unclear as to the linkage between the total number of calls received, total incidents logged and the calls that result in new cases. Additionally, there is no record of other forms of contact with the Sarah Hope Line, such as via e-mail. The records provided therefore make it difficult for us to understand how Londoners are contacting the line, and how and when these result in new cases.

On their visit to the Sarah Hope Line, the Committee was concerned at the high numbers of people Killed or Seriously Injured (KSI) on London's roads compared to the low numbers of these people picked up as Sarah Hope Line cases. The Sarah Hope Line data should be consistent with how TfL reports its data, especially with regards to the categorisation of calls and incidents by

transport mode, so that clear comparisons can be made between data on the number of incidents recorded, the number of those killed or seriously injured and the calls to the line. This data could then be used as the basis of a performance management tool to ensure those who need support are accessing the Sarah Hope Line.

It is unclear how effectively TfL is promoting the Sarah Hope Line. As highlighted in Q4 2019, the total number of those seriously injured on the London Underground was 220 and on street was 900, while 33 people were killed on street. The total number of new cases to the help line across all transport modes totalled 20 (See Appendix 1, Table 2). The number of calls compared to the number of incidents reported seems low, especially when taking into account that the Sarah Hope Line serves not only those directly involved in a “life-changing incident,” but also their family members and witnesses.⁵⁵ This, therefore, raises a question of how aware Londoners are of the line and the services it provides.

The Committee is aware that the line is currently promoted through various channels including the British Transport Police, Metropolitan Police Service, medical staff and other support services work. However, Sarah Hope has stressed the importance of support required to help victims:

“Care, compassion, empathy and kindness towards victims and their families is vital for physical and psychological recovery. Bereavement after sudden, violent road deaths is more catastrophic than any of us can imagine and I hope one day that road crash victims will be treated as victims of crime which is what they deserve. Both bereavements and life changing injuries change lives forever.”

⁵⁵ Sarah Hope Line, [Incident support service, TfL](#).

The Committee, therefore, believes that anyone affected by a serious incident should be proactively contacted by the Sarah Hope line to ensure they receive the best support possible.

Recommendation 12

TfL should review case management of the Sarah Hope Line to gain more clarity on the following:

the channels available to Londoners to get in touch with the Sarah Hope Line;

how calls are logged and the process for subsequent action; and

how and when calls result in new cases.

We ask that a timeline for implementation of this recommendation is shared with the Committee by September 2020.

Recommendation 13

TfL should ensure more effective promotion of the Sarah Hope Line. TfL should outline which measures are in place to track the uptake of the service across all transport modes, including measuring how effective current promotional practices are in increasing awareness and use of the line.

Recommendation 14

TfL should publish information on how the agencies involved in promoting the Sarah Hope line including the British Transport Police (BTP), the Metropolitan Police Service (MPS), the NHS and other support services are proactively contacting those involved in an incident and their families.

In addition, TfL should track and measure how these agencies are conducting their engagement with victims of road traffic incidents to ensure they are providing the best support to anyone injured during, or affected by, a serious incident on London's roads. The Committee asks that this information is shared with the Transport Committee by September 2020.

Recommendation 15

In addition, TfL should ensure there is a robust measurement process in place to track uptake of the service.

We ask that a timeline of implementation of the above recommendations is shared with the Committee by September 2020.

Appendix 1: Data tables

Table 1 Data from Sarah Hope Line on calls received and new cases⁵⁶

Quarter	Total number of calls	Calls that result in new cases (broken down by mode)	
Q1 (1 April 2018 – 23 June 2018)	125	Cyclist	3
		London Underground	9
		Buses	3
		London Streets	3
		TOTAL	18
Q2 (24 June 2018 – 15 September 2018)	162	Cyclist	3
		London Underground/Rail	18
		Buses	5
		London Streets	2
		Trams (concessionary passes)	22
		TOTAL	50
Q3 (16 September 2018 – 8 December 2018)	141	London Underground/Overground/DLR	14
		Buses	3
		London Streets	1
		Trams	10
		TOTAL	28
Q4 (9 December 2018 – 31 March 2019)	161	London Underground/London Overground/DLR	14
		London buses	4
		Streets	1
		TOTAL	19
Q1 (1 April 2019 – 22 June 2019)	86	London Underground	7
		London Buses	1

⁵⁶ Data from TfL's quarterly Customer Services and Operational Performance Reports.

2019)		Walking	2
		TfL Rail	2
		TOTAL	12
Q2 (23 June 2019– 14 September 2019)	151	London Underground/London Overground/DLR	18
		London buses	1
		Streets	2
		Taxi and Private hire	1
		Trams	1
		TOTAL	23
Q3 (15 Sept 2019 – 7 Dec 2019)	129	London Buses	4
		DLR	1
		London Underground	13
		National Rail	1
		Taxi and Private hire	1
		TOTAL	20

Table 2 Data from TfL on deaths and injuries on the transport network⁵⁷

Mode - Q1 2018	Killed	Seriously injured
London Underground	0	214
Buses	2	48
Rail	0	2
Streets ⁵⁸ (provisional)	24	844
Mode - Q2 2018	Killed	Seriously injured
London Underground	0	235 <i>(31)</i>
Buses	4	66
Rail	0	0
Streets ⁵⁹ (provisional)	29	1035
Mode - Q3 2018	Killed	Seriously injured
London Underground	2	278 <i>(56)</i>
Buses	2	58
Rail	0	1
Streets ⁶⁰ (provisional)	32	1043
Mode - Q4 2018	Killed	Seriously injured
London Underground	1	371 <i>(73)</i>
Buses	5	57
Rail	0	4
Streets ⁶¹ (provisional)	26	1032

⁵⁷Data from TfL's quarterly Customer Services and Operational Performance Report, Q1 2019/20 ([1 April 2019 – 22 June 2019](#)) and Q2 ([23 June 2019-14 September 2019](#)), and TfL's Safety, Health and Environment report, Quarter 3 ([15 September 2019 – 7 December 2019](#)) and Quarter 4 ([8 Dec 2019-31 March 2020](#)). Note on the data for the London Underground from Q2 2018 onwards: TfL reviewed their methodology for identifying injuries classed as 'serious', but for consistency show both sets in their reporting. Data gathered under the new methodology are italicised.

⁵⁸ This includes pedestrians, cyclists, motorcycles and other motorised vehicles on London's roads.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.

Mode – Q1 2019	Killed	Seriously injured
London Underground	1	262 (39)
Buses	1	47
Rail	0	3
Streets ⁶² (provisional)	31	954
Mode – Q2 2019	Killed	Seriously injured
London Underground	1	241 (37)
Buses	2	48
Rail	0	2
Streets ⁶³ (provisional)	29	930
Mode – Q3 2019	Killed	Seriously injured
London Underground	2	230 (37)
Buses	2	67
Rail	0	4
Streets ⁶⁴ (provisional)	37	954
Mode – Q4 2019⁶⁵	Killed	Seriously injured
London Underground	1	220 (56)
Buses	3	42
Rail	0	0
Streets ⁶⁶ (provisional)	33	900

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Due to coronavirus pandemic the transport network observed a reduction in passenger journeys across Underground, Buses and, Rail. For more information please see [TfL, safety health and environment report, Quarter 4 \(8 December 2019-31 March 2020\) pages 8-19](#).

⁶⁶ This includes pedestrians, cyclists, motorcycles and other motorised vehicles on London's roads.

Appendix 2: Minority Report from the GLA Conservatives and Brexit Alliance Group

The GLA Conservatives and the Brexit Alliance Group have been unable to agree with this report.

On 4 July 2019 the London Assembly passed the following motion, which had been proposed by Keith Prince AM and seconded by Steve O’Connell AM:

“This Assembly notes that the GMB Union recently passed Motion 412 which called for the Mayor of London to appoint an independent investigation to review why TfL failed to supply critical tram safety evidence to the Croydon Tram Crash Investigators, the Office of Road & Rail and the British Transport Police.

“This Assembly agrees with the GMB Union that there are serious questions to answer with regard to the Croydon Tram Crash, wholeheartedly supports the GMB’s request and calls upon the Mayor to appoint an independent investigation”.

The motion was supported by 10 Members and opposed by no one – although there were a number of abstentions. It remains, therefore, the settled view of the London Assembly that the Mayor of London should set up an independent investigation into TfL’s failure “to supply critical tram safety evidence” at the time when they had promised to do so to the relevant authorities and investigators.

Unfortunately, the Mayor refused the London Assembly's request. In so doing he failed to take the opportunity to allow sunshine to be the best disinfectant. If any TfL officers believe their actions have been unfairly maligned then an independent investigation would have been the best way to determine if that were the case. Equally, if there was wrongdoing – either deliberate or as a result of negligence – then an independent investigation would have offered the best chance of that being discovered. This would have allowed lessons to be properly learnt.

Over the course of the Transport Committee's investigation into this topic it has become ever clearer that such an investigation should have taken place and would still be of great value. In particular, the testimony of Michael Liebreich – who was a TfL Board Member for 6 years, who Chaired the Safety, Sustainability and HR Panel, and who for 21 months oversaw TfL's response to the 9 November 2016 Sandilands tram crash – left us in no doubt that an independent investigation was required.

It is for this reason that we have submitted this minority report. This is an unusual occurrence – and for good reason. There is a prevailing view that there is a strong benefit to reaching unanimity on a report and every effort is made to do so. Most of the Committee's report represents a fair-minded consensus of the Committee's views, although there are aspects that we would change if time were of no concern. Nevertheless we find it impossible to sign up to a report that does not include a recommendation to hold an independent investigation into TfL's failure to supply critical tram safety evidence to the Croydon Tram Crash Investigators at the time when they had promised to do so, and the Office of Road & Rail and the British Transport Police.

Recommendation 1

The Committee calls on the Mayor to appoint an independent investigator to review why TfL failed to supply critical tram safety evidence at the time when they had promised to do so to the Croydon Tram Crash Investigators, the Office of Road & Rail and the British Transport Police.

Our Approach

The Transport Committee agreed the following terms of reference for our investigation:

To investigate the progress TfL has made on tram safety following the Croydon tram derailment in 2016;

- To challenge TfL on the progress it has made on bus safety since the Committee's report in 2017; and
- To identify wider learning for safety across the transport network and developments in safety technology.
- At its public evidence sessions, the Transport Committee took oral evidence from the following guests:

Tram Safety

- Jill Collis, Director of Health Safety and Environment, TfL;
- Jonathan Fox, Director of Rail and Sponsored Services, TfL;
- Finn Brennan, District Organiser, ASLEF;
- Michael Liebreich, former Board Member, TfL;
- Heidi Alexander, Deputy Mayor for Transport;
- Adrian Jones, First Group Safety Director; and
- Jackie Townsend, Managing Director – Tram Operations Ltd.

Bus Safety

- Claire Mann, Director of Bus Operations, TfL;
- Stuart Reid, Interim Director of Vision Zero, TfL;
- Tony Wilson, Managing Director, Abellio;
- Tom Kearney, Founder, #LondonBusWatch, Transparency and Corporate Governance Campaign; and
- Sinisa Cica, Unite

Other formats and languages

If you, or someone you know, needs a copy of this report in large print or braille, or a copy of the summary and main findings in another language, then please call us on: 020 7983 4100 or email: assembly.translations@london.gov.uk.

Chinese

如您需要这份文件的简介的翻译本，
请电话联系或按上面所提供的邮寄地址或
Email 与我们联系。

Vietnamese

Nếu ông (bà) muốn nội dung văn bản này được dịch sang tiếng Việt, xin vui lòng liên hệ với chúng tôi bằng điện thoại, thư hoặc thư điện tử theo địa chỉ ở trên.

Greek

Εάν επιθυμείτε περίληψη αυτού του κειμένου στην γλώσσα σας, παρακαλώ καλέστε τον αριθμό ή επικοινωνήστε μαζί μας στην ανωτέρω ταχυδρομική ή την ηλεκτρονική διεύθυνση.

Turkish

Bu belgenin kendi dilinize çevrilmiş bir özetini okumak isterseniz, lütfen yukarıdaki telefon numarasını arayın, veya posta ya da e-posta adresi aracılığıyla bizimle temasa geçin.

Punjabi

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਲੈਣਾ ਚਾਹੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫੋਨ ਕਰੋ ਜਾਂ ਉਪਰ ਦਿੱਤੇ ਡਾਕ ਜਾਂ ਈਮੇਲ ਪਤੇ 'ਤੇ ਸਾਨੂੰ ਸੰਪਰਕ ਕਰੋ।

Hindi

यदि आपको इस दस्तावेज का सारांश अपनी भाषा में चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये गये डाक पते या ई मेल पते पर हम से संपर्क करें।

Bengali

আপনি যদি এই দলিলের একটা সারাংশ নিজের ভাষায় পেতে চান, তাহলে দয়া করে ফো করবেন অথবা উল্লেখিত ডাক ঠিকানায় বা ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں درکار ہو تو، براہ کرم نمبر پر فون کریں یا مذکورہ بالا ڈاک کے پتے یا ای میل پتے پر ہم سے رابطہ کریں۔

Arabic

الوصول على ملخص لهذا المستند بلغة،
فارجاء الاتصال برقم الهاتف أو الاتصال على
العنوان البريدي العادي أو عنوان البريدي
الإلكتروني أعلاه.

Gujarati

જો તમારે આ દસ્તાવેજનો સાર તમારી ભાષામાં જોઈતો હોય તો ઉપર આપેલ નંબર પર ફોન કરો અથવા ઉપર આપેલ ટપાલ અથવા ઈ-મેઇલ સરનામા પર અમારો સંપર્ક કરો.



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