

London Assembly Transport Committee - 07 November 2023**Transcript of Agenda Item 5 - Transport Safety Part 1:****Preventing Deaths and Injuries – Panel 1**

Keith Prince AM (Chairman): We now move to the main event, which is a question and answer session on transport safety. This is the first part of our investigation and today we will be focusing on preventing death and injuries. Today's discussion will be split into three panels. I would like to welcome our guests for the first panel. Firstly, we have Mr Tom Kearney, and he is a Bus Safety Campaigner, #LondonBusWatch. We also have John Murphy, Regional Officer, Unite the Union, and we also have Professor Andrew Morris, who is Professor of Human Factors in Transport Safety and Director of Internationalisation Design School, Loughborough University, who is attending remotely. Thank you very much for joining and we shall now move to the questions.

First of all, Transport for London (TfL) recently launched a new Bus Safety Strategy in September 2023. How would you assess it and the wider bus safety programme that it has been undertaking since 2016? John, please.

John Murphy (Regional Officer, Unite the Union): Slow. The most recent one is not very well published at all. It is certainly not something that has taken hold in the industry and I am reasonably confident that if you was to walk around bus garages there would be a lot of people who have no idea of what it is about, which is a bit of a shame really when you think you have the ability to communicate right down to the roots. But this is a bit of a fundamental problem with TfL; the travel of information. If you go back further, and I was thinking about this, this morning, we have had several reports which come from this Committee. Again, where I started with very slow is I think is probably the most accurate description I could give of it. The understanding of what -- and I am glad to see the colleague from Loughborough [University] is here. There is a reluctance to accept what the cause is. There is a reluctance to take responsibility in TfL and it is still driven by a willingness to blame. The problem with blame as opposed to taking responsibility, unless you understand what is going wrong, unless we all take our part in responsibility, we cannot seriously start to address things.

Fatigue is a classic example. We now have TfL introducing different sorts of artificial intelligence machinery and stuff to recognise fatigue after it has happened. But there are no measures been put in place yet to prevent it, therefore we tend to be reactive rather than proactive. I will stop there rather than steal all the oxygen.

Keith Prince AM (Chairman): What you are saying is very pertinent, thank you for that. Tom, can I turn to you?

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Thank you. I just want to echo what Mr Murphy said. I am not a transport or safety campaigner by profession. I am a company director. I sit on the boards of very large industrial companies, and I have done that for most of my life as working in the industrial sector, specifically mining and transport of commodities primarily. John Murphy was absolutely correct. Now I sit on the board of mining companies where fatigue incidents are recorded, but they are recorded before they happen. The mine shift captain decides if people cannot perform their work because they are obviously judged to be fatigued and they are taken off the shift and they are not allowed to work.

Those fatigue incidents are measured, and we get performance of those at every board meeting. Therefore, preventive measures, you have mentioned prevention of accidents, prevention being killed or seriously injured, and it is absolutely true preventive means being forward-looking and most importantly preventing the incidence of fatigue, for example. Fatigue driving is absolutely the issue that bus drivers that I am in contact with say is the most absolutely important thing. They work ten to 12 hours a day and then they do not have any time to sleep because they have their own families and obviously their own issues. If you are rostering these people five, six, seven, eight days in a row, plus rest-day working, you are talking about someone who cannot perform their job in a way that is safe for anyone, including themselves. Take away toilets on one-quarter of the routes and make them perform in 40 degree [Celsius] cabs, you are just compounding the issue. To say nothing of the fact that they have passengers and all kinds of issues on London's roads. Therefore, preventive means looking very, very granularly at the working conditions bus drivers face because, from my perspective as a company director, we would not allow them, because we would be in jail for creating conditions that are guaranteed to kill and injure.

One last comment I would make, I am wearing a poppy today with a TfL badge, and that is in honour of the at least 150 people who have died from bus safety incidents since I was nearly killed 14 years ago next month. Thank you.

Keith Prince AM (Chairman): Assembly Member Garratt.

Neil Garratt AM: Thank you, Chair. If I could ask you, John, first of all, thinking about the number of people killed or seriously injured by buses, it has increased. Obviously, we have had this pandemic period, which throws every figure on every topic known to man, therefore we are thinking about comparing the pre-pandemic norm with where we are now post-pandemic. What we are seeing is that people hospitalised and killed by buses has increased compared with before versus now. Are there trends that you or your members are seeing that you think are contributing to that? Because the trend should be down, it is at best flat, and it is slightly going up. What do you think are the trends that are driving that?

John Murphy (Regional Officer, Unite the Union): It is important to notice the way that the streets are changing nowadays. One of the standout things, and I do not know if anyone has ever seen it, anyone here ever nearly been run over by a scooter? A scooter that travels at about 30 miles an hour, weaves in and out of traffic, and bear in mind the roads that we have are 100 - 200 years old, we do not necessarily have the roads to cater for what we have here. We historically had blind spots on lorries and buses that were involved in incidents with cycles. It has moved. That is still a risk that is still there. Obviously big vehicles, small vehicles, colliding with one another. But you look at different parts of Europe and we tend to filter off the traffic. Therefore, it would be difficult to ignore the correlation between the introduction of the cycles, the scooters, in conflict with heavy vehicles.

That aside, if you look at the bus industry and some of the things that have been said already are quite relevant, shifts are getting longer, pay is getting harder. I know obviously being a trade unionist I am going to moan about the members' pay. But the problem you have is, if you reduce the pay, people's bills do not reduce with that, therefore they have to work more hours to collect more money and then you expose them to further increases in fatigue. Over the last couple of years, since 2016, I would not say fatigue has improved and it has an impact as we move forward. The reluctance, as I said before, to accept the responsibility helps to grow the risk there.

But for me one of the prime issues in London is the size of the roads, the way we use the roads, and what we are introducing to the roads. We have trial schemes - sorry to go on - we have trial schemes with scooters.

But everybody who is driving a scooter now and you can see that they are not the regular ones, the police do absolutely nothing about it. If there is no regulation whatsoever there are going to be more and more issues. I do note a final point on this, with these e-bikes and e-scooters, nobody seems to be wearing the helmets, nobody seems to have insurance, and there does not seem to be any notable recording about incidents that involve these. Therefore, we do not have the full facts as to what is going on in London. But even someone who has difficulty seeing this would understand big vehicles and small vehicles that can barely be seen do not necessarily mix well. Thank you.

Neil Garratt AM: Yes. On fatigue, I am very interested in that, but one of my colleagues will be asking about that shortly, therefore I do not want to delve into that too deeply except just to acknowledge that is something we have spoken about quite a bit, and we spoke about it with trams a few weeks ago. On the e-scooters, there are two sorts, there are the trial ones and then there are the quasi-legal personal ones, which are legal to buy and own but illegal to ride on the road. Therefore, is it both sorts that you are looking at? For example, my constituents, there is no e-scooter trial in it or anywhere near it, but we still see e-scooters on the road. Therefore, I do not know if there is one or the other of those types that there is more of an issue.

John Murphy (Regional Officer, Unite the Union): No, I do not think the data is there to say is one or better or worse, but the problem we have there are people who have no training. For me it is a strange business, up until a couple or a few years ago, if you rode something that was propelled as fast as an e-bike, you would wear a crash helmet, you would have a licence, you would have insurance. There are just not these requirements with that. Therefore, there is a bit of blind-eye turning towards this because --

Neil Garratt AM: An e-bike goes the same speed as a normal bike.

John Murphy (Regional Officer, Unite the Union): Sorry?

Neil Garratt AM: An e-bike goes the same speed as a normal bike, they are limited by law to 15. Obviously, there are some that are illegally modified.

John Murphy (Regional Officer, Unite the Union): I understand what you are saying there, but the point of the matter is that only the ones that are regulated are trial scooters, you can certainly say that, but I have seen e-bikes going at motorbike speed, I have seen scooters going at motorbike speed. Therefore, yes, I understand what they should be, but that is not what they are.

Neil Garratt AM: Understood. I suppose I interpret that as there is anecdotal evidence that there is a problem but there has not been proper research into quantifying it, I guess that is what you are telling us. Another change obviously we are seeing reductions in speed limits on roads as a safety measure. The Mayor's objective is to have all of the red routes [TfL managed major roads] to be 20 miles an hour eventually. That has an effect as well in terms of slowing buses down. Do you see timetables being adjusted to take account of the longer time it then takes to get from one end of the route to the other?

John Murphy (Regional Officer, Unite the Union): Historically, not just now with the speed reductions, the timings of bus routes and bus journeys have never ever really been realistic. I have over a 30-year association with London Buses. I used to be a London bus driver. When I was a bus driver the common belief was the person who done the timings of bus would go around on a motorbike or an e-scooter nowadays.

Neil Garratt AM: All I am conscious of is when you talk about changes, therefore maybe that has always been true, but it seems to me now the processes of checking and confirming and bearing down on drivers to

stick within the law, like buses that have speed-limiters, is greater if the timetable has not changed. Does that have an impact on safety? Presumably if drivers feel they need to try to keep going and make time.

John Murphy (Regional Officer, Unite the Union): I want to be clear about this, London bus drivers are the most professional drivers on the road, in my personal opinion, out there. What I do not want to do is create this myth that they are haring and tearing about, because that is certainly not what they are doing. By and large, even before speed restrictions were put in place, bus drivers stayed within the law. Because, if they do not, they lose their licence and that is their job gone in turn. Therefore, this is not about the bus driver, and I do not think it is necessarily about the speed. There has always been a pressure to maintain time on London buses and to maintain distances between buses. Therefore, I do not think that has necessarily changed for better or worse. It is still there, always was there.

Neil Garratt AM: Understood. You hinted a bit about data and lack of it, do you think that TfL make enough data available in terms of accidents, particularly serious ones, hospitalisations, fatalities, do you think we have enough visibility as drivers, as operators, as scrutineers, as the general public, is there enough information from TfL about what is going, what are the drivers of accidents?

John Murphy (Regional Officer, Unite the Union): There probably is enough information. But obviously it is going to be about the quality of the information and what you do with the information. For me, personally speaking, and I might just be 'Mr Ranty', but for me personally speaking, a lot of this information comes back and it goes back to that thing about 'lies, damn lies, and statistics.' There is a willingness - and not just with TfL but with a lot of corporations - to interpret the data in the way that you perhaps want to be interpreting it. Therefore, I do not think it is necessarily a case that there is not enough information, it is about how we use the information.

Neil Garratt AM: OK. Tom, did you have anything to observe on that?

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Thank you. Mr Murphy pointed out an important point. The roads have changed. You pointed out a point that the contract conditions, the priorities of the contracts have not changed. In other words, timeliness is hugely important. That is the primary factor by which the bus companies are rewarded on. Other issues that have changed is the number of bus drivers has decreased. The mileage they are doing has decreased. The number of buses on London's roads have decreased. Looking at some of those factors, that data is published, look at those factors. You would expect that crashes and safety incidents would decrease because there is less of a presence of these [buses] on the road. But it is not the case.

The other issue is about the workforce. We know that bus companies are using more and more agency drivers and TfL has said that is up to the bus agencies that hire these drivers to vet them and make sure everything is OK. But the point is, if you have more and more agency drivers who are not vetted and these are 'mom and pop' operations that are hiring these drivers, then you have a situation where the workforce might not be dedicated to safety, might not be inured with the strong safety culture found across bus drivers, across unions, and they might risk things. They might listen to their controller who tells them they have to make time. As a result, I think we have a big problem here that the workforce has changed and TfL's metrics for measuring performance have not.

Neil Garratt AM: Understood. Tom, you were talking about being a company director. One of the things I was surprised to note, so it is possible to find the data on how many accidents there are, how many hospitalisations, how many deaths, due to buses on London's roads. It is quite hard to get the data. I was a

bit surprised to find that the [TfL] Commissioner's report to the TfL Board does not seem to routinely include that information.

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Yes, I was very, very disappointed by the fact that the Mayor rejected your very modest -- it is not a big ask to say, "If Vision Zero is important, why do you not report the deaths and serious injuries generated from the only operation you control?" At TfL, there is a lot of arm-waving, there is a lot of reasons why they cannot do things, but the thing that is staring them in the face, and the Mayor in the face, is that he controls one fleet in London. He is the monopoly buyer of bus services. If he cannot change contracts to make safety a priority, like Boris Johnson [former Mayor of London] on 1 February 2016 promised and was the first thing that Mayor [of London, Sadiq] Khan ditched in his world-leading bus safety programme, then we have a problem. We have a Mayor who is not using the contract rights that he has to enforce safety.

Neil Garratt AM: OK, thank you, Tom. Andrew at Loughborough University. I was just looking at the drivers of safety trends on buses in London and particularly looking at the pre-pandemic trend versus now and cutting out those couple of years, seems to be getting worse, not better. Whether you had any thoughts on what were the drivers of that and in particular whether there were key findings from work that Loughborough University has done on this that you would like to bring to our attention.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): I will say something about fatigue later because I know that is quite an important thing on the agenda and we did quite a large study on fatigue I can report on at some point during the meeting. I am interested in the Bus Safety Strategy simply because, as somebody made the point, there is a big move to reduce speed limits to 20 miles per hour, but part of the Bus Strategy is to increase journey speeds, therefore those sort of things are a little bit contradictory and they also impose stress on drivers who are already stressed quite a bit by what is going on in the bus cabin anyway, being the customer interface and having to meet very, very busy schedules, which in turn has an effect on perhaps the comfort and safety of the drivers.

One of the things we have picked up on in the past is the crash reporting that already has been mentioned. There is quite an inconsistency of data across all of the bus operators, they all have the obligation to collect data when incidences occur on the roads, and even more so if there is a fatality or a serious injury. But there is a very inconsistent approach to that. If you go to one bus operator they will have one type of protocol, which gives you one type of information. If you go to another operator, then it is completely different. Therefore, there is no consistency about what has been fed into the database that TfL ultimately manage. It is our view that there needs to be a complete overhaul of the reporting systems that are used or implemented whenever a serious crash occurs involving buses so that a consistent approach is taken among the bus operators and they do a very in-depth examination of the nature and circumstances of that particular crash so that the data that is coming in across the board within the TfL region is consistent and then can be analysed to provide the evidence base for the policymaking.

Neil Garratt AM: That is very interesting. I think what you were saying was that there are inconsistencies between bus operators in how they investigate safety incidents, and you think there should be consistency. Do you have a blueprint of what that recipe if you like of, if you do it this way, this will be a good standard approach across the board?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): We have used various protocols in the past and any of those could be modified quite simply into something that could be consistently applied. But I would not say we have something that is 'oven ready', ready to go that could be implemented immediately. But with a few modifications I think it would not be too difficult to come

up with some sort of reporting system that could be consistently applied among the bus operators. Having the evidence is really crucial to being able to formulate policy that is based on what is really happening in real-world accidents and that is fundamental to safety.

Neil Garratt AM: Yes, I agree. Fundamentally, it is about having a consistent approach across the board. I think that is the important point.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): Correct, yes.

Neil Garratt AM: The other thing you just hinted at was this tension between speed limits, which are reduced for safety, and then the pressure that puts on the driver. We heard from John earlier about perhaps not the new problem of timetable pressure. Presumably, you would like to see a review of the timetables so that, when a bus driver sets off along a route, the amount of time that they are required to take to complete that route is assessed against reality rather than whatever historical time has been set against it.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): That would make sense in my opinion. Part of the Bus Strategy says that faster journeys must be part of it, a faster and more-efficient network, ten percent quicker than 2015, for example. Yet that goes against the grain of introducing speed limits or reducing speed limits to 20 miles an hour in some of the zones in London. Therefore, you are wanting to have faster journeys, but you are effectively slowing the buses down. That has to put pressure on the bus drivers if they are expected to get from A to B within a specific period of time. Maybe that alters driving styles. I know the comment was made about London drivers being very, very professional and I do not doubt that for a minute. But if they are under pressure to get to their destination from their origin within a specific amount of time, then does that impact on driving style and therefore in turn impact on passenger comfort and safety.

Neil Garratt AM: Do you know if there is any research on that question? It is a logical hypothesis. Do you know if there is any research on it?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): In what sense?

Neil Garratt AM: I was just thinking, London is probably not the only city that is reducing speed limits for safety. That seems to be a widespread phenomenon. Equally, we are not the only city with buses. Therefore, the tension between lower speed limits for safety but then the countervailing pressure on drivers, is that something that has occurred elsewhere, I wondered?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): There is definitely an impact on safety in other transport modes, but what happens in buses, that is quite new as yet and I am not sure there has been any other studies elsewhere in the UK that have looked at that and whether it has had an impact on bus passenger safety. Maybe there is something to be done there.

Neil Garratt AM: I was just thinking there is an opportunity for TfL to show some leadership. You mentioned fatigue but one of my colleagues is going to ask about fatigue shortly. That is a very important issue that we are going to look at separately. Thank you very much; that is it from me. Thank you, Chair.

Keith Prince AM (Chairman): Tom, I saw you indicating.

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): The International Bus Benchmarking Group data, which Assembly Member Pidgeon successfully campaigned for TfL to release every year shows TfL benchmarked to other international cities. This is all standardised. It is run out of Imperial College [London]. The 2021 data shows that TfL ranks the lowest quartile for vehicle collision safety. Average commercial speed, it is again on the lower group. Punctuality it is higher. Cost efficiency per vehicle is in the middle. For commercial income per vehicle, it is toward the highest. Network efficiency, and this is the important thing to remember, 60 percent the cost of a bus is the driver. Anything that claims that the system is getting more efficient, it is returning money outside the system, is disproportionately affecting the pay packet of the bus driver. Therefore, just remember, any efficient network is going to disproportionately affect people who are currently in the system. Therefore, I would argue this benchmarking data, they will not let you compare the other cities, but this contains the solution to the riddle. If you incentivise time and pay for time, safety will suffer.

Keith Prince AM (Chairman): John, you indicated.

John Murphy (Regional Officer, Unite the Union): Yes, thanks, Chair. Look, I think I need to say this because there is always a danger that the minutes might not accurately reflect what we are saying. There should be no objection to managing speed limits and reducing speed limits. It is proven that a lower speed impact has less of an impact. But there is a massive difference between the appropriate running time for each trip and the speed limit and we must not confuse the two. I am not in favour of increasing the speed limit; the slower the better and it is certainly better for our children or everyone who uses the roads. It is about measuring and giving the appropriate time for the drivers to operate in. Thanks, Chair.

Keith Prince AM (Chairman): Just a quick one to Tom. On bus speeds, do you have any information on bus speeds?

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Yes, TfL is very, very, very, very meticulous about giving bus speed data. Bus speed data, as you know, across the network has gone down since 2016 as congestion has increased.

Keith Prince AM (Chairman): OK, thank you. All right, Assembly Member Pidgeon.

Caroline Pidgeon MBE AM (Deputy Chair): Thank you very much. I have a question to you all about the Bus Safety Standards. I wondered what your thoughts are on the impact of the Bus Safety Standard in increasing the safety specifications on London's bus fleet. It seems certainly from outside that TfL is leading the way in this area. But is it prioritising the right things, does it get the right balance between looking at the new fleet but also retrofitting technology to the existing fleet? Because we know buses are having to work longer in London because of budget pressures. Perhaps I could start with you, John.

John Murphy (Regional Officer, Unite the Union): No, is the short answer. I do not think it is geared up the right way. The way we are looking at now, and look, since 2012 one of the biggest, and I made a note of it here, we have been driving around with vehicles that have accelerator and brake pedals that do not meet any sort of International Organisation for Standardisation standard. They are to the minimum level. But do we strive to achieve the minimum level or do we look for something better. I would say surely, we look for something better. Some of the things that are being put on buses now are essentially to shift the blame or the responsibility away for the safety elements that TfL put in and what I mean by that is we have machines that are being trialled out on buses called seeing-eye machines, which essentially will notice if a driver looks tired and then it will notify the company and so on and so forth. Again, it is reactive rather than proactive. There is much more that can be done. We might be looking at it as a cheaper option, but there is more and better ways

to invest money to make London buses safer rather than just solely like banking on technology from saving us. I do not know if that answers --

Caroline Pidgeon MBE AM (Deputy Chair): But what about some of the other safety things, the new mirrors that are not mirrors and all that sort of thing, what about that? What is your take on that?

John Murphy (Regional Officer, Unite the Union): Yes, well, look, and this is the point that I am making, a mirror that is not a mirror, a camera instead of a mirror, do you know it looks exactly the same, therefore I am not wholly seeing what the benefits are. When this was introduced by TfL, one of the things we did was survey our members about mirror strikes and it is a relatively small thing that occurs. Because believe it or do not -- and we are quite good with our travelling public, they know how to use public transport, and while I was coming here this morning, travelling on the Underground. Everyone knows which side of the escalator to stand, everyone knows where to stand when they are catching a bus, because our commuters understand how to commute, is the fairest way to say it. Some of the technology looks flashier than it is beneficial.

Caroline Pidgeon MBE AM (Deputy Chair): Right, OK, that is useful. Tom, what is your take on it?

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Look, the Bus Safety [Strategy], the original 1 February 2016 had it very clear that "Over the next three months TfL will be updating their bus contracting system and will develop incentives to encourage an even greater focus on safety." The Bus Safety Standard kicked that ball way down the field. If you are going to have [the new safety standard on] every new bus, you are really talking about any solution to safety is 2040, 2050, 2060, depending on when these buses are retired. That was a deliberate effort to replace an urgent and contractually based measure by a technological one, which is much further in the distance. That was a major failure. The Mayor has the contractual right to impose safety conditions on bus contractors. He is the only one paying their bills. As a company director I know that when you are the only person buying a service you can dictate a lot of terms, which may not be in a market, but certainly if you are the monopoly buyer you can dictate those terms. He is not doing it.

Caroline Pidgeon MBE AM (Deputy Chair): Great, OK, thank you. Andrew, what is your take on the Bus Safety Standard and whether it has been prioritised in the right way?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): It is a good start, there are some pretty good things on there, including Advanced Emergency Braking (AEB) systems, speed limiters, blind-spot mirrors avoidance, direct vision, improved front end for crash-worthiness, etc. But there is still more to be done and one of my colleagues mentioned that the ergonomics of the driver cockpit is still - he would say - relatively ad hoc at best and wilfully obstructive at worst. There is still a lot that could be done in terms of things like controls and switches and human-machine interface, audible warnings and messaging. Still there are issues with pedal confusion, etc. Therefore, on the one hand, improvements have been made and there are lots of very good safety innovations on the modern fleet of buses. But, from a human factor and an ergonomic point of view, there is still a lot that might cause confusion, and this is not a good situation for the driver. If you are overloading them with things to remember or things to learn within the driver cockpit, then that will impact on their driving style ultimately. That reflects on passenger safety of course.

Caroline Pidgeon MBE AM (Deputy Chair): Yes, lovely, we will drill into more of these areas as we go forward. Thank you, Chair.

Keith Prince AM (Chairman): Thank you. Assembly Member Berry, you wanted to come in.

Siân Berry AM: Thank you very much. I want to ask questions to later guests as well about this. I am quite concerned that there seems to be a large proportion now of the incidents and injuries that occur are while the bus is braking or accelerating or pulling away from a stop and that slips, trips, and falls within the bus seem to be quite a persistent problem. While we are looking at technology, I wanted to ask John particularly about AEB, the automatic braking that occurs when it detects something. What experience do your drivers have about that? Because that seems to have potentially not quite worked in that it might be causing more injuries by being activated falsely than it is saving. But that is up for question, and I just wanted the drivers' perspective on that.

John Murphy (Regional Officer, Unite the Union): It is not broadly rolled out, in fact --

Siân Berry AM: Yes, it is not very widespread yet.

John Murphy (Regional Officer, Unite the Union): In fact, I would say it is not very spread at all. I am not personally aware of where this has been rolled out as of yet. Look, again, not necessarily because of the method of braking, there will be an issue with style of braking. If you stand on the brakes in anything you are going to be propelled forward. There are several factors too. Historically there always have been. We talked about time constraints, and it will be interesting to see where these sorts of incidents peak, morning and afternoon peaks I would imagine, certainly has been my experience, when people are in the rush hour. This is also affected, not just by the braking or the driver's perception of how the road is panning out, and as a professional driver you are meant to plan a quarter of a mile ahead. But you can only do what you can do and if there are people cutting in front of you, then obviously you have to respond to that. It goes back to the point I made previously, we have bus lanes, it is about the roads and how we use them.

But as well as that, if we want to reduce these sorts of accidents, as soon as we start to take responsibility then we can start to address this. Handrails make a massive difference. If people have something to hang on to, they are less likely to fall over. I am not opposed, but it is the difficulty of two situations we have to be in, buses have to be accessible, and quite rightly so. But, as a consequence of that, that makes the gaps bigger where we have things to grab hold of and hold on to, railings and bars perhaps are not as closely posted as we can as we go through there. Time restraints will have an impact because, if you have to get from A to B in double quick time and you are ten minutes late or you are finishing, and historically it has always been towards the end of duties where incidents have happened, then obviously accelerating and braking can have an impact. But like I say, and I really do want to be clear about this, 90 percent of the people I represent, and more than 90 percent, I would say 95 percent and upwards, are proper professional people who do the job in a certain way and sometimes circumstance takes control of this.

Siân Berry AM: All right, thank you. That is really, really helpful. Cheers. Can I put the same question to Andrew from Loughborough, just if you have any perspective on these new technologies and how best to test them for unintended consequences I guess before we roll them out.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): Yes. It is a really important point, and I am not sure we know enough about them on buses as yet. We know a lot about the AEB systems on cars and they work highly-effectively in preventing collisions with pedestrians, therefore you would imagine that translates over on to buses in turn. But then there is the knock-on effect of, if they do brake sharply or if they have a false positive reading of a situation and brake without any sort of warning, then obviously there is a knock-on effect to the passengers on the bus who may be thrown forward unexpectedly. Therefore, grab handles is the obvious thing, everybody should have access to grab handles. But then you have the issues of where you put things like wheelchairs and pushchairs, etc. So, with all these things, as the previous speaker correctly said, it is a trade-off. The only thing you can do really is just to

monitor these things as they become standard fitment to see what sort of impacts they are having on the passengers. Until the data becomes available, I do not think we can draw any conclusions at this stage.

Siân Berry AM: Therefore, really close monitoring and early warning systems to flag any alarms. Because, like I say, I am already quite alarmed that this is going up.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): Yes, I would say we need some data to find out is this a problem before we say it is a problem.

Siân Berry AM: Yes, OK, thank you, cheers. Obviously, people in cars do not stand up and walk around, therefore these are things we need to bear in mind when transferring technologies.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): Exactly. They have the steering wheel to hang on to, they are restrained by the seatbelt, therefore they are not thrown forward if the braking system does inadvertently deploy whereas in buses it is a totally different situation.

Siân Berry AM: OK, thank you very much.

Keith Prince AM (Chairman): Thank you. Can I now move to Assembly Member Baker.

Elly Baker AM: Thank you, Chair. I have a couple of questions on driver fatigue and working conditions. We have touched upon that over the last half an hour or so, but feel free to expand or refer to something you have already said. Firstly, I would like to ask Andrew about the importance of working conditions when thinking about safety and fatigue. It is something that is recognised by TfL's Bus Safety Strategy and the Loughborough University report in 2019 acknowledged it. Is there anything you would like to say about the link between working conditions and safety impact?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): I can say quite a bit, but I will try to keep it as brief as I can because I know time is short. But we did find that fatigue was a problem for bus drivers. In fact, we found 21 percent of drivers are fighting sleep at least three times per week and insufficient sleep before shifts and changing shift patterns, etc. What we found was that some of the behavioural factors within the organisation or the cultural factors could address the problem in some ways. For example, you have a Fatigue Risk Management Plan implemented in the bus operator and move away from a system as a particular incident. In other words, you are improving the relationship between the drivers and the traffic controllers.

We suggested the formation of fatigue working groups where the drivers could participate and air their views about how these particular things could be addressed. Recognising the fact that everyone gets fatigued at some point, therefore there has to be a system in place to manage this so that the individuals who were affected by it feel supported. In other words, you need buy-in from all parties into addressing the fatigue problem. If you are looking at a safe system, which TfL would claim to implement, then the safe system does encourage buy-in from all stakeholders to make sure that everybody is working towards the same end goal. If fatigue reduction is the problem, then everybody who is part of that particular challenge needs to be engaged with it in some way or another. Therefore, an open culture is very much encouraged in other words.

Elly Baker AM: That is really helpful, thank you, Andrew. Going to John and then Tom, since the report came out that highlighted all these issues in May 2019, what progress have you seen, John, and your members have seen, by TfL to improve those occupational conditions for bus drivers?

John Murphy (Regional Officer, Unite the Union): I am really trying not to sound like a scratched record today. Look, I am thoroughly disappointed and if I can be completely honest with this, this is the one thing that really, really makes me quite angry. There is an issue with fatigue and fatigue is not caused by bus drivers staying up late at night watching television or arguing with their family, but the perception of TfL, certainly what they promote, is this sort of belief that the responsibility for fatigue solely rests with the driver. It really does not. It has already been alluded to that we have problems with the shifts, the shift patterns, the length of the shifts. One thing I do know, because I was a bus driver during the days of London Transport as well as a bus driver during the days of TfL, and one thing I do know for sure is that shifts are getting longer. The pressure is not getting less. The ability to earn enough on a basic week just is not there anymore. Therefore, we force people to work longer shifts, then we force them to work more longer shifts if they want to maintain any standard of living. Then we blame them because they do not go to bed early enough. That is the approach with TfL, and it makes me quite cross.

There are so many things that can be done rather than buying a machine to put on a bus that spots that a driver is tired. We could talk about sensible shift patterns, we could talk about the length of duties. Not just that, we could talk about facilities. We send drivers out there for the day and we are quite happy to dump them out there. Once they have left the garage they can stay out there. They have roadside reliefs, over the last couple of years there has been a push from TfL to move to remote sign-on. It is the hypocrisy of it all. We are talking about training managers in garages to spot fatigue on drivers, then we have a plan to make them sign on five miles away from the garage. Now you tell me which garage manager has eyesight that can see that sort of distance. That was a waste of time and a waste of money.

The open culture is important. But if we have an open culture then that means the employers have to accept their responsibility and I genuinely think that there is a reluctance to do that. One of the important things to understand as well, and I was thinking about it when it was talked about previously, when a bus vehicle is involved in an incident, more often than not the bus company has a very, very high excess payment to make. Therefore, they do not claim off of the insurance. Therefore, to justify the position they are in, the blame is always going to be kicked downwards. Whereas, if they had an insurance scheme rather than an excess scheme, then they might defend the position that they are in and they might take responsibility and they might look at how they address it to prevent it happening again. I hope that has answered what you was asking.

Elly Baker AM: That is really helpful, thank you, John. Tom, that question, are you aware of, since 2019 and that [Loughborough University] report, have there been any improvements?

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): I think the Bus Safety Standard can be summed up as the morale will improve when the beatings stop. There is the issue of blame. There is the mutualisation of risk: the TfL operation pushes its risk down the system to deliver it either to the victim and then if the victim does not claim then it is the bus driver, that is it, period. As a result, we just saw a safety notice that went out to everyone about someone apparently, a pedestrian or a passenger fell out a door and might have been injured. Then TfL sent [a safety notice] down and all the bus drivers then had to inspect loose doors. I am thinking that then becomes the bus driver's problem for something that is a structural problem. They did not indicate whether it was a particular bus model, a particular bus operator, but it became the bus driver's problem. Everything becomes the bus driver's problem. But speaking as someone who has survived critical injuries, it is the victim's problem first and usually victims do not come forward because they are either traumatised or they are dead or they just want to get on with their lives, which I would love to do.

Elly Baker AM: Thanks, Tom. Thank you. Both of you covered the general areas, but just to pick up on a couple of specific issues around safety training. John, you mentioned having an open culture. Are you seeing that, when there is safety training around fatigue and working conditions, is that supporting the sort of culture we need to see in terms of reporting, or is that not --

John Murphy (Regional Officer, Unite the Union): Look, I genuinely, my own personal perception is there is not an open culture, there is not a fair culture, there is a blame culture in London Buses. While you have that, you can never move away. In the Loughborough report they made a comparison to British Airways where people who report near misses are deemed as heroes. In London Buses that gets you sacked. Therefore, we are quite a distance away from that and it really is about kicking the responsibility down the line. Because here is the truth of the matter, if you have five accidents in a bus garage, then the manager of that garage is called in and he is asked about what have you done about this, now you have done absolutely nothing to address the issue apart from give the bus driver a kick. Therefore, we are not talking about correcting things, it is very punitive, and it is very blameworthy, thank you.

Elly Baker AM: I think I have covered everything in that section. Thanks very much, everyone.

Keith Prince AM (Chairman): Assembly Member Berry.

Siân Berry AM: Just very briefly before we have to let you go, Tom, you mentioned earlier toilets and heat as contributing factors to fatigue. I just wanted to put that also to John and ask how the situation is with toilets at the moment. I believe there is at least one toilet on every route but not at both ends in all cases. I know that, following a complaint last year by a bus driver, I have been asking about heat in cabs as well. Therefore, I wanted to get your feedback on where we are with both of those things.

John Murphy (Regional Officer, Unite the Union): We never ever reach Nirvana, do we. The problem is toilets is not enough, we have to have rest facilities. The point I made previously, we dump bus drivers at the side of the road. Once they leave the garage, we do not care about them until they come back to the garage. What they do in between is their own business. When you are dropped off at Camberwell Green, do you fancy spending your lunch, two hours roaming about around there in the pouring rain? I suspect not. So, it is not just about toilets. What I would say is it is vastly improved on what it was.

The point you make is absolutely right - every bus route does have at least one toilet. Where we have longer bus routes - and I cannot remember the exact length the route has to be - you will have a toilet at each end. There are facilities being put up in places. It is improving but we are not near to that. It would be madness to think that it is just about toilets.

The committee that used to deal with that - everything is a committee - was called the Facilities Committee. That went from being places where drivers could rest and take breaks to just being about toilets. I do not know many people who want to have their lunch in a toilet, but there we go.

As regards bus heat and hot buses and cold buses, there are processes in place but rather than worry about adhering to the process -- and what that is, basically, is that you will do a journey in your bus if it is hot or, if it is cold, then you will sub the bus or change the bus for another one that is meant to work. That is OK as long as people have the confidence to do it. It would be much better if we could work out a way to warm these vehicles because incidents will happen when drivers have numb hands and numb fingers from the cold; and that is what is coming soon.

I hope that answered ...

Siân Berry AM: Yes, very helpful, thank you.

Keith Prince AM (Chairman): Assembly Member Garratt?

Neil Garratt AM: Thank you. John, just on that point about the cold, obviously, heat is also an issue. Are you satisfied your members have adequate air conditioning in the buses to keep them cool; particularly, obviously, we are seeing hotter, that really sustained 35-degree [Celsius] heat in the summer? We had it in June this year [2023]. When I challenge TfL, often what I hear is that it is fine and, to the extent it is not fine, it is improving. Is that what your members would say, do you think?

John Murphy (Regional Officer, Unite the Union): I would say it is absolutely nowhere near to what we need it to be. It is improving but the difficulty you have with a bus is, in essence, it is a greenhouse. The doors are frequently opening and closing, so you do need some sort of super-boosted -- and I am not going to pretend, and you can tell by my language that I am not any sort of technical expert on air conditioning. There is a long way to go before we get to where we are. All I am saying is that we have processes in place now that drivers can take to remove themselves from risk.

We are a long way from addressing it. What Tom said, that we might have it done within 40 years, sounded very optimistic. Personally, I think you may never ever see it because it is such pigeon steps to get to that place. What would help is if we could have suitable air conditioning on the bus. That would solve a lot of problems.

Neil Garratt AM: Specifically, you are talking about within the cab and not the whole bus? Obviously, the cabs are quite enclosed now, are they not?

John Murphy (Regional Officer, Unite the Union): I do not mean to be that person, but my responsibility is to look after my members, so the starting point is the cabs. Equally, as a Passenger Carrying Vehicles licence holder, I do recognise, and most bus drivers will, that the number one rule is your responsibility towards the passengers and safety and comfort. We want them to be OK but there is a problem. We fell into this going back to 2012 when we introduced that 'New Bus for London'. It looked very nice, and it sounded very trendy, but it was rubbish. The batteries did not work on it, the air conditioning did not work on it and the windows did not open. So, since then, it has slid into a pattern there.

For me, it starts at the cab where the driver is. You need a cool driver. That alleviates the risk that the other people travelling on the bus are exposed to.

Neil Garratt AM: Yes. If a passenger feels a bit sleepy and nods off, that is a lot less of a problem, is it not?

Andrew, if I could just ask one quick final question specifically on fatigue and rostering. Again, we spoke to the trams a few weeks ago. They have a whole new system now, since the Sandilands crash [November 2016], of how they manage rostering to avoid fatigue. I do not know whether that is something you have looked at. My sense is that London buses do not seem to be anywhere near the standard that the trams have got to.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): We have looked into this a little bit. We did come up with some solutions or potential solutions for rosters, including things like fatigue risk assessment and mitigation in scheduling and rostering; potentially protecting break, rest times to make sure they are preserved and that they are not interfered with by anything untoward and that they are protected at all times, regardless. Increasing running times during peak hours, that is a

possibility; providing more flexibility regarding driver shifts, especially when you are considering personal circumstances but also within safe boundaries.

We thought, ultimately, there needed to be some sort of scientific basis to roster design. At the moment, it seems to happen on a very ad hoc basis. The lessons learned from the Croydon tram accident could be something to underpin, from a scientific point of view, the roster design within the bus system; also so that the drivers, ultimately, understand the reason behind rostering changes, everything is explained to them carefully, so that you get buy-in from them and engagement at the end of the day.

Those are the things, all the strategies we thought that could improve rostering.

Neil Garratt AM: That is your proposal but, as far as you are aware, that is not what is happening at the moment?

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): I do not know whether any of those have been implemented by TfL. We have not looked into that.

Neil Garratt AM: Understood. We will ask them shortly.

Andrew Morris (Professor of Human Factors in Transport Safety, Loughborough University): We have made our recommendations. It is possible that some of those could already have been implemented.

Neil Garratt AM: We will ask them in a little while, thank you. Thank you, Chair.

Keith Prince AM (Chairman): Thank you very much. That brings us to the end of our first section. I would like to, firstly, thank Tom, as always, for your insight into being a victim and all the hard work that you do throughout the year.

Tom Kearney (Bus Safety Campaigner, #LondonBusWatch): Survivor.

Keith Prince AM (Chairman): Survivor, yes, well done.

John, thank you for your particular insight. It has been very useful. Thank you for your frankness and honesty. That is really helpful.

Thank you very much, guests. We are now going to take a break to change the panel. Thank you very much indeed.

[The Chairman adjourned the meeting at 10.55am and resumed the meeting at 11.00am.]