



Dr Alison Moore AM  
Chair of the Transport Committee  
City Hall  
The Queen's Walk  
London  
SE1A 2AA

Andy Byford  
Commissioner of Transport

Transport for London  
Palestra  
1 97 Blackfriars Road  
London SE1 8NJ

Phone 020 3054 8900  
andybyford@tfl.gov.uk

By email only: [Alison.moore@london.gov.uk](mailto:Alison.moore@london.gov.uk)  
[liv.verghese@london.gov.uk](mailto:liv.verghese@london.gov.uk)

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Dear Alison,

Thank you for your letter of 30 July and for the work of the Committee to produce the *Tram and Bus Safety in London: Progress and lessons learned on safety on the London transport network* Report.

Those who lost their lives or were injured in the Sandilands tragedy will never be forgotten and as the new Commissioner, I want to assure you that we will continue to do everything we can to ensure that such a tragedy never happens again. The safety of staff and passengers has always been, and will continue to be, our highest priority.

As you will be aware a considerable amount of our time and resources are being focused on managing the response to the global pandemic. This has included the development of an occupational risk assessment tool that has been made available to all operators to enable them to identify those most vulnerable to COVID-19.

We are also working with our operators to share lessons and identify improvements based on the response to the initial stages of the pandemic. We know in that period that reduced overall staffing levels put additional pressure on those that remained at work and we are undertaking forecasting of staffing levels and associated risks through a designated working group ahead of any possible second lockdown.

Huge progress has been made in improving the safety of both buses and trams in the last few years. Since the Sandilands incident we have introduced a number of additional safety measures including an in-cab driver protection device to protect against driver fatigue and distraction, a new emergency lighting system, improved signage and reduced speed limits across the network.

We continue to work closely with the Office of Rail and Road (ORR) and the Rail Accident Investigation Branch (RAIB) to ensure all the recommendations relating to Sandilands are fully implemented.

Our bus safety programme is also securing major improvements across the bus network. The programme includes 10 separate workstreams including the Bus Safety Standard, which requires additional and enhanced safety requirements for new buses.

The programme will soon be adopting further technology such as autonomous emergency braking and restarting some activities put on hold by the pandemic, such as bus driver safety training.

Many conventional vehicle enhancements have been rolled out across virtually all vehicles such as enhanced conventional side mirrors which are now retrofitted to 97 per cent of the compatible bus fleet. On quiet running buses like electric vehicles, we have also developed and started introducing 'urban bus sound' and this continues as the scheme partners develop new Covid-secure ways of working.

All bus operators are now required to have fatigue management plans in place in order to be able to apply for contracts with TfL. We will launch the £0.5m Fatigue Innovation Fund this autumn. This fund, which bus operators can bid for, is intended to trial new technology and provide innovative solutions to change the safety culture within bus garages and increase driver health and well-being. Despite the progress in this area, we will never be complacent, and we welcome the committee's recommendations. We recognise there is still more work to be done and we remain committed to finding the solutions that enable us to reach our Vision Zero ambition for road safety.

We know that a key part of this is not looking at modes in isolation but sharing lessons and addressing issues across surface transport that pose a danger on our road network.

Instilling an open, no blame culture and supporting drivers' wellbeing will also help us achieve this aim and we are taking steps to address this with our operators and unions.

My team has considered your recommendations and they will be taken forward wherever possible.

Please see our response to the individual recommendations in your report below.

**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.**

Any changes to the Highways Act (1980) or the Road Traffic Signs Regulations and General Directions (2016) will have an impact on the wider tram industry, not just London Trams. As a result, any consultation with the DfT must be done in conjunction with the wider sector.

We are engaging with the Light Rail Safety and Standards Board (LRSSB) and they have confirmed that they are happy to begin conversations with relevant stakeholders on the possibility of a review. However, any consultation with the DfT and the timing of such engagement will need to be led by them.

**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**

We work closely with the LRSSB and ORR and work is underway on the creation of new guidance for the sector. We understand that LRSSB will be reviewing the timeline for this work at its October Board meeting, which TfL's Director of Rail and Sponsored Services, Jon Fox, is a member of.

In addition, UKTram currently publish the Tramway Principle and Guidance document which provides direction and advice to those involved in the design, construction and operation of tramways. Published in 2018, this advice replaces previous guidance from the ORR, and before that by HM Railway Inspectorate. The responsibility for this guidance is due to be handed over to the LRSSB and while this document does not intend to set out mandatory standards, it gives examples of established good practice to ensure a sufficient level of safety for the public, employees and contractors. London Trams takes this guidance into account when designing any enhancements to the Tramway network.

We would be happy to keep the committee updated on this work.

**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.**

As you will be aware, the LRSSB was established in order to set new guidance and safety regulation specific to the tram industry. Director of Rail and Sponsored Services, Jon Fox, was appointed to the LRSSB, which means we are well-placed to support the development of common standards and good practice guidance.

As you will appreciate the creation of standards such as these is not a quick process and where they are not likely to be in place in the near future or where they do not suitably reduce risk levels for UK safety standards, LRSSB is compiling 20 guidance documents to support the UK Tram Industry. However, we have seen the benefit of this type of standard with the Bus Safety Standard and agree that a similar approach to the tram industry would have merit.

The creation of a 'Tram Safety Standard' rests with LRSSB and we will work with them and the rest of the industry to develop such a standard should they choose to take this forward.

**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 remain committed to providing the most accurate and relevant road traffic casualty data available. We publish all non-personal road traffic casualty data we hold, including those involving buses on our website for the purposes of analysis and evaluation by external parties.

This includes:

- Quarterly publication of road traffic casualties data  
<https://tfl.gov.uk/corporate/publications-and-reports/road-safety>
- Monthly publication of road traffic fatalities  
<https://tfl.gov.uk/corporate/publications-and-reports/road-safety>
- Quarterly release of Bus Safety Incidents reported by Bus operators to TfL  
<https://tfl.gov.uk/corporate/publications-and-reports/bus-safety-data>
- All data associated with road safety (including buses) can be found by accessing <https://tfl.gov.uk/corporate/publications-and-reports/> and using the filter “Safety and Security”

We also continue to support the DfT in its publication of national statistics and its review into the future provision of this data to enable evaluation at a national level.

On the committee’s second point, we agree on the importance of using the most accurate and effective long-term trend reporting. This is vital for us to be able to understand what more needs to be done to achieve the Mayor’s target of a 65 per cent reduction in the number of people Killed or Seriously Injured (KSI) in road collisions by 2022.

We receive two main sources of data informing us on injuries on the road network. These two sources are 1) collisions submitted by the public and the police at the roadside (known as STATS19) and 2) injuries reported to us by bus operators (using a system called “IRIS”).

We have reviewed whether it would be possible to link incident reporting completed by operators (through IRIS) and the collision reports submitted by the public and the police at the roadside.

(STATS19). Our conclusion is that the two datasets are not compatible. They are different sets of data collected for different purposes by different agencies and according to different criteria.

The police, in collecting their information, are primarily collecting information to determine whether a crime has been committed and to inform the coroner. TfL is carrying out a related but different investigation to understand how we can act, how we can respond, how we can get to the root of that particular incident. We

will continue to make both datasets available and provide long term trends and evaluation of both to help inform decision making.

We have also made significant progress in developing COLLSTATS, a replacement for the outdated system ACCSTATS, which processes, stores and shares collision and casualty data. We commenced briefing and training boroughs to use this new system in August 2020. In parallel, we are enhancing our reporting tools to increase the accessibility of collisions data to a number of stakeholders by end of this year. By June 2021 we aim to make more data available through improved reporting on our website.

In April 2020 we also improved our bus operator reporting system (IRIS) by including further mandatory injury definitions to align more closely with the STATS19 definitions for people Killed and Serious Injured. These definitions apply across all operator reported injuries.

We would be happy to inform the committee when the more up-to-date data is published on our website. This will allow more rapid communication of safety issues and trends, and agility in response to safety performance. In addition, we hope this reduces the transactional demand coming into TfL delivering overdue Business Process Improvement.

Benefits of releasing more data, earlier include:

- Resource efficiency
- Enhanced partnership working with more data availability
- Improved transparency
- Better customer offering
- More consistency for data requests

**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.**

This year's Safety, Health and Environment annual report provided a comprehensive review of our activities for keeping our customers and colleagues safe and healthy in 2019/20.

Our annual report now features accessible text for pictures and graphs, is more customer focused and has less reference to modal specific results. This is something we plan to replicate for our externally facing reports.

All bus safety reports and data tables are available on the TfL Bus Safety Data pages on our website. Using the search terms Bus Safety, Bus Data, and Bus Safety Data all give the TfL Bus Safety Data pages as the top search return.

TfL's bus safety data is released on a quarterly basis and there are currently no delays to our reporting schedule. However, there are occasions where the publication of data can be delayed for reasons beyond our control. In those instances, we work to publish it as quickly as possible.

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

The world-leading research carried out by Loughborough University and the Swedish Road Transport Industry Report last year was just the start of this important piece of work. As you know we have implemented a range of measures with the aim of addressing the issues raised in the research. Any lessons learnt and effective measures relating to fatigue are being shared across the network. We have a Pan-TfL programme of work to disseminate findings from research, incidents and issues within and across our operations.

In addition, we are collecting a wealth of evidence such as shift patterns and individual job demands which provides us with a good understanding of the issues impacting employee fatigue across the business. We are also undertaking fatigue risk screening and sleep health assessment of our staff.

As a result, we do not believe that bespoke research on individual modes will substantially add to the body of evidence we already collect. Instead, our focus is on identifying and improving fatigue preventative measures, tools and guidance to reduce and better manage fatigue and to support business areas to develop their own fatigue action and implementation plans.

**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.**

We are committed to providing all staff with the rest facilities they need. Drivers on the London Tram system have access to 24/7 facilities at each terminal station and at various other locations on the network. We now have toilets on every bus route for drivers and are looking to increase the capacity of our rest facilities to ensure there is ample room for staff while social distancing guidelines remain in place.

During the height of the pandemic, rest and cleaning facilities became even more important and as a result, we installed 19 portable toilets across the surface network where access to toilets were suddenly limited. Where facilities are not available, or facility capacity is limited, we have parked spare vehicles to provide additional seating for drivers during their breaks.

Our Asset Operation team currently has a renewals programme in place for all facilities across the TfL network and is upgrading both toilet and rest facilities where required.

**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.**

We acknowledge that bus drivers can face a number of distractions when carrying out their job and that these need to be reduced as far as practicably possible.

As part of the Bus Safety Standard we are reviewing the infrastructure and design of vehicles to ensure drivers are not overloaded with information while driving. This includes not introducing more distractions in a driver's cab such as lights or audible warnings, unless there is evidence they improve safety.

We see the merit in reviewing best practice and will develop our scope of work to reflect it, meanwhile we continue to engage with bus manufactures to take account of the need to reduce driver workload and improve safety as they develop their product range.

Drivers are required to undertake a first use check before each shift to identify any defects to their vehicle and must report safety critical defects to their garage immediately so that the vehicle can be taken out of service.

Radio contact between both the driver and their operator and TfL's Network Management Control Centre is essential for the safety of both drivers and their passengers. Radios in all buses have recently been replaced to ensure better reception and clarity of message which reduces stress and distraction.

At no point should the driver be operating the radio whilst driving, which is why it is operated using a foot pedal beneath the seat. iBus 2 when introduced is designed to enable only directly relevant messages to go to each bus which will make a material improvement to many drivers.

**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.**

Driver's hours are governed by the domestic drivers' hours and working time directive and all London bus operators abide by this. Within these parameters, driver shifts vary depending on route operations and some operators offer 'family friendly' shifts and part time working to accommodate drivers' personal lives.

Over the last 12 months, TfL has been working with bus operators and Unite the union to develop Fatigue Risk Management Systems, to establish what 'good' looks like in management of fatigue and adapt guidance originally produced by our Human Factors Team for London Underground.

As part of this work, operators have been asked to outline how they will assess current schedules for fatigue risk, for example using the Health Safety and Environment Fatigue Risk Index Tool. Where heightened fatigue risk is identified, operators will need to look at what mitigations can be put in place to reduce this risk.

**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.**

It is vitally important that staff feel able to inform their managers when they are unable to drive and we continue to work with our operators to embed an open and safety-focused culture within the workplace.

As a result of a review of their processes, Tram Operations Ltd are implementing a system of formally recording instances where a staff member appears to be, or reports that they are, too tired to work safely. When necessary, occupational health support is provided, and trends/data will be monitored through supporting KPIs.

All bus operators have processes in place to report safety concerns. Each operator has a Health and Safety Rep and there is also a process to enable anonymous 'whistle blowing'. All bus operators have signed up to CIRAS via TfL in January 2016 which is a national body for confidential incident reporting. This is designed as a last resort and numbers of reports to CIRAS have been low. Bus driver fatigue and ongoing Pan-TfL fatigue programme underpinned by objective to encourage an open, fair and just culture.

The programme is now positioned within the Safety, Health and Environment (SHE) directorate. An overarching pan-TfL steering group provides a coherent governance function, ensuring the programme aligns to Vision Zero and the TfL Occupational Health and Wellbeing strategy. Ongoing analysis has highlighted varying stages and maturity levels of fatigue risk management across the business.

Various individual business areas are proactively pursuing technological and management system improvements. Intrinsically linked to the programme is the inculcation of an open, fair and just culture. The cultural change we are seeking will be underpinned by a coherent communications plan. This will ensure the right signposts and guidance are delivered to the right audience at the optimum time in the most effective medium.

**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 believe that the best way to change the culture in the way envisaged within the report is through a series of measures including:

- Increasing awareness of fatigue issues and establish and maintain a holistic, coordinated approach to fatigue management
- Manager training
- Performance development conversations
- Development of new and adaptation of existing work processes and procedures such as formally recording fatigue training and including this dataset in subsequent audits.
- Ensuring communications around the subject of fatigue and its management are consistent across the business, aligned with Vision Zero and the TfL Occupational Health and Wellbeing programme



Tram Operations Ltd are advanced in their discussions with their staff and trade unions over a new 'just culture' approach and this work will continue over the coming months.

During March 2020, we appointed an external training provider to develop a bespoke fatigue management awareness course for managers within bus garages with the intention of rolling out this training over summer.

This was paused in March due to COVID-19, but work is now underway to deliver the training virtually by the end of September. The three-hour workshop will not only cover fatigue but how company culture can impact fatigue management and how managers can spot the signs of fatigue and manage that proactively.

Once the bespoke fatigue management awareness course for managers has been reviewed and accepted, this package will be made available to other modes with tailored support.

As part of our Fatigue Risk Management System we are also working with individual bus operators to identify a set of KPIs to measure their progress on reducing bus fatigue. One or more of these indicators will involve measuring behaviour change to enable drivers to be more open with their managers about concerns they may have. These KPIs will sit alongside an overarching set of indicators agreed by Unite.

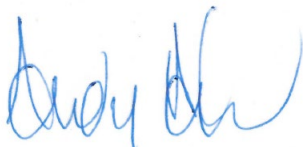
**Finally, there were a number of recommendations regarding improvements to the Sarah Hope Line including reviewing the case management of the line, ensuring effective promotion and publishing information on how the agencies involved in the line are proactively contacting those involved in an incident and their families.**

I welcome the Committee's recommendations in relation to the Sarah Hope Line. We are committed to supporting people affected by serious incidents on the transport network and, since the Committee last visited the line, we have started work to improve the support available.

We are currently investigating how the processes supporting the line can be improved, how to increase awareness of the help available to people who need it, and how to partner more effectively with organisations already doing great work in this area, especially in supporting victims of road traffic collisions.

The recommendations of the Committee are being considered as a core part of this project. We look forward to providing updates on progress to the Committee as work develops over the coming months.

Yours sincerely



**Andy Byford**