

# Memorandum of Understanding between the Greater London Authority and London TravelWatch<sup>1</sup> (Revised ~~February 2020~~ January 2022)

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<sup>1</sup> London TravelWatch is the operating name of the London Transport Users Committee

## **1. Introduction**

- 1.1 This Memorandum of Understanding has been agreed between the London Assembly's Transport Committee (acting on behalf of the London Assembly) and the London TravelWatch Board, and may be amended from time to time in accordance with paragraph 8.1 below. It cannot override any of the requirements of the GLA Act or any other relevant legislation. (A summary of statutory provisions is set out at Appendix A)
- 1.2 The aim of this Memorandum is to establish a clear and transparent basis upon which the Transport Committee, the Greater London Authority and London TravelWatch will work and interact with each other.
- 1.3 To this end, the Transport Committee and London TravelWatch:
  - Recognise their shared and common interest in ensuring the best possible outcomes for London's travelling public
  - Will develop and maintain an open and constructive working relationship
  - Agree that London TravelWatch will seek to provide a useful and positive resource for the Assembly within the strategic framework that the Transport Committee sets, notwithstanding London TravelWatch's need to maintain independence from transport operators and providers and their reserved right to provide the transport users' voice regardless of any differences of policy
  - Will adopt a "no surprises" policy based on telling each other well in advance, where possible, of significant announcements and developments that have a bearing on their common interest.

## **2. Support and assistance from the GLA**

- 2.1 Where there is no conflict of interest, after consideration by the GLA Executive Director of Secretariat, who may take legal advice, the Secretariat, Finance and Human Resources & Organisational Development departments of the core GLA may on request provide assistance to London TravelWatch.

## **3. Liaison and co-ordination**

- 3.1 Generally, but not exclusively, the protocol shall be for communication to be conducted between the Chairs (or their designated representatives) or between the officers of the two bodies. Nothing shall be regarded as the formal position of either body unless it is ratified as necessary and confirmed in writing.
- 3.2 The Chairs of both the Transport Committee and the London TravelWatch Board will meet on a regular basis (at least quarterly) to discuss the progress of their respective work programmes and other matters of common interest. Likewise, the Executive Director of the Secretariat will meet with the Chief Executive and Director of London TravelWatch on a similar basis.
- 3.3 Lead Policy and Scrutiny officers will be identified from within both organisations for day to day liaison. Meeting dates will be set up at the start of each municipal year, following agreement of the Committee's meeting schedule.

- 3.4 Systematic joint working between the officers of both bodies will monitor progress and developments, and identify further opportunities for London TravelWatch to contribute to the Transport Committee's work programme.
- 3.5 London TravelWatch will make 6 monthly appearances before the Transport Committee, one for an update and one to approve the budget and business plan submission.

#### *Urgency*

- 3.5 Where anything in this Memorandum of Understanding requires the consideration, agreement or approval of the Transport Committee, or involves an urgent response to a major incident, but the matter is of such urgency that it cannot wait for a meeting of that Committee, the Chair of London TravelWatch Board will refer the matter to the Chair of the Committee in writing, copied to the Chief Executive of London TravelWatch and the GLA's Executive Director of Secretariat, giving a short explanation of the decision required and why it is urgent.

## **4. London TravelWatch Board appointments**

#### *The establishment of London TravelWatch Board*

- 4.1 Transport Committee will determine how many members (not more than 24 and currently 6 plus a Chair) will comprise the London TravelWatch Board<sup>2</sup>.
- 4.2 Transport Committee will not change the membership size of the London TravelWatch Board without first having consulted with the Chair of the London TravelWatch Board.
- 4.3 Procedures for the recruitment and appointment of the Chair and other members of the London TravelWatch Board have been set by the Transport Committee in accordance with the protocol attached as Appendix B and, before any change is proposed, there will be prior consultation with the Chair of the London TravelWatch Board and its Chief Executive.
- 4.4 To ensure continuity the appointment of new members will normally be phased so that the terms of office of no more than half of the membership of the Board will finish at the same time
- 4.5 In the event that this normal phasing of appointments is broken the Transport Committee will consult with the Chair of the London TravelWatch Board to agree what action should be taken to recover the situation during the following three years.
- 4.6 Where vacancies occur the Transport Committee will take steps to make a replacement appointment as quickly as possible.

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<sup>2</sup> The GLA Act 1999 s 247(2)

## **5. Operation of the London TravelWatch Board and interaction with the GLA**

### *London TravelWatch Board meetings*

- 5.1 The London TravelWatch Board should operate as a strategic body and will programme meetings throughout the year, giving directions and guidance to the staff team of London TravelWatch, which will then carry out the Board's decisions.

### *Sharing information*

- 5.2 In addition to the statutory requirements for the notification of decisions and provided that it would not be unlawful or in breach of commercial confidentiality to do so, –
- a) London TravelWatch will share any information that it holds (except that which was given to it in confidence) with Transport Committee where it is prudent to do so, or on request from Transport Committee; and
  - b) Transport Committee (or its Secretariat, if more appropriate) shall, on request from London TravelWatch, make available any information that it has that would assist London TravelWatch in its work.

### *Guidance and directions*

- 5.3 If the Transport Committee resolves to issue to London TravelWatch any guidance or directions as to the manner in which it is to exercise its functions<sup>3</sup>, this must be issued in writing and sent to the Chair of London TravelWatch and copied to its Chief Executive.<sup>4</sup>
- 5.4 Ordinarily, Transport Committee will not issue any such guidance or directions without first having consulted with the Chair of the London TravelWatch Board and the Chief Executive of London TravelWatch, and having had regard to any representations made by them either in writing or made orally at a Transport Committee meeting.

## **6. Staffing of London TravelWatch**

### *The staffing establishment of London TravelWatch and Strategic partnership with Transport Focus*

- 6.1 Transport Committee must approve the overall staffing cost of London TravelWatch's secretariat and be informed of the staffing establishment which shall routinely be reported as part of the annual submission of the draft budget and business plan.
- 6.2 On 9 October 2019, as part of the approval of London Travelwatch's Business Plan for 2020 onwards, the Transport Committee endorsed London TravelWatch's strategic partnership with Transport Focus. This established a new Joint Chief Executive role for both organisations, supported by a dedicated Director for London TravelWatch. [In January 2022 the Transport Committee](#)

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<sup>3</sup> The GLA Act 1999 s 251(1)

<sup>4</sup> The GLA Act 1999 s 251(3)

[endorsed further revisions to this agreement and which brought an end to the Joint Chief Executive role. As a result, the Joint Chief Executive of London Travelwatch](#) will act as the Accounting Officer for the Assembly, ~~and the Director will be~~ the lead officer and key point of liaison with the Assembly and Transport Committee.

- 6.3 Procedures for the recruitment, appointment and employment of staff of London TravelWatch will be set by the London TravelWatch board in accordance with the protocol attached to this agreement as appendix C

## **7. Finance and performance**

### *Members' and staff salaries and expenses*

- 7.1 Transport Committee shall provide London TravelWatch with the funds with which to pay a) its Members such travelling and other allowances as Transport Committee may determine<sup>5</sup>, and b) its officers such remuneration and such travelling and other allowances as the London TravelWatch Board may determine.<sup>6</sup> Transport Committee's determinations will be made in accordance with the Mayor's budget guidance.

### *Budget process and Business Plan*

- 7.2 London TravelWatch will prepare a budget submission based on guidance from the Transport Committee via the Chair and Executive Director of the Secretariat having regard to the requirements set out in the budget guidance. Guidance will be provided as early as possible in the Assembly's budget process.
- 7.3 During the preparation of the draft budget submission, the London TravelWatch Chief Executive will confer (in confidence if required) with the Executive Director of the Secretariat to ensure that the submission is based on a full understanding of the Mayor's budget guidance and GLA procedures generally.
- 7.4 The London TravelWatch Board must produce an annual Business Plan for the following year that must be sent for consideration to Transport Committee at the same time as the proposed budget. The Business Plan will
- a. be based on any broad objectives set for London TravelWatch by the Transport Committee,
  - b. set out how London TravelWatch will seek opportunities for joint working with the Transport Committee, and the contributions that London TravelWatch can make to the Transport Committee's work programme for the following year.
- 7.5 The London TravelWatch Board will (with the advice of the London TravelWatch Chief Executive) submit a draft budget proposal to Transport Committee (to be sent to the Executive Director of the Secretariat and copied to the Committee Officer for Transport Committee who will arrange for it to be sent to the Chair, Deputy Chair and Group Leads of Transport Committee) in line with the timetable set out in the budget guidance.
- 7.6 On receipt of the London TravelWatch Board's draft budget submission, and before the London TravelWatch Board submits its final budget submission, the

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<sup>5</sup> The GLA Act 1999 Schedule 18 paragraph 6 (1)(a)

<sup>6</sup> The GLA Act 1999 Schedule 18 paragraph (6)(1)(b)

Executive Director of the Secretariat, and Chair, Deputy Chair and Group Leads of Transport Committee will, if appropriate, meet the Chair and Deputy Chair of the Board and the Chief Executive of London TravelWatch to discuss the Board's draft budget submission.

- 7.7 Further to the meeting referred to above, the London TravelWatch Board, with the approval of the London TravelWatch Chief Executive as Accounting Officer, will, in line with the deadlines set out in the Mayor's budget guidance, present a final budget submission to Transport Committee.
- 7.8 The Transport Committee will formally consider London TravelWatch's proposed budget and business plan and will recommend the budget to the Mayor, with or without any amendments that it considers appropriate, for inclusion in the Assembly's budget submission, in line with the deadlines set by the Mayor.
- 7.9 This procedure may be varied from time to time by the Transport Committee following formal consultation with the London TravelWatch Board (made via the Chair of the London TravelWatch Board).

#### *Virements*

- 7.10 After consultation as appropriate with London TravelWatch Board, the Chief Executive of London TravelWatch may approve London TravelWatch budget virements of up to £100,000. Any such virements will be recorded in the outturn projections to the GLA's Executive Director of Resources that may be required under the provisions of paragraph below, and in the periodic performance reports to Transport Committee.
- 7.11 Any London TravelWatch budget virements in excess of £100,000 need approval by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads), following a written request by the Chief Executive of London TravelWatch to the Executive Director of the Secretariat and the Chair of Transport Committee.

#### *Accounts*

- 7.12 The Chief Executive of London TravelWatch (as accounting officer) must ensure that accounting records are kept, which set out and explain London TravelWatch's financial transactions, disclose with reasonable accuracy the financial status of London TravelWatch at any time, and enable London TravelWatch to prepare a statement of accounts.<sup>7</sup>
- 7.13 The accounting and financial procedures are set out in the attached protocol as Appendix D and may be varied from time to time by the Transport Committee following formal consultation with the London TravelWatch Board (made via the Chair of the London TravelWatch Board).

#### *Complaints from members of the public*

- 7.14 Where a member of the public makes a complaint (oral or written) about the conduct or behaviour of a member (other than the Chair) of the London TravelWatch Board, the complaint shall be logged (and recorded in writing if made orally), and will be referred to the Chair of the Board who will determine how the matter should be taken forward. Once the matter is concluded, the Chair of the Board shall inform the Chair of the Transport Committee in writing

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<sup>7</sup> The GLA Act 1999 Schedule 18 paragraph 8(1)

of the complaint and any action taken, with copies to the Chief Executive of London TravelWatch and the GLA's Liaison Officer.

- 7.15 In the event of a substantive complaint about the Chair of the London TravelWatch Board, an independent person will be appointed at the time with the agreement of the Deputy Chair of the Board and the Chair of the Transport Committee to investigate and report to the Chair of the Transport Committee and Deputy Chair of the Board.
- 7.16 All other complaints, including complaints about officers or London TravelWatch service provision, will be dealt with in accordance with London TravelWatch's complaints procedures and /or its relevant employment procedures. Once those procedures are exhausted, and if a complainant remains dissatisfied, they should be referred to the Executive Director of the Secretariat.
- 7.17 In this section "complaints" do not include those that London TravelWatch receives from members of the public concerning the services or actions of any transport providers which are subject to London TravelWatch's remit, but do include those about London TravelWatch's handling of such complaints.

#### *Annual report*

- 7.18 The London TravelWatch Board must make an annual report to Transport Committee and the Secretary of State<sup>8</sup>.
- 7.19 London TravelWatch will log, and in its annual report will record, all complaints (referred to above) received under, and dealt with in accordance with, its complaints procedures.

#### *Performance Management and Reporting*

- 7.20 This Memorandum of Understanding is based on the principle that the Transport Committee should be informed of how London TravelWatch spends the grant that it receives from the London Assembly
- 7.21 London TravelWatch's Board should set strategic objectives and performance targets for its activities and maintain appropriate internal mechanisms to monitor progress towards achieving these objectives.
- 7.22 Twice a year London TravelWatch should produce a more strategic report for the Transport Committee demonstrating how it has met its key business plan objectives and the outcomes it has achieved for transport users as a result of its work.

## **8. Amending this memorandum**

- 8.1 This Memorandum may be amended from time to time by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads) and the Chair of the London TravelWatch Board (in consultation with the London TravelWatch Chief Executive and the Board) agreeing to the proposed amendments.

#### Appendix A – Summary of statutory provisions

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<sup>8</sup> The GLA Act 1999 s 250 (2)

Appendix B – Protocol for board appointments

Appendix C – Protocol for the recruitment and employment of staff at London TravelWatch

Appendix D – Protocol for accounts and financial procedures at London Travelwatch

Approved by:

..... **Date**

Navin Shah AM, Chair of the Transport Committee

**For the London Assembly**

..... **Date**

Arthur Leathley, Chair of the London TravelWatch Board

..... **Date**

**For London TravelWatch**



## **Appendix A**

### **Statutory provisions**

#### **Greater London Authority Act 1999 (as amended) Part IV**

247 The London Transport Users' Committee.

(1) There shall be a body corporate to be known as the London Transport Users' Committee, referred to in this Chapter as the Committee.

(2) The Committee shall consist of—

- (a) a Chairman, and
- (b) not more than twenty-four other members,

appointed by the Assembly after consultation with the Secretary of State.

(3) In appointing members under subsection (2) above, the Assembly shall have regard to the desirability of ensuring that the members of the Committee between them represent the interests of—

- (a) those who use passenger transport facilities and services in Greater London, and
- (b) those who use rail passenger transport facilities and services in the area for which the Committee fell, immediately before the repeal of section 2 of the Railways Act 1993 (Rail Passengers' Committees), to be treated as the Rail Passengers' Committee for the purposes specified in subsection (4) of that section.

(4) A person may not be appointed under subsection (2) above if he is—

- (a) an Assembly member,
- (b) a member of Transport for London,
- (c) a member of staff of Transport for London, or
- (d) a member of staff of the Authority.

(5) If, at any time after he is appointed, a member of the Committee becomes a person within subsection (4)(a) to (d) above, he shall cease to be a member of the Committee.

(6) The Assembly may designate one or more members of the Committee to be deputy chairman or (as the case may be) deputy chairmen of the Committee.

(7) Schedule 18 to this Act shall have effect with respect to the Committee.

#### **Schedule 18**

1 If the Assembly so determines, there shall be paid to the chairman and other members of the Committee such remuneration as the Assembly may determine.

2 If the Assembly so determines in the case of a person who has been remunerated under paragraph 1 above as chairman, a pension shall be paid to or in respect of that person, or payments towards the provision of a pension to or in respect of that person shall be made in accordance with the determination.

3 If a person in receipt of remuneration under paragraph 1 above as chairman or another member ceases to hold that office, and it appears to the Assembly that there

are special circumstances which make it right that that person should receive compensation, he shall be paid by way of compensation a sum of such amount as the Assembly may determine.

4 The Assembly shall provide the Committee with funds with which to make payments in accordance with any determination made by the Assembly under paragraphs 1 to 3 above.

#### *Officers*

5 (1) The Committee may appoint such officers as appear to the Committee to be requisite for the performance of their functions.

(2) Appointments made under sub-paragraph (1) are—

(a) to be made in accordance with any rules of appointment made by the Authority, and

(b) subject to the approval of the Assembly.

#### *Remuneration*

6 (1) The Assembly shall provide the Committee with funds with which to pay—

(a) to their members, such travelling and other allowances as the Assembly may determine, and

(b) to their officers, such remuneration and such travelling and other allowances as the Committee may with the approval of the Assembly determine.

(2) The Assembly shall provide the Committee with funds with which to defray such other expenses in connection with the Committee's functions as the Assembly may determine to be appropriate.

(3) The Committee shall prepare and send to the Assembly not less than two months, or such other period as the Assembly may specify, before the beginning of each financial year a statement of the expenses which they expect to incur in respect of that year for the purposes of, or in connection with, the carrying on of their functions.

(4) The Assembly shall consider any statement sent to it under sub-paragraph (3) above and shall either approve the statement or approve it with such modifications as it considers appropriate.

#### *Pensions*

7(1) There shall be paid such pensions, or arrangements shall be made for the payment of such pensions, as the Assembly may determine to or in respect of such persons who are or have been officers of the Committee as the Assembly may determine.

(2) The Assembly shall provide the Committee with funds with which to pay any such pension or to finance any such arrangements.

#### *Accounts*

8(1) The Committee shall keep accounting records which—

(a) set out and explain the Committee's financial transactions,

(b) disclose with reasonable accuracy the financial status of the Committee at any time, and

(c) enable the Committee to comply with the requirements of this Act in preparing any statement of accounts.

(2) The Committee shall prepare in respect of each financial year a statement of accounts giving a true and fair view of—

- (a) the Committee's financial status at the end of that year, and
- (b) the Committee's income and expenditure for that year.

(3) If the Assembly issues guidance to the Committee as to the preparation of a statement of accounts, the Committee shall prepare the statement of accounts in compliance with the direction.

(4) A statement of accounts shall be audited by a person appointed by the Assembly as auditor to do so.

(5) A person shall not be qualified to be appointed as auditor unless—

- (a) he is eligible for appointment as a company auditor under Part II of the Companies Act 1989 (eligibility for appointment as company auditor), and
- (b) if the Committee were a company to which section 384 of the Companies Act 1985 applies (duty to appoint auditors), he would not be ineligible for appointment as company auditor of the Committee by virtue of section 27 of the Companies Act 1989 (ineligibility on ground of lack of independence).

(6) As soon as reasonably practicable after a statement of accounts has been audited, the auditor shall send a copy to the Assembly.

(7) The Committee's financial year shall be such period as may be determined by the Assembly and notified to the Committee

#### *Accommodation*

9 The Assembly may after consultation with the Secretary of State make arrangements for the Committee to be provided with office accommodation.

#### *Constitution and procedure*

10(1) The persons appointed to be members of the Committee shall hold and vacate office in accordance with the terms of their respective appointments and shall, on ceasing to be members of the Committee, be eligible for reappointment.

(2) Any person so appointed may at any time by notice in writing to the Assembly resign his office.

11(1) The Committee shall meet—

- (a) at least twice a year; and
- (b) whenever convened by the chairman.

(2) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the Committee.

(3) Minutes shall be kept of the proceedings of every meeting of the Committee; and copies of those minutes shall be sent to the Assembly, the Secretary of State and the Passengers' Council.

(4) Subject to the provisions of this Schedule the Committee shall determine their own procedure (including the quorum at meetings of the Committee).

12 The Committee may delegate the exercise and performance of any of their functions to such sub-committees of the Committee as they think fit.

13(1) A sub-committee of the Committee may with the consent of the Assembly include persons who are not members of the Committee.

(2) Where a person who is not a member of the Committee is a member of such a sub-committee, the Committee may pay to that person such travelling and other allowances in respect of that person's membership of the sub-committee as the Committee may determine.

14 The validity of any proceedings of the Committee shall not be affected by any vacancy amongst the members or by any defects in the appointment of a member.

*Admission of public to meetings.*

15(1) Subject to sub-paragraph (2) below, meetings of the Committee shall be open to the public.

(2) The public shall be excluded during any item of business where—

(a) it is likely, were members of the public to be present during that item, that information furnished in confidence to the Committee by the Rail Regulator or the Secretary of State would be disclosed in breach of the obligation of confidence;

(b) the Committee have resolved that, by reason of the confidential nature of the item or for other special reasons stated in the resolution, it is desirable in the public interest that the public be excluded; or

(c) it is likely, were members of the public to be present during that item, that there would be disclosed to them—

(i) any matter which relates to the affairs of an individual, or

(ii) any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate,

where public disclosure of that matter would or might, in the opinion of the committee, seriously and prejudicially affect the interests of that individual or body.

(3) The Committee shall give such notice—

(a) of any meeting of the Committee which is open to the public, and

(b) of the business to be taken at that meeting (other than items during which the public is to be excluded),

as they consider appropriate for the purpose of bringing the meeting to the attention of interested members of the public.

*Investigation of complaints*

16(1) Section 25 of the Local Government Act 1974 (authorities subject to investigation by the Commission for Local Administration) shall be amended as follows.

(2) In subsection (1)—

(a) the word "and" preceding paragraph (d) shall cease to have effect; and

(b) at the end of paragraph (d) there shall be inserted "; and

(e) the London Transport Users' Committee."

(3) After subsection (4A) (which is inserted by section 74(3) above) there shall be inserted—

“(4B) Any reference to an authority to which this Part of this Act applies also includes, in the case of the London Transport Users’ Committee, a reference to a sub-committee of that Committee.”

## Appendix B

### Protocol for Board appointments

#### *Appointment of the Chair, Deputy Chair and Members of London TravelWatch Board*

- 1 Transport Committee will, after consultation with the DfT, appoint the members and Chair of the London TravelWatch Board<sup>9</sup>.
- 2 Transport Committee may designate one or more members of the London TravelWatch Board to be Deputy Chair<sup>10</sup> and, ordinarily, members (including the Chair or Deputy Chair) of London TravelWatch will be appointed for a fixed term of two or four years.

#### *Recruitment of the Chair and members of London TravelWatch Board*

- 3 Transport Committee will determine the arrangements for recruiting to the London TravelWatch Board, including the composition of the recruitment panel and any arrangements for a pool of reserve members. However, before doing this, Transport Committee will consider any representations received from the Chair of the London TravelWatch Board and the Chief Executive of London TravelWatch, either in writing or made orally at a Transport Committee meeting.
- 4 Ordinarily, recruitment to the London TravelWatch Board will be conducted in order to achieve one half of the Board being appointed every 2 years.
- 5 In accordance with the DfT policy<sup>11</sup>, appointments to the London TravelWatch Board will only be made after any vacancies have been advertised publicly, and after there has been open and competitive interview process. The GLA will organise and fund any such recruitment campaigns.
- 6 Appointments will be made on the basis of merit, taking into account and where relevant complying with sections 247(3 – 4) of the GLA Act 1999
- 7 A substitute pool member will not be used to fill any vacancy in the office of the Chair or Deputy Chair of the London TravelWatch Board.

#### *Terms and conditions of the Chair and members of London TravelWatch Board*

- 8 Transport Committee will determine and approve the London TravelWatch Board members' terms and conditions of appointment<sup>12</sup> – including – but not limited to:
  - (a) remuneration (including any upgrades)
  - (b) time commitment (subject to paragraph 9 below)
  - (c) pensions
  - (d) probationary and appraisal procedures
  - (e) grievance procedures
  - (f) any travelling and other allowances
  - (g) unpaid and special leave.

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<sup>9</sup> The GLA Act 1999 s 247(2)

<sup>10</sup> The GLA Act 1999 s 247(6)

<sup>11</sup> The DfT policy is based on guidance issued by the Cabinet Office on Making and Managing Public Appointments

<sup>12</sup> The GLA Act 1999 Schedule 18 paragraphs 1-4, 6(1)(a) and (2), and 7(1) – (2)

- 9 The Chair of the London TravelWatch Board and the Chief Executive of London TravelWatch may vary the time commitments of any London TravelWatch Board members, provided:
- (a) any increase in days is, in aggregate, no greater than 10% of the total originally approved by the Transport Committee;
  - (b) any additional costs can be met from the approved budget;
  - (c) any necessary virements comply with paragraph 7.3 – 7.4 of the Memorandum of Understanding; and
  - (d) the Chief Executive of London TravelWatch notifies the GLA's Executive Director of Secretariat in writing, that the increased time commitment can be met from London TravelWatch's approved budget.
- 10 Any proposed change that cannot be met from the budget approved by Transport Committee, or which does not meet the condition in 9(b) above, must be referred to that Committee via the GLA's Liaison Officer for approval.

*Ceasing to be a member of the London TravelWatch Board and notice requirements*

- 11 The Chair and members of the London TravelWatch Board may resign from their appointments by giving notice to the Chair of Transport Committee<sup>13</sup>. Notice should be provided in writing and given as soon as is reasonably practicable.

*Termination of London TravelWatch Board appointments*

- 12 Members of the London TravelWatch Board (including the Chair) may have their appointments terminated in accordance with their terms and conditions of appointment.
- 13 Transport Committee will take the decision on whether or not to terminate an appointment, and its decision will be binding. In the event that a decision on termination needs to be taken as a matter of urgency, a decision (which could include suspending the member until consideration by full Committee) will be taken under delegated authority by the Chair in consultation with the Deputy Chair and the Group Leads of Transport Committee. In extremis, such as circumstances where no such elected representatives are available, urgent action may be taken by the Head of Paid Service of the GLA.
- 14 Written reasons will be provided in respect of any decision to terminate an appointment and a decision to terminate will only be taken after consideration of any relevant evidence, including any mitigating factors.

**Probation and performance reviews**

*The Chair of the London TravelWatch Board*

- 15 The probationary assessment and performance reviews of the Chair of the London TravelWatch Board will be conducted in accordance with the Chair's terms and conditions of appointment.
- 16 They will be conducted by the Chair and Deputy Chair of Transport Committee, who will, for information, share the outcomes with the Group Leads of Transport Committee.

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<sup>13</sup> The GLA Act 1999 Schedule 18 paragraph 10(2)

*Other members of the London TravelWatch Board*

- 17 The probationary assessment and performance reviews of the members of the London TravelWatch Board will be undertaken by the Chair of the London TravelWatch Board in accordance with their terms and conditions of appointment.
- 18 Where the Chair of the London TravelWatch proposes to recommend removal of a member, the Chair must notify the Chair of Transport Committee in writing, copied to the Chief Executive of London TravelWatch and the GLA Liaison Officer.

**Grievances against Members of the London TravelWatch Board**

- 19 Where any officer of London TravelWatch ~~(including the Chief Executive of London TravelWatch)~~ has a grievance against any members of the London TravelWatch Board (including the Chair), or where any of the members of the London TravelWatch Board have an employment related grievance against each other, the grievance procedure contained in London TravelWatch members' terms and conditions of appointment shall apply.



## Appendix C

### Protocol for recruitment and employment of staff of London TravelWatch

#### *Recruitment of ~~(Joint)~~ Chief Executive ~~and Director at of~~ London TravelWatch<sup>14</sup>*

- 1 Subject to consultation with the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads), and subject to paragraph 8 below, the London TravelWatch Board will determine the arrangements for recruiting to a vacancy in the post of ~~Joint~~ Chief Executive ~~in conjunction with the Board of Transport Focus and the Department of Transport~~. Such arrangements must include public advertisement and a competitive interview and selection process.
- 2 Any new ~~Joint~~ Chief Executive will be selected by an appointments panel which will include ~~members of the Board and~~ an Assembly Member appointed by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads) to serve as a full member of the panel<sup>15</sup>.
- 3 ~~Subject to the approval of the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads), and subject to paragraph 8 below, the London TravelWatch Board will determine the arrangements for recruiting to a vacancy in the post of Director. Such arrangements must include public advertisement and a competitive interview and selection process. Should the Strategic Partnership with Transport Focus be ended these arrangements will also apply to the recruitment of any future Chief Executive dedicated to London TravelWatch alone.~~
- 4 ~~The Director (or any future dedicated Chief Executive) will be selected by an appointments panel comprising members of the Board and an Assembly Member appointed by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads) to serve as a full member of the panel<sup>16</sup>.~~
- 5 London TravelWatch will fund any such recruitment campaigns.

#### *Recruitment of staff (other than the ~~[Joint]~~ Chief Executive ~~and Director~~) at London TravelWatch*

- 6 The London TravelWatch Board will determine the arrangements for recruiting to all vacant staff posts, other than the posts of ~~(Joint)~~ Chief Executive ~~and Director~~.
- 7 In determining these arrangements, the London TravelWatch Board must consult the Chief Executive but will take the final decisions.
- 8 Such arrangements for permanent vacancies must include public advertisement and a competitive interview and selection process.

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<sup>14</sup> LTW may appoint such officers as appear to LTW to be required for the performance of their functions (the GLA Act 1999 Schedule 18 paragraph 5(1), but the appointments must be made in accordance with the GLA's rules of appointment and are subject to the approval of the Assembly – (the GLA Act Schedule 18 paragraph 5(2)).

<sup>15</sup> ~~Transport Committee minutes of 17.7.07 at 5.3(c)~~

<sup>16</sup> ~~Transport Committee minutes of 17.7.07 at 5.3(c)~~

- 9 London TravelWatch will fund any such recruitment campaigns.

*Terms and conditions of London TravelWatch officers*

- 10 Subject to paragraph 9 below, the London TravelWatch Board will, with the approval of Transport Committee, determine the terms and conditions of its officers' employment, including terms as to remuneration<sup>17</sup>. The GLA will notify London TravelWatch at the appropriate time of any cost of living increases it is intending to give to its own staff so that London TravelWatch can ensure it applies the same formula.
- 11 The London TravelWatch Board may approve any changes to officers' terms and conditions of employment provided that:
- (a) London TravelWatch's Chief Executive (as Accounting Officer) has confirmed that any additional costs can be met from the approved budget,
  - (b) any virements needed to accommodate the costs comply with paragraphs 7.3 – 7.4 of the Memorandum of Understanding; and
- 12 Any proposed change to officers' terms and conditions that cannot be met from the budget approved by Transport Committee must be referred to that Committee via the GLA's Executive Director of Secretariat for approval.

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<sup>17</sup> The Assembly must provide LTW with the funds to pay its (LTW's) officers, such remuneration and such travelling and other allowances as the Committee may with the approval of the Assembly determine- Schedule 18 paragraph (6)(1)(b)

## **Appendix D**

### **Protocol for accounts and financial procedures**

#### *Accounts*

- 1 London TravelWatch will conduct a monthly monitoring and review of its finances, to include forecasts against the full-year revenue and capital budgets, explanations for variances and any proposed corrective action. The Chief Executive of London TravelWatch will report this quarterly to the GLA's Executive Director of Resources via the Executive Director Secretariat and six monthly to Transport Committee in the format required.
- 2 The Chief Executive of London TravelWatch (as Accounting Officer) must ensure that a statement of accounts is prepared for each financial year that gives a true and fair view of London TravelWatch's financial status at the end of that year, and its expenditure for that year<sup>18</sup>.
- 3 The Chief Executive of London TravelWatch must submit, in line with the agreed timetable, financial information required by the GLA's Executive Director of Resources for the preparation of the GLA Statement of Accounts.
- 4 Transport Committee may issue guidance as to the preparation of a statement of accounts and, if it does so, London TravelWatch must prepare the statement in compliance with the direction<sup>19</sup>.
- 5 The Statement of Accounts must be audited by an auditor appointed by Transport Committee.<sup>20</sup> The cost of the audit will be met by London TravelWatch.

#### *Financial procedures*

- 6 Where London TravelWatch proposes to make any significant changes or amendments to any of its financial systems and procedures, its proposals must be agreed to by the London TravelWatch Board (or to any body within London TravelWatch to which such functions of the London TravelWatch Board have been properly delegated) and the London TravelWatch Chief Executive and must be submitted in writing to the Executive Director Secretariat, who will determine how to take the matter forward.
- 7 Any such proposals can only be approved by Transport Committee, in conjunction with the GLA's Executive Director of Resources.

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<sup>18</sup> The GLA Act 1999 Schedule 18 paragraph 8(2)

<sup>19</sup> The GLA Act 1999 Schedule 18 paragraph 8(3)

<sup>20</sup> The GLA Act 1999 Schedule 18 paragraph 8(4)