



ASLEF's Response to the West Midland Rail Franchise Consultation – March 2016

1. The Associated Society of Locomotive Engineers and Firemen (ASLEF) is the UK's largest train driver's union representing approximately 20,000 members in train operating companies and freight companies as well as London Underground and light rail systems. The Union has over 700 members working for the West Midland franchise.
2. ASLEF appreciates the opportunity to respond to this consultation and highlight some of the issues we feel are important on this busy and strategically vital network. As key stakeholders, trade unions should be part of the formal list of interested parties.
3. Perhaps the biggest area of concern for ASLEF from this consultation is the DfT's decision to promote the use of "Driver Controlled Operation" (DCO). ASLEF will reject any proposals to remove guards from trains. We acknowledge the DfT's comment that "it does not mean that we are looking to have trains without a member of staff in addition to the driver on board", ASLEF believes that this additional staff member must not be simply be there to protect revenue but should be an operational member of staff.
4. The consultation notes "At the moment it is difficult for staff on some trains to spend more time passing through carriages as they are required to operate doors, dispatch trains and in some cases make next stop announcements." It should be pointed out that one of the main obstacles to staff passing through carriages is the volume of passengers on each. A second member of staff operating doors and dispatching them would

struggle to get through the crowds of passengers on many services to cover the length of the train.

5. ASLEF also finds some of the terminology used by the DfT slightly disingenuous. The consultation comments “one way that bidders might wish to explore is looking at how some of these responsibilities can be picked up by other staff. For example, door operation and dispatch of the train could be undertaken by the driver rather than the conductor in what is known as “driver controlled operation” (DCO).” Considering there is only one other member of staff on the train, the driver, and the only responsibility they could feasibly take on would be door operation and dispatch, DCO and DOO are in fact the only feasible “examples” of moving responsibilities.

6. ASLEF opposes the notion that it is as easy as suggested to pass responsibilities from guards to drivers. Driving trains is an enormously safety critical role. We want train drivers to be focused 100% on the track and signals ahead. Closing doors and dispatch is also in its own right a safety critical role and lives can be lost if this is not done correctly. ASLEF feels that it is therefore a risk to the safety of the travelling public to try and combine these two separate roles. Our view is that train drivers must be allowed to focus on driving and guards must focus on safe dispatch.

7. Additionally, having a trained guard on trains who is practised in dispatch and door operation is important for potential emergency situations. The traveling public want a second member of staff on board who is as skilled and qualified as possible to deal with whatever situation could arise.

8. ASLEF therefore opposes any deskilling of on-board staff. Guards must continue to hold responsibilities for door operation and dispatch and not be there to primarily protect the income of the franchise holder. An additional concern is that once drivers are the only operational member of staff on-

board the service, and it becomes technically possible to run services with only that person on board, it is an easy jump for a franchise to decrease costs and increase profits by moving to DOO. The union feels that DCO is unacceptable on its own terms however it also sees it as a stepping stone to DOO.

9. ASLEF is concerned that some of the points made within consultation suggest possible cuts to services that are less commercially profitable. The document points out that “of the 16 rail franchises in England, the West Midlands franchise requires the second largest amount of taxpayers’ money to provide the services it operates.” It therefore points out that the DfT may need to “identify and look at under-used services so that, where appropriate, we can redistribute resources to where there is a more significant need.” Clearly, resources are always finite, and priorities have to be made. However the railway performs an important social function. Cutting less busy services and reducing services to some communities can have significant negative effects on passengers and on whole communities. This must always be considered. ASLEF believes that all options must be examined to meaningfully increase capacity across our network and not look for short term solutions such as shifting our limited capacity around.

10. Another example of potential short-term solutions is the suggestion to reconfigure rolling stock to increase capacity. There will of course be the need for different configurations of rolling stock according to the type of services. But some commuter services can run for long periods of time, and whilst for some journeys are short from their point of boarding, many use the same service for a much longer period of time. Therefore the prospect of removing seats to allow more space for standing, or alternatively removing toilets, can have a significantly negative effect on many passengers. Such solutions can be successful, but if done incorrectly can simply lead to more passengers traveling less comfortably.

11. ASLEF believes more work must be undertaken to enable longer trains and generate more capacity for more frequent services. There are areas within the franchise that need considerable capacity enhancements, for example west of Birmingham. ASLEF regrets that huge mistakes were made in planning the redevelopment of Birmingham New Street. We would consider the station redesign a success yet are perplexed that no work was undertaken to increase capacity through the station and allow extra paths. This means this section of the network remains a bottleneck which can only be rectified with significant work to link local link.
12. ASLEF welcomes greater local control over our railways, and therefore does not in principle object to devolution. However the union does have concerns over how this could work within the current framework of the UK railway.
13. ASLEF understands and supports the idea of local authorities, bodies and people having more of a say over how their transport system functions and operates. Communications between national decision makers and local authorities as well as Local Transport Authorities are essential. However the British railway should always be considered as a national entity.
14. One of the biggest drivers of inefficiency and high costs in running the rail network in Britain is the network's fragmentation. This was something highlighted in the McNulty Report in 2011. McNulty explains that fragmentation has led to a lack of leadership in the industry. The report also suggests that disintegration is the first barrier to efficiency. Unfortunately, the report then goes on to suggest splitting the network up yet further. ASLEF clearly opposes any further fragmentation.
15. For this reason, the union would urge caution when devolution is discussed within the current framework of the UK rail network. ASLEF is

not opposed to the devolution of power and responsibility for rail to regional representative bodies. When looking at European railway models, it is clear that strong regional involvement is prevalent and also highly beneficial. However these are all in the context of a unified train operator. This system is highly successful.

16. ASLEF and the other rail unions; RMT, TSSA and Unite published a report Rebuilding Rail in 2012 pointed out that some consistent factors emerge in comparing the UK railway to those in Europe. Firstly, bodies with geographical remit are best placed to define, represent and negotiate the needs of passengers within their catchment area as well as ensuring integration with other modes of transport.

17. In addition these bodies are far more likely to succeed in achieving their aspiration when they have financial strength. Whether this is in terms of money raised from within their catchment area or simply from the national budget. This is the case in France and Spain when dealing with a single national operator, or in Germany where the context is a single national operator competing against other operators.

18. It is therefore clear that devolved powers to regional authorities with financial means are a success story and one which should be repeated in the UK. The key difference however is that the examples of France, Spain and Germany all have a single national rail operator. Local bodies are therefore not dealing with an already deeply fragmented system..

19. ASLEF therefore supports a decentralised railway however not within the context of the current franchise system. WE don't believe devolution lead to further fragmentation. The best way to maximise the benefits of decentralisation is to give local authorities influence over a single train operator.

20. There are lessons to be learnt by the alternative type of contract that could be used by a future separate West Midlands railway. One of the many problems created by the franchise system is that rather than creating competition or leading to quality provision for passengers it simply leads to line specific monopolies. As long as people have little option other than to take a specific rail service to commute to work, the Train Operating Company (TOC) will continue to get the passengers' fares. A management style contract like TfL has with LOROL would mean that West Midlands Rail would keep fare revenue and take revenue risk. The management contract means in turn WMR would set specifications and performance targets and pays the provider, according to these targets being met. This model has been more successful than the normal franchised

21. ASLEF supports devolution in principle and accepts that the more decisions that can be made locally, the more responsive operators can be. ASLEF believes a truly devolved and decentralised railway can only be realised through changes which coincide with the creation of a publicly owned, unified passenger operator. A striking lesson from London Overground's success is that contracts which link profit with performance targets and passenger satisfaction are more likely to improve services than simply handing over all ticket revenue to a monopoly with little incentive to make passengers' journeys better.

22. ASLEF does have concerns whenever a franchise is broken up. Firstly, it reduces the prospects of cross subsidy. Larger franchises mean less commercially successful services can share the revenue of more profitable ones. When the possibilities of this are reduced, it leads to a bigger bill for passengers or the taxpayer.

23. Over recent years the West Midlands franchise has suffered from chronic shortages of drivers and struggled with staff retention. Breaking up the franchise, could exacerbate this further with less possibilities of internal

movement within the franchise for staff, and also due to greater uncertainty.

24. We would also suggest another way of improving staff retention would be to improve non-operation facilities such as mess rooms. Mess room facilities and toilet facilities are extremely poor in many locations and this has a negative effect on staffing. The Rail Executive state “we will ask the new operator to have a particular focus on its workforce, supporting equality, diversity, health and wellbeing. We want to make sure staff feel valued and that the training is available to develop and retain people in the industry and attract new people.” ASLEF believes this is an important objective. Part of achieving this is ensuring staff retention for which a decent working environment is essential.

25. ASLEF welcomes the fact the DfT has acknowledged that the franchise is covered by the public sector equality duty under the Equality Act 2010. This is something that ASLEF have called upon for many years. Winning a franchise is winning a public sector contract. Therefore the relevant duties must apply. It is a core belief of ASLEF that the staff in our industry should reflect the communities they serve. The new franchise agreement must set out how the holder plans to address this issue. ASLEF will seek to work closely on this with any franchise holder. We must look to increase the amount of people from underrepresented groups in our industry and in the driving grade itself.

26. There are some big challenges ahead for the West Midlands franchise in terms of ensuring capacity matches growth in passenger numbers as well as the franchise splitting and coming partially under the control of local authorities in the West Midlands. It is important that its future plans do not simply rely on shifting capacity from part of our network to another or cramming more passengers on to the same rolling stock by removing seats. We must build capacity across the system and remember that the

value of rail to our communities do not always translate into commercial value but is just as important.

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