

Who's running the railway?



BusAndTrainUser

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Listening to Mark Harper, Secretary of State for Transport and Mick Lynch, General Secretary of the RMT doing the media rounds during this week's strikes brought home the dysfunctional state of Britain's railways. There seems no hope of an early resolution to the current industrial disputes while a state of paralysis continues with no one admitting to being in charge of the railway and taking responsibility.



Never mind the industry needing a “*guiding mind*”, it’s leadership and accountability that’s noticeably absent.

Looking at what’s happened (or more to the point, what’s not happened) since this dispute began last summer one can only conclude the Government is pursuing a waiting game hoping the resolve of trade union members weakens from the financial hit of losing pay from being on strike or pursuing an overtime ban. Such a strategy is hardly going to improve morale among the workforce in an industry where so many staff hold customer facing positions and make the difference between a good journey or a bad one and trains are regularly cancelled due to “*a shortage of staff*”. Come and work for an industry plagued by poor staff relations - I don't think so, thanks.

Now we have the Government’s latest wheeze to beat strikes in the form of promised legislation specifying minimum service levels with staff ordered to work or face dismissal.

As some wags have pointed out, minimum service levels on certain rail lines would be welcome on non-strike days, never mind strike days. Not only will trade unions fight such laws but all staff need do instead of risking dismissal if they don’t turn up to work during a strike is to cease working non contracted voluntary overtime and reliability on the railway will plummet.

All the while this dispute continues with its consequential disruption passengers are being severely inconvenienced which not only impacts current revenue (Treasury bean counters please note - I haven’t been near a train this week) but has a longer term effect of damaging the credibility of the railway as a reliable form of transport.

So who is in charge of the railway?

Mark Harper, like his predecessor Grant Shapps (I’m ignoring the brief interregnum of Anne-Marie Trevalyn), maintains it’s not Government’s role to negotiate with trade unions; it’s for the employers to do that. That works as a line to take were it not for the fact we all

know civil servants at the Department for Transport (who in turn are doing the bidding of colleagues at the Treasury) are micro managing the railway to the extent train company managers have virtually no decision making powers with everything needing DfT approval and sign off before implementation.



It's completely disingenuous for politicians to say they're not involved and an insult to our intelligence when they say they're "*facilitating discussions*" not least when Mick Lynch explains a potential deal from the employers was kiboshed by the DfT insisting a commitment to Driver Only Operation (DOO) be inserted as a pre-condition just as it was being presented to the union.

It's noteworthy when challenged by broadcasters on this point Mark Harper didn't deny it but simply side stepped the point (as if we wouldn't notice) stating DOO has been around for many years and is nothing new. Well, yes it has, but inserting a commitment to unlimited DOO in the future *is* something new. Historically DOO exists because it was previously negotiated with trade unions on those routes where it now applies and any further open ended extension needs proper negotiation again, not just shoved into a pay deal as a condition at the eleventh hour.

But in any event who is doing the negotiating on behalf of the employers? The Rail Delivery Group seems to be involved but trade union members are employed on varying rates of pay and different terms and conditions at each train company so surely the negotiations need to be with each separate company? But as Mick Lynch points out the usual financial incentive for individual companies to settle a dispute to avoid the hit to revenue a strike causes doesn't apply as the companies are effectively indemnified by the Government and still receive contract payments. Indeed they'd take a financial hit if they did agree a settlement that wasn't approved by the DfT.

No wonder Mick Lynch appears the face of reasonableness in media interviews - he's the one consistent figurehead in a muddled and confused representation from the employers. We've heard Andrew Haines and Tim Shoveller justifying Network Rail's stance in the media, but no one seems to speak up for the Train Operating Companies. All we see is the

Secretary of State telling us *"it's not my job to negotiate with trade unions"*. Although I've just heard a quote from Steve Montgomery, Chair of the Rail Delivery Group on the radio news this morning for the first time extolling what a great deal the 4% offer is.

When it comes to terms and conditions and restrictive practices everything has its price. The thorny subject of replacing voluntary overtime working on Sundays in favour of 'rostered five over seven day working' is surely a must have for the industry, but it needs proper negotiating by professional industry expertise. *"Here today and gone tomorrow politicians"* are not the people to be pulling the strings of the industry puppet managers and setting the parameters on matters like this.



Historic restrictive practices like Sunday working and a whole host of other roster and duty peculiarities that pervade the rail industry as well as all the constraints CEO Andrew Haines describes govern Network Rail's work methods have no place in a modern railway, but employers (and in this case their paymasters at the DfT/Treasury) must accept there's a price to be paid (and negotiated) to buy out these conditions.

Trade unions are often characterised as militant and intransigent but history shows they can be responsive to negotiated deals that improve remuneration and conditions for their members to an acceptable level. While Mick Lynch is a high profile leader, his mandate comes from members who have a vote on whether to accept what's offered or not. Being at the sharp end with many in direct contact with passengers every day they usually know what will work and what won't, much more so than out of touch politicians, civil servants and even some industry managers, hence the controversy over proposals to close ticket offices at the same time as the ticket and fares structure of the industry is a complete mess and by everyone's admission (including the Government) not fit for purpose.

Ticket structure

- Absurdly complex:
 - 2,822 ticket types
 - 901 **unique** ticket names
 - 655 restriction codes
 - 1,288 route codes
- About 7x compared to 1997
 - 300+ extra ticket types *since the pandemic started*
- Why? Each TOC does its own thing. No overall DfT strategy.

If only as much effort was put into sorting out the much ridiculed and derided ticket and fares structure on the railway - something that's been promised for years - as goes into bringing restrictive working practices to a head then perhaps the line from Government that 'rail industry reform' is essential would have more credibility.

There are also many examples of money being wasted through poor decision making or long outdated practices politicians and managers choose to avoid sorting out that are nothing to do with trade unions. I recently highlighted the ridiculous waste (albeit relatively small expenditure in the grand scheme of things) of the Chiltern Railways weekly bus about to start running between West Ealing and West Ruislip, but there are much more substantial issues like the underused Ordsall Chord built at huge cost and the associated failure to deal with the congested tracks on the Castlefield corridor in Manchester; the wasted turn back siding built at Bedwyn; the wasted locomotive stabling facility at Scarborough; the failure to complete the Great Western electrification; the on/off nature of investment in the North; the delay to improving services on the East Coast Main Line following mega millions of investment; the failure to electrify the new East-West Rail line; the incessant delays to the introduction of new trains; the on/off policies of using trains following expensive refurbishments, eg SWR's abandoned use of Class 442s before most units turned a wheel and GWR announcing it's now not going to run refurbished Class 769 trains.



We also now hear the Williams-Shapps Plan for Fail (deliberate typo) has been kicked into the long grass and even the idea of the Great British Railways "*guiding mind*" seems to be on the back burner yet there's scores, if not hundreds, of staff working for the Great British Railways Transition Team. What on earth are they doing every day? Transitioning? But to what?

Hundreds of staff are employed by the train companies administering attribution of delays despite Government taking all the revenue risk no matter who's fault the delay is; more are employed at the DfT monitoring the work of those in the train companies and yet still more work at the Treasury monitoring them yet all we hear about is the excess number of staff employed by Network Rail gangs who attend incidents out on the tracks.

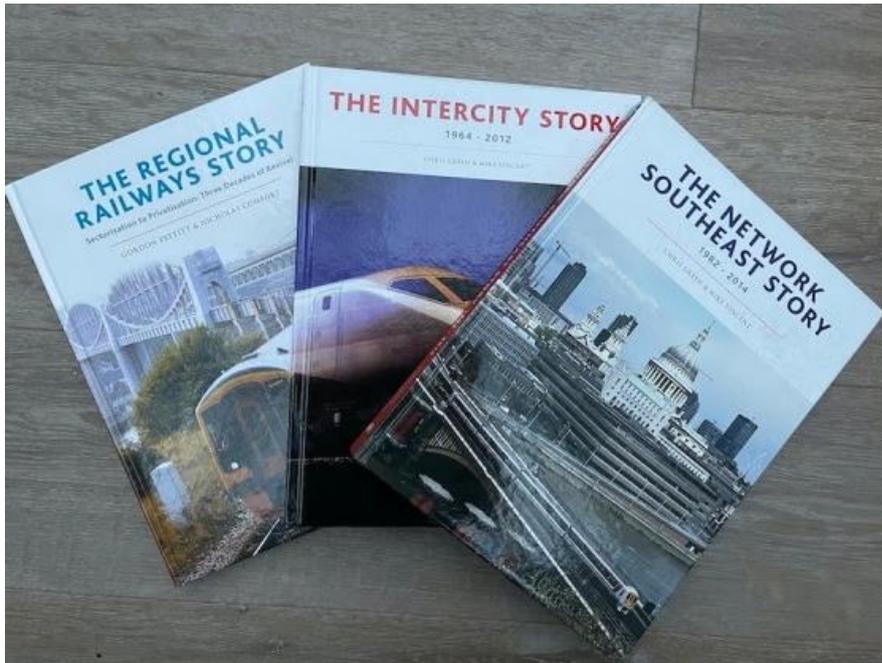
The industry seems to be in a state of complete paralysis with no one in charge. In British Rail days there was a Chairman who was a high profile figure and held accountable. Although dependent on Government funding there was 'clear blue water' between him (they were all male) and the Secretary of State/Minister of Transport. Now we have a nationalised industry once again as far as all decision making goes (aside from freight, three small open access operators and the ownership of most - but not all - contractors running passenger trains to DfT specifications and of course, the highly profitable rolling stock companies) but we have the worst of all worlds as there's no one actually publicly in charge or held accountable.



The heyday of long franchises leading to substantial private sector investment and risk taking with Chiltern Railways the exemplar have long gone, as has the involvement of private sector companies such as Prism, National Express, Stagecoach and Virgin while Go-Ahead is only left with GTR. Even Dutch Government owned Abellio is quitting this year. It used to be observed that with a myriad of privately owned Train Operating Companies each with individual labour agreements, the days of disruption caused by nationwide strikes by trade unions as in the 1970s/80s were over. That hasn't quite worked as expected then.

We've now reached the point where the ownership of train companies (including those European Government owned companies) running the concessions (aka Passenger Service Contracts) being private or public is pretty much irrelevant. I'm all for encouraging private sector entrepreneurial flair into a customer centric industry (as rail should certainly be), but there's no longer a place for this. It's become a civil service run set up. There's no role for commercial acumen to grow numbers of passengers; the Treasury masters are simply not interested. Even pay and employee terms and conditions are no longer determined by the employers - hence the impasse in the current dispute. This muddled confused situation can't continue.

As I see it, it's time for everything to be brought back in house under British Rail 2.0. After all, it's not as though there was a lack of innovation and commercial acumen in the original British Rail especially in its last decade.



(Although today's version would probably have to be England Railways bearing in mind Wales and Scotland have already nationalised their railways, and then of course there's the devolved London and Merseyside networks).

Let's have an industry led by professional railway expertise held accountable for operational and financial performance and importantly, able to resolve industrial disputes.

And this dispute needs resolving with a decent pay rise for all rail workers (as well as other deserving public sector employees - "key workers" and all that). The current offer of 4% for 2022 and 4% for 2023 with a whole load of changes to terms and conditions just doesn't cut it and I'm not surprised has been rejected. I'm sure senior executives are receiving pay increases and bonuses in excess of that with no changes to their conditions.

Changes to working practices are definitely needed but should be subject to separate negotiations by expert industry professionals working for British Rail 2.0 with its own decision making powers unencumbered by DfT meddling.



Roger French