

## Jacob Gemma

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**From:** Gourley Jennifer  
**Sent:** 18 September 2017 12:34  
**To:** Carter Howard  
**Cc:** Varley James  
**Subject:** RE: Safety, Sustainability and Human Resources Panel Minutes

Howard – reminder re Michael’s request to amend the minutes and what does James need to do re this request

Michael asked: Would it be possible to add a post-meeting note to the fatigue management point, stating that after the meeting it emerged that First Group had changed its rostering subsequent to the accident, and that our audit took place [before/after] these changes took effect. As it stands, it looks like we are giving a clean bill of health to processes in place at the time of the accident, but this might not be the case.

Minutes currently read: An audit of FirstGroup’s fatigue management processes had taken place, these were found to be satisfactory and did not give rise to any concerns. FirstGroup continued to look at fatigue management matters. Mitigating actions were taking place around the operation of the driver safety device on the older vehicles in the fleet. Recent video footage of a driver appearing to be asleep had appeared in the media. FirstGroup and the ORR were investigating the incident of the driver appearing to be asleep at the controls and it was not appropriate to comment until the investigations were complete. All of the reported incidents above have been referred by TfL to the RAIB and the ORR.

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**From:** Shirbon Mike  
**Sent:** 14 September 2017 12:28  
**To:** Carter Howard  
**Cc:** 'Robert Kemp'; Walker Clive (Internal Audit)  
**Subject:** FW: Safety, Sustainability and Human Resources Panel Minutes

Howard,

I have discussed this with TfL Trams and we are aware that First Group reduced the number of consecutive days that can be worked (to 11) but not a change to rosters per se. This happened before the audit.

A ‘clean bill of health’ might not be the most accurate description, the audit has been concluded as Requires Improvement with a number of improvements that can be made by implementing ORR Good Practice. First Group had identified a number of these improvements in advance of our audit, but the improvements still require implementation. I understand this is consistent with the direction of the RAIBs findings.

Regards

Mike

**Mike Shirbon**  
**Audit Manager - HSE & Technical**  
**TfL Internal Audit**

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**From:** Walker Clive (Internal Audit)  
**Sent:** 13 September 2017 16:14  
**To:** Kemp Robert; Shirbon Mike  
**Subject:** FW: Safety, Sustainability and Human Resources Panel Minutes

Robert/ Mike

Would one of you be able to respond to Howard's query below.

Kind regards

*Clive*

Clive Walker  
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**From:** Gourley Jennifer **On Behalf Of** Carter Howard  
**Sent:** 13 September 2017 15:28  
**To:** O'Neill Rory (Trams); Collis Jill; Walker Clive (Internal Audit)  
**Cc:** Carter Howard; Kenny Shamus; Clarke Andrea (Exc); Curry Justine; Varley James; Gourley Jennifer  
**Subject:** FW: Safety, Sustainability and Human Resources Panel Minutes

All

Grateful for a view on Michael's suggested amendment below.

Howard

Howard Carter, General Counsel, Transport for London  
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**From:** Michael Liebreich [mailto:[REDACTED]]  
**Sent:** 13 September 2017 14:35  
**To:** Carter Howard  
**Cc:** Jo Jagger  
**Subject:** RE: Safety, Sustainability and Human Resources Panel Minutes

Howard,

Thanks for this. Would it be possible to add a post-meeting note to the fatigue management point, stating that after the meeting it emerged that First Group had changed its rostering subsequent to the accident, and that our audit took place [before/after] these changes took effect. As it stands, it looks like we are giving a clean bill of health to processes in place at the time of the accident, but this might not be the case.

Thanks,

Michael