

TRANSPORT for LONDON BAU COMPANY COUNCIL (TFL BAU CC)

11 May 2017

ATTENDEES

MANAGEMENT:

Steve Burton (Director of Enforcement and On-Street Operations (Chair)	SB
Martin Boots(Head of Employee Relations)	MB
Alison Davies (Senior HRBP, Specialist Services and Rail)	AD
Jonathon Hawkes (ER Specialist)	JH
Jo Page (ER People Policies Specialist)	JP
Jennifer Sam (ER Advisor – Notes)	JS
Marc Whitworth (Employee Relations Lead)	MW

TRADES UNIONS:

Stephen Ellaby (TSSA)	SE
Andy Hollidge (UNISON)	AH
Harvey Morris (PCS)	HM
Les Jackson (UNITE)	LJ
John Leach (FTO RMT)	JL
Steve Nicholls (TSSA)	SN
Jamie Parry (RMT)	JP
Dimitris Phanos (TSSA)	DP
Felicity Premru (TSSA)	FP
Paul Small (UNITE).	PS
Maria Taylor (RMT)	MT
Mel Taylor (FTO TSSA)	MLT

Apologies: Dave Allen (FTO Prospect), Trudy Allen (FTO PCS), Ethnie Abbasali (TSSA), Howard Booth (Prospect), Chris Clark (TSSA), Catherine Poole (TSSA),

No.	Item	Minute/ Action/ Decision	Who
1	<p>Welcome and Introductions</p> <p>Steve Burton welcomed everyone to the second meeting for 2017. He stated that the emergency item received from TSSA would be added to the agenda as item 3.</p>	M	
2	<p>Proposals to flex the TfL Framework during TfL's Transformation</p> <p>MB stated that further information confirming the LCGs impacted in Surface Transport had now been shared with the unions following the initial discussion held on 28 April. He also stated that the line managers of all the CC reps had now received confirmation that full-time release was to continue until the end of August.</p> <p>MB stated that at the initial meeting held on 28 April there was a request from the unions for this matter to return to CC for the unions to share feedback. The unions responded as follows:</p> <p>RMT stated that they did not agree with flexing the Framework for Transformation. RMT stated there was a need for a realistic timeframe, to take the time necessary to move forward. If TfL are serious about having consultation with the recognised Trades Unions involved in Transformation, there is a need to do a piece of work around this to have appropriate timescales.</p> <p>TSSA stated that they could not agree with the proposal in its current form. TSSA explained that their email sent earlier that day set out their concerns. They highlighted that they felt the proposal was a detriment to TSSA and did not address their concerns, especially with the issues in LCGI Making sure there is enough time is paramount. TSSA also stated that the option to flex or vary the Framework was never discussed during the initial meetings to agree a Framework.</p> <p>MB asked for clarification on the list of reps TSSA proposed for each LCG stating that this did not fit with the current Framework. TSSA said that they would revisit their list of reps.</p> <p>TSSA stated that it is only possible to flex the Framework with agreement. They asked for assurance that the Framework would not be varied without agreement from the unions. MB responded saying that TfL continues to work within the</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p>	

	<p>Framework and that the proposal were an interim arrangement to flex and not vary the Framework.</p> <p>UNITE stated that they welcomed the proposal and supported flexing the Framework. UNITE explained that this temporary flex would allow their reps to represent their members, which was currently being blocked by the existing Framework. They have been mandated to push for renegotiation of the Framework as their members have been pushing for this.</p> <p>Unison stated that they were fine with flexing the Framework.</p> <p>PCS stated that they would confirm their position in a meeting scheduled for 12 May with MB.</p> <p>MB confirmed that Prospect will be consulted on this also.</p> <p>RMT stated that this should be discussed at a reconvened face to face Company Council</p> <p>MB said TfL will consider all the Trades Unions positions and then will write to each Union as wants to be able to question rationale.</p> <p>TSSA stated that altering the Framework without agreement would fundamentally alter the relationship as variation is variation.</p> <p>JH stated this is an attempt to assist Trades Unions maximise resources.</p> <p>TSSA stated this may have to come down to a vote and this wouldn't benefit TSSA</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p>	
3.	<p>Sequencing, scheduling and format of formal consultation with trade unions re: TfL Transformation Phase 2 May 2017</p> <p>TSSA referred to their 11 May email and stated that the purpose of the email was to flag what they felt was a shaky and rushed stated to consultation. TSSA stated felt process becoming chaotic which was also true at the Senior Management Framework. TSSA stated it would hope to be given sufficient notice to attend meetings, as it feels information is being fired at them before consultation starts. TSSA referred to Surface Transport stating that reps were being invited to meetings with less than 24 hours notice and that if Employee Relations (ER) were responsible for scheduling consultation, as they were led to believe from Surface Transport, then a conversation needed to take place with ER to ensure that consultation takes places in a reasonable fashion.</p>	<p>M</p>	

	TSSA also added that they were informed that ER held the business cases and determined when consultation would start.	M	
	Unison stated that they supported the email from TSSA regarding invites to meetings with less than 24 hours notice.	M	
	UNITE stated that they felt the issue was around communication, capacity and scheduling. They requested that TfL reviewed the Horizon organisational change programme.	M	
	RMT stated that they felt TfL should assist the unions with the issues raised to demonstrate willingness to consult.	M	
	MB responded saying that ER was responsible for providing guidance on the configuration of the LCGs and not for scheduling LCGs. He explained that the Framework was founded on local engagement and that conversations around scheduling of LCGs needed to take place locally with the relevant business area. He added that a central scheduling team would go against the principal of local engagement.	M	
	TSSA stated this was not the message given out yesterday in a meeting. There has been talk about informal engagement which feels like a tick box exercise and a last minute panic.	M	
	MB stated the relationship is between local reps and the business area which the Framework is clear on but wanted to understand more about the conversation of local reps and business area.	M	
	TSSA stated it wasn't able to talk about timeframes and needed to be careful not to trigger formal consultation.	M	
	UNISON stated ER was contradicting what was said at the City Planning meeting.	M	
	TSSA stated it was unacceptable for notice of less than 24 hours and wouldn't do this as BAU. TSSA restated they were informed that ER had the business case and was waiting for them to inform on sequencing.	M	
	MB stated ER was not sitting down with a spreadsheet scheduling consultations. Local reps can go back to the business areas.	M	
	TSSA asked for this to be confirmed in writing.	M	

	<p>MB stated he will go back to the business and will follow up on this. Local meetings are an issue for local reps to work with local business areas on.</p> <p>TSSA said they wanted a Transformation-wide schedule</p> <p>MB asked why there was a need for a central schedule</p> <p>TSSA responded saying that they felt TfL were being antagonistic by not considering that reps needed to prepare for meetings and that there was no willingness from TfL to have constructive dialogue, and no consideration to logistics. This is not being done in a timely manner TSSA added, if necessary they would escalate this issue. MB replied saying that it was not the case that he was trying to be antagonistic nor that he was trying to prevent meaningful consultation. He explained that TfL had granted full-time release to the majority of TSSA reps and also put forward a proposal to flex the Framework. He added that it should not be perceived that the experience in the last 24 hours would also occur across all the other workstreams. He stated that he would consider the email from TSSA and respond in writing.</p> <p>UNITE stated that the capacity and communication was a resourcing issue.</p> <p>After an adjournment JH explained that ER do not hold or own the business cases. He explained that as part of the preparation ER have sight of the draft and final versions. The ownership of the business cases sits entirely with the business.</p> <p>TSSA requested as much notice as possible is given to reps for the formal start of consultation and proposed a meeting with the relevant HRBP to discuss scheduling. There are a number of questions in the email which need to be considered and responded to especially regarding staggering start of consultation as the TUs get a lot of information not seen before and if 6 different business cases are released on the same day this causes lots of problems. TSSA added that they hoped this would all be covered in a lessons learnt workshop. They are looking for a constructive dialogue regarding how we schedule consultation and how this is resourced. Compare Tus resources to TfL's. Want to avoid conflict. Think it's useful for logistical reasons to co-ordinate between work streams and a meeting with the HRBPs, workstream leads and the TUs to decide on scheduling.</p> <p>TSSA enquired in to the process of consultation in Surface Transport. It was their understanding that as transformation in</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>A</p> <p>M</p> <p>M</p> <p>M</p>	<p>ER</p>
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	<p>Surface Transport impacted multiple LCGs, there would be a single consultation. MB replied saying that he wanted to work with the unions at the local level to ensure meaningful consultation. SB stated that TfL wanted to do this in a meaningful way, at a local level and having meaningful dialogue.</p> <p>TSSA replied that they wanted coordination and not silos as this puts a strain on reps. MB said will reflect on this. TSSA asked what's the purpose of ER having the business cases, and what do they do with them? JH replied that they offer IR/ER support.</p> <p>JH then referred to the proposal to flex the Framework. He stated that having considered the feedback from all unions present at the meeting, noting that Prospect and PCS had not yet confirmed their position, a clear majority of Company Council employees representatives had indicated they did not support the proposal to flex the framework.</p> <p>He explained it was for this reason that the proposal would now fall away and the current TfL Framework for Consultation and Collective Bargaining would continue. He added, if the unions proposed a joint counterproposal this would be considered. TSSA responded saying that there were not against the principle of flexing the Framework but that there are aspects of the proposal they did not agree with.</p> <p>RMT questioned, given they had not signed up to the current Framework, if an agreement put forward by the five other unions would be put in place. JH confirmed that any agreement would need a majority vote.</p>	M	
4.	<p>TfL BAU CC – Minutes and actions from the last meeting.</p> <p>090217-1 TSSA asked for the information on the calibration process to be re-issued.</p> <p>090217-3 TSSA asked for clarity on the 'majority' of HRBPs who confirmed that the ban on cover for maternity, flexible working actively being discouraged and applications put on hold during Transformation, and Part time working not given enough consideration, was not occurring.</p> <p>090217-5 TSSA and RMT stated that in addition to the information provided the following was also requested:</p> <ol style="list-style-type: none"> 1. Breakdown of licenced and non-licenced shifts completed within the last 6 periods; 2. Total amounts paid in shift allowances to licenced TAs 3. Total amounts of vouchers given to non-licenced TAs 	A	ER
		A	ER
		A	ER

	<p>4. Total amount of TOIL given</p> <p>5. Number and nature of formal action taken against TAs during the last 12 periods whilst carrying out TA duties.</p> <p>6. The cost of the scheme financial year 2016-2017</p> <p>7. Confirmation that undertaking TA duties is not written as an objective for employees, especially graduates or apprentices</p> <p>8. Definition of volunteering.</p> <p>9. The cost of training Travel Ambassadors</p> <p>10. The cost of covering work whilst an employee is on an Ambassador duty</p> <p>11. The total number of shifts covered by Travel Ambassadors during the last round of industrial action on LUL (prior to February Company Council meeting)</p> <p>12. A written guarantee that Ambassadors are not being used to keep stations open due to staff shortages</p>		
5, 6 & 7	<p>Renegotiation of the TfL Framework for Consultation & Collective Bargaining</p> <p>TfL Grievance Disciplinary Process</p> <p>Disciplinary Process</p> <p>Items 5,6 and 7 were deferred to another meeting as UNITE were no longer in attendance.</p>	M	
8.	<p>CCIP</p> <p>TSSA raised the issue of not yet given the detailed pay gap breakdown requested at a previous meeting</p> <p>TSSA requested further information on:</p> <ul style="list-style-type: none"> NPL with 'No reason recorded' as a reason for engagement. TSSA explained that this information would be useful to understand if there was an opportunity to upskill permanent employees, particularly in to posts that were covered by NPL for five or more years. Those areas with NPL pending organisational change. <p>TSSA also questioned the reason senior managers received a different bonus for the same attainment as payband 1-3 employees.</p>	<p>A</p> <p>A</p> <p>M</p>	<p>ER</p> <p>ER</p>

	RMT and TSSA raised query on whether the seasonal peaks information on NPL included the LTM and TPH as these areas do vary according to seasons		
9.	TUPE transfer of Engineering, Major Projects, PMO and Change Delivery activity from LU to TfL RMT and TSSA stated that they would not take part in any discussion on this agenda item. RMT explained that they had registered a failure to agree with LU and had written to ACAS. TSSA explained that they did not feel it was appropriate to start discussions in TfL when talks had not started in LU.	M	

Meeting closed 13:00hrs