

# TRANSPORT for LONDON BAU COMPANY COUNCIL (TFL BAU CC)

9 February 2017

## ATTENDEES

### MANAGEMENT

Steve Burton (Director of Enforcement and On-Street Operations (Chair)	SB
Alison Davies (Senior HRBP, Specialist Services and Rail)	AD
Jonathon Hawkes (ER Specialist)	JH
Charlotte Johns (Recruitment Operations Manager)	CJ
Rachel Kerry (Head of Specialist Services)	RK
Simon Kilonbeck (Director, Group Treasury)	SK
Jo Page (ER People Policies Specialist)	JP
Marc Whitworth (Employee Relations Lead)	MW
Judi Yapp (ER Advisor- Notes)	JY

### TRADES UNIONS

Ethnie Abbasali (TSSA)	EA
Howard Booth (Prospect)	HB
Chris Clark (TSSA)	CC
Stephen Ellaby (TSSA)	SE
Andy Hollidge (UNISON)	AH
Harvey Morris (PCS)	HM
John Leach (FTO RMT)	JL
Steve Nicholls (TSSA)	SN
Jamie Parry (RMT)	JP
Dimitris Phanos (TSSA)	DP
Felicity Premru (TSSA)	FP
Maria Taylor (RMT)	MT
Mel Taylor (FTO TSSA)	MLT

**Apologies:** Dave Allen (FTO Prospect), Trudy Allen (FTO PCS), Les Jackson (UNITE), Catherine Poole (TSSA), Paul Small (UNITE).

No.	Item	Minute/ Action/ Decision	Who
1	<p><b>Welcome and Introductions</b></p> <p>Steve Burton welcomed everyone to the meeting it being the first for 2017 and in a new format, and asked for round the table introductions. He welcomed Rachel Kerry as the first subject matter expert and Alison Davies Senior HR Business Partner who would be a regular attendee.</p>	M	
2	<p><b>Matters Arising</b></p> <p><b>Actions from the last meeting.</b></p> <p>Jonathon Hawkes referred to the actions from the last meeting and gave an update on the outstanding actions.</p> <p><b>091216-8</b>  <i>Martin Boots to review the request for information from the free text boxes to be made available.</i>  A presentation was circulated summarising the comments made by employees in the 'free text' boxes with the TfL Viewpoint survey. The comments have been anonymised and organised into themes.</p> <p><b>091216-9</b>  <i>Unions to feed back comments on the current presentation 'Introduction to TU Release' to Jonathon Hawkes within the next few weeks.</i>  No feedback received on revised presentation regarding release. New version drafted for discussion later in the meeting.</p> <p><b>091216 -13 and 4</b>  <i>Jonathon Hawkes to clarify what happens regarding mid year ratings where there is no line manager in position and to provide clarity on the calibration of last years' figures.</i>  Jonathon Hawkes reported that one of the reasons that there was a higher number of 'missing' performance ratings at mid year was due to it being optional for managers to enter them. The focus at mid year is on ensuring that the performance conversation takes place.</p>	<p>M</p> <p>A</p> <p>M</p>	<p>TUs</p>

In response to a specific question regarding the process followed when an employee has no line manager recorded in SAP, Jonathon Hawkes confirmed that the next manager in the approval chain has accountability for entering the performance rating.	M	
In response to a specific question regarding the process of calibration of ratings at mid year, Jonathon Hawkes confirmed that this was done as 'light touch' exercise. A discussion followed regarding the principles of calibration at end of year. Jonathon Hawkes confirmed that line managers held calibration meetings both prior to and following, end of year performance discussions with their team. The purpose of these meetings is to drive consistency of performance ratings across departments – to ensure that similar levels of employee contribution are being recognised and resulting performance ratings are awarded consistently.	M	
Maria Taylor asked who would attend these meetings, especially in regards to HRBPs.	M	
In response to a question from TSSA, it was confirmed that it was not TfL policy to operate a forced distribution of performance ratings.	M	
Fliss Premru referred to the cap imposed on LT Museum staff and stated there is no consistency between departments. Jonathon Hawkes responded that this should be raised locally.	M	
Steve Nicholls stated that more information is required with a demonstration of how this happens. There is a feeling that appraisals are subjective. Calibration must be fair.	M	
<b>ACTION 090217-1: Unions to be issued with published information regarding the calibration process.</b>	A	JH
<b>091216-16</b> <i>Jonathon Hawkes to respond in writing to issues raised at LT Museum.</i>		
Jonathon Hawkes referred to the outstanding issues at LT Museum and stated the response letter is still outstanding. He added that a separate meeting will be arranged to discuss the issues. He added that there is no bar for ER discussions to continue.	M	
John Leach enquired who will chair the meeting and when it will take place. He added that the chair must be someone who	M	

	<p>can make decisions.</p> <p>Jonathon Hawkes responded that this will be agreed collectively between RMT/TSSA/LTM. The meeting will be meaningful and constructive with shared aspirations on the outcome.</p> <p>Maria Taylor stated that staff at the Museum are being told to retrospectively sign up to policies. No response has been received from management to issues raised and they are unable/unwilling to engage with the unions.</p> <p>Mel Taylor stated that this was raised at the last CC meeting with specific proposals on the way forward. ER have failed to respond after three months. There is a lack of urgency resulting in a complete breakdown of industrial relations at the Museum. A greater sense of urgency is required to deal with this as a priority.</p> <p>Steve Burton stated that we need to move forward and respond formally. He added that a letter will be provided next week.</p> <p><b>ACTION: 090217-2 Jonathon Hawkes to formally respond to the unions on LT Museum issues w/c 13 February 2017.</b></p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>A</p>	<p>JH</p>
3.	<p><b>Gender Pay Gap</b></p> <p>Rachel Kerry as a subject matter expert provided an update on TfL's equality and inclusion activity to contextualise the content of the Gender Pay Report findings.</p> <p>She explained that the gender pay gap is a product of there being more men than women in senior management positions especially PB5 and Director, but women in these roles tend to be paid more than men. There is a need to increase diversity at senior levels and across functions and in roles that have traditionally attracted higher salaries, for example, engineering.</p> <p>A number of initiatives are underway and planned to help address this gender imbalance. These fall into two broad categories; developing the existing workforce and providing a level playing field for women across TfL and developing a diverse talent pipeline. Specific initiatives include:</p> <ul style="list-style-type: none"> <li>• Springboard – a development programme for women in paybands 1-3</li> <li>• Coaching squared – peer to peer coaching across diversity groups</li> <li>• Embedding out internal talent programme. Maximising Potential – this was designed to support gender and ethnicity balance and results show we have a strong female talent pipeline, however this is restricted to senior management</li> </ul>	<p>M</p> <p>M</p> <p>M</p> <p>M</p>	

	<p>at the moment</p> <ul style="list-style-type: none"> <li>• Moving towards balanced shortlists for new roles and balanced interview panels</li> <li>• All vacancies to be advertised internally for two weeks</li> <li>• Unconscious Bias training for recruitment managers</li> <li>• Using our Transformation Programme as a spring board to improve diversity</li> <li>• Changing our graduate and apprenticeship selection – assessing an individual’s potential rather than their experience</li> <li>• Lead led learning – our in-house development programme building on the Cass Leadership Programme. Currently running mentoring master classes and can be also used to solve problems and collaboration being built on. This is being done in house so is cost effective and scalable.</li> <li>• During recruitment women are performing strongly across the piece but more work needs to be done on convincing women to apply, as women demonstrate they are well prepared</li> </ul> <p>Steve Nicholls said there is an issue of where salary ranges across paybands.Mel Taylor highlighted ongoing concerns with the current pay structure. Still no clarity in terms of how the rate for the job is set. Genuine concerns at the lack of granulated data explaining this and starting salaries etc. No confidence in challenging equal pay.</p> <p>Mel Taylor referred to Network Rail and the Met Police as comparator organisations and added that lessons can be learned regarding E&amp;I. She stated that transformation will be a big recruitment exercise with people applying for jobs and therefore attention should be given to proactive measures which limit discrimination particularly to women and BAME staff.</p> <p>Rachel Kerry explained the support provided to the business on unconscious bias and noted that further work is ongoing regarding diverse panels.</p> <p>Howard Booth stated that he attended the unconscious bias sessions and provided positive feedback. E-learning modules are available.</p> <p>Fliss Premru referred to the perception that there is a lack of women applying for particular roles and it would be welcome if TfL made more visible the upskilling and development opportunities available.</p> <p>Ethnie Abbasali said need to address the issue of trust in the Senior Management, staff don’t trust the SMT will do what</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> <p>M</p>	
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	<p>they say they will and some SMT want a particular team and want to know what the business is doing about this</p> <p>Marc Whitworth stated there is an opportunity to make this information available to employees and it would be given consideration.</p> <p>Chris Clark welcomed the information provided by Rachel Kerry and requested sight of the forensic data referred to. Need to address the issue around the pay gap now. How are talent pipelines working taking into account Transformation. Mel Taylor raised a number of points regarding E&amp;I matters. Specific concerns were raised around the following E&amp;I matters:</p> <ul style="list-style-type: none"> <li>• Blanket ban on cover for maternity leave</li> <li>• Flexible working actively discouraged and applications put on hold during Transformation</li> <li>• Part time working not given enough consideration</li> </ul> <p>John Leach echoed TSSAs points and wanted to know what TfL thinking is.</p> <p>Steve Burton wanted specific details on concerns raised</p> <p>Rachel Kerry said need to increase the number of women, especially in traditionally male areas. Have changed the way people go through Selection and Assessment at entry level. Now using situational strength test which shows women perform better than men and advertising is more gender neutral.</p> <p>Marc Whitworth stated he will take this away for review and provide a formal response.</p> <p><b>ACTION 090217-3 Marc Whitworth to report back on the following issues raised by the unions and provide a formal response.</b></p> <ul style="list-style-type: none"> <li>• Blanket ban on cover for maternity leave</li> <li>• Flexible working actively discouraged and applications put on hold during Transformation</li> <li>• Part time working not given enough consideration</li> </ul>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>A</p>	<p>AD</p>
4.	<p>TfL Business Plan</p> <p>Simon Kilonback explained the Business Plan is a strategic document which is compulsory. He added that the full business</p>		

	<p>plan is available on Source and a link will be provided in the minutes. New Mayoral strategy bought forward and the Business Plan demonstrates how to deliver this. TfL must produce a budget and it must balance. Central government funding phased out by end of 2019 but Mayor has said local authority funding will go to TfL. There are assumptions in the plan including forecasts for inflation</p> <p>Steve Burton said there are a series of assumptions and a piece of work has started in Surface to look at how to increase bus patronage</p> <p>Simon Kilonback said CrossRail is expensive but will provide income post 2020. Development of CrossRail business tax to help funding and the business is looking at this for CrossRail 2.</p> <p>Chris Clark said the biggest pressure is the withdrawal of grants, is TfL lobbying to get it back? Simon Kilonback and Steve Burton confirmed lobbying is being done at various levels and in various ways. Simon Kilonback said the removal of the grant means public transport users are funding motorists and TfL is lobbying for funds for road network.</p> <p>Chris Clark asked for breakdown of costs. Simon Kilonback said advertising and rental covered under operating costs.</p> <p>Steve Nicholls said if TfL will reach a point where there's nothing left to sell. Simon Kilonback said looking at land TfL own and how to develop it and assets available are more than is listed. TfL is also looking at how funding done and the optimal way to get best receipt as some areas are more complicated.</p> <p>Howard Booth said roads are a big cost with low income, whilst lobbying is there a plan to give this to the boroughs? Steve Burton said there's no thinking about changing structure. Simon Kilonback said TfL have strategic responsibility for roads which means can look at ways of dealing with bus usage etc.</p> <p>Steve Nicholls asked for breakdown of figures. Simon Kilonback said £2billion for bus network &amp; £2billion for staff costs, including TfL, LU &amp; Surface Ops. Steve Burton said CrossRail may reduce bus usage. TfL are continually tweaking the system e.g. Oxford Street.</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p>	
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	<b>ACTION 090217 – 4: Attach the link to the Business Plan and a copy of the presentation delivered by Ian Nunn to be shared as an appendix to the notes.</b>	A	JS
<b>5.</b>	<p><b>Transformation Update</b></p> <p>Marc Whitworth stated that our next scheduled Special Company Council on 23 March will focus on culture and behaviours with Penny St Martin attending as our subject matter expert. He added that following discussions taking place at EXCO we should be able to share further information on sequencing in the coming weeks.</p> <p>Maria Taylor enquired whether PMA's could be assigned to all workstreams.</p> <p>Marc Whitworth responded that the PMA managers were working closely with HR Business Partners to support Transformation activity however he will seek greater clarification on what matters were being discussed.</p> <p>Marc Whitworth referred to the workshop sessions hosted by Jonathon Hawkes with a number of the unions and stated positive feedback had been received. He requested feedback from the reps on whether they would like more sessions to take place.</p> <p>Mel Taylor expressed concern on how transformation is being carried out and added she will be writing in about this. She added that feedback from the workshop outcomes would be useful.</p> <p>Jonathon Hawkes responded that the outcomes have been fed back to BPs and workstream leads.</p> <p>Chris Clark referred to sequencing and stated that information on meeting dates will be welcome sooner rather than later.</p> <p>Mel Taylor referred to the scheduling of meetings and stated a discussion is needed on the pace of meetings and workstream activity.</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>	
<b>6.</b>	<p><b>Union Release</b></p> <p>Jonathon Hawkes referred to work being carried out on support for new and existing managers to better understand the application of and requirements of union release.</p>	M	





	<p>assisting with strike breaking which is not approved by the unions.</p> <p>Steve Nicholls stated that there are instances of ambassadors doing significantly high numbers of shifts. He enquired whether managers understand the operational duties involved. He added that staff are being forced to do shifts due to low pay as the rewards are quite significant.</p> <p>Mel Taylor stated that ambassadors are being used to make up minimum numbers which is fundamentally unsafe and wrong. She referred to the inappropriate dress code of some ambassadors despatching trains who are in civilian clothes with only a high visibility jacket. She requested clarity/guarantee that graduates are not having this written into their objectives. She also requested guarantees that there is no breach of the Working Time Directive or LU break periods.</p> <p>Andy Hollidge enquired about the cost of the ambassador scheme during the last round of dispute. Steve Nicholls stated there is a need to understand the scope, scale and cost of the scheme. Mel Taylor referred to the financial situation and how the cost of the scheme will impact on the broader construct.</p> <p>Marc Whitworth responded that the role of ambassadors was very clearly communicated at LU Company Council and LU H&amp;S Forum. He added that this will be provided in writing.</p> <p>Jonathon Hawkes stated that the scheme is still voluntary and there is no change to this. He added that ambassadors are there to help the business at significantly busy times, not used as minimum numbers in stations and any specific concerns should be highlighted. He confirmed that staff are not compelled to volunteer and added that payment is appropriate for work carried out to assist the business.</p> <p>Steve Burton stated we will work through the issues raised and provide a clear position on the points raised.</p> <p><b>ACTION 090217 – 5: Provide information on discussions held at LUCC and LU H&amp;S Forum regarding Travel Ambassadors</b></p>	<p>M</p> <p>M</p> <p>M</p> <p>A</p> <p>M</p> <p>A</p>	<p></p> <p></p> <p></p> <p></p> <p></p> <p>MW</p>
9.	<p><b>The Year Ahead</b></p> <p>Marc Whitworth explained the aspirations for BAU CC moving forward in particular having greater visibility of activity on agenda items to be discussed during the year. He provided examples of workforce planning data for discussion in September with Viewpoint results for discussion in December. He explained that actions and updates will be provided within a month of the previous meeting to enable discussion during the meeting to focus on current issues rather than</p>	<p>M</p>	<p></p>

	<p>action updates. He asked the unions to submit items before the meeting and as issues arise to enable matters to be resolved before meetings take place.</p> <p>Marc Whitworth referred to the ERAP and explained aspirations to greater align our LCG structure and activity to BAU CC and will be working more closely with HR Business Partners to share intelligence on collective matters.</p> <p>Chris Clark stated there is a need to build trust where decisions are taken outside of this forum. Steve Burton explained the role of Company Council and its decision making authority.</p> <p>Mel Taylor stated that a fixed level of scheduling is needed to fit in to release and other commitments and workloads. Sufficient release is needed for reps to prepare and be available. This needs to be discussed in advance and plans must be realistic. Steve Burton confirmed that whilst fixed scheduling would be welcome on both sides we need to respond to the needs of the business and therefore it isn't always feasible.</p> <p>Howard Booth enquired whether there are any aspirations to start pay discussions.</p> <p>Marc Whitworth stated that whilst Transformation has been a primary focus discussions on pay should continue as part of our BAU activity. He welcomed any information on any respective pay claims to inform discussion and explained he would provide a suggested approach for 2017 pay in the coming weeks.</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p>	
10.	<p><b>Guidance /Reference Documents</b></p> <p>Steve Nicholls referred to the documents submitted by the staff side for discussion and enquired why these are needed if the policies are fit for purpose.</p> <p>Jo Page clarified that two of the documents were key communications that are issued as a reminder to managers and employees. The reminder confirms which policies do apply – so for example the communication on adverse weather reminds employees of the Attendance Policy and the Work life Balance Policy. In recent BAU Company Councils, Jo confirmed that the policy documents /communications have now migrated to the TfL Management System and placed on 'Working at TfL'. These communications are now referred to as 'reference 'documents. The management system is a controlled single source for key topics for HR, HSE and Information Governance. The third document presented by staff side is the information which contains details of sick pay and information of interest such as clarity around the rolling year.</p>	<p>M</p> <p>M</p>	

	<p>On 'Working at TfL' this is referenced as 'Guidance' as sick pay is a discretionary benefit and not subject to consultation.</p> <p>The TfL Management System aims to provide consistent, easy to use up to date instructions, policies and guidance on how to do things.</p> <p>Steve Burton proposed a presentation of the TfL Management System be provided at the PRG to explain that now all information is in one place. It was agreed it would be of value not only to PRG reps but members of the Company Council and Jo Page agreed to organise a few drop-in sessions so this can be done.</p> <p><b>ACTION 090217-6 Jo Page to arrange drop-in sessions to fit around existing commitments of the FTOs and reps.</b></p>	M	
		M	
		A	JP
11.	<p><b>Employment References</b></p> <p>Steve Nicholls requested clarification on what is provided for reference requests. He enquired whether there are any differences to the standard reference and whether specific information is shared.</p> <p>Jonathon Hawkes clarified what information is provided in a standard employment reference request and added that specific information would only be disclosed with the permission of the individual.</p> <p>Howard Booth stated it would be useful to put guidance on this on the TfL Management System.</p>	M	
		M	
		M	
12.	<p><b>TfL Behaviours</b></p> <p>Steve Nicholls enquired whether any amendments are planned in the light of transformation.</p> <p>Marc Whitworth responded that this will be at the forefront of discussions for the 23 March Special Company Council meeting.</p> <p>Steve Burton stated that this is in the early stages of development considering organisational challenges.</p>	M	
		M	
		M	
13.	<p><b>Recruitment</b></p> <p>Charlotte Johns joined the meeting as a subject matter expert to address concerns on the approach to headcount and vacancy management. She provided some background to the IR35 and the impact on contract changes and options</p>	M	

	available.		
	Steve Nicholls stated that there is confusion in relation to the amount of NPL staff converting to permanent staff and the process of how that takes place. Charlotte provided detail on the rigour built into the process for conversion and that numbers were small. She also added in response to questions on foresight of these changes what activity had taken place in planning for these changes and how we have engaged with external stakeholders.	M	
	Mel Taylor stated that transparency was important when retaining the skills of NPL staff and detail would be useful on the skills shortage criteria, criticality, type of project work and the numbers involved.	M	
	Steve Burton stated that we will look at providing this information.	M	
	Chris Clark stated that the unions will provide detail of what information would be useful to continue informed discussions on this topic.	A	
	Howard Booth referred to external recruitment and stated that vacancies should be filled by people at risk with redundancy mitigated. He asked what measures are in place to ensure this happens.	M	
	Charlotte Johns stated that headcount meetings take place to discuss new vacancies. These are reviewed against transformation activities. She added that the process is currently being streamlined and that further information would be available in due course.	M	
	Steve Nicholls enquired whether keeping on NPL will be cost neutral to TfL as opposed to making them permanent. He added that there is a need to ensure we are not investing more by doing this.	M	
	Steve Burton stated that we will seek to minimise costs with managers working to keep costs down. He added that this is an overarching aspiration.	M	
	<b>ACTION 090217-7 Chris Clark stated that the unions will provide detail of what information would be useful to continue informed discussions on this topic.</b>	A	TUs

14.	<p><b>Policies</b></p> <p>Jo Page provided a snapshot of the related activity around the People Policies.</p> <p>Reference was made to the 'Time to TalkDay' on 2 February 2017, in support of the Health and Wellbeing Day. The aim is to talk about mental health in the work place to help break the stigma. Jo circulated a blog that an employee had done to encourage this and it had had a good response.</p> <p>A representative of the Reservists and Ex Military SNG had joined the PRG on 19 January 2017 to highlight their aims and the value of supporting each other in the workplace. The opportunity to promote their SNG to the trade unions was welcomed.</p> <p>The PRG on 19 January 2017 considered the final draft of the policy with the 'tone of voice' changes. Jo confirmed at the CC that this is the final draft and copies were available and following the meeting it will be circulated with a view to issuing in mid March 2017.</p> <p>At the PRG on 19 January 2017 the review of the Performance Improvement Policy commenced its review. Further consideration would consider the use of PIPs , the mixed approach to informal and formal and confusion on the length of monitoring periods.</p> <p>In addition consideration is being given to concerns around Flexible Working which is contained within the Work life Balance Policy. For example creating better understanding of the process ,adding more clarity in relation to flexible working and reasonable adjustments and expansion of the flexible working examples.</p> <p>Jo also referenced the introduction of a childcare deposit loan scheme which has recently been communicated. It works in a similar way to the tenancy deposit loan scheme, allowing up to £1,500 to be loaned to pay the deposit for a nursery, and it is paid back through the payroll system.</p> <p><b>ACTION 090217-8 Martin Boots to circulate a letter with the final draft of the Attendance Policy.</b></p>	M  M  M  M  M  M  A	           JP
15.	<p><b>Pay Review</b></p> <p>Jonathon Hawkes talked through the papers on the second year of Pay for Performance and added that the information is available on Source.</p>	M	

	Steve Burton thanked everyone for their contribution and closed the meeting at 15.50.	M	
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