



Modernising Management FAQs

1. What is national principles consultation and how will it affect me?

National principles consultation is a process by which Network Rail attempt to demonstrate a consistent and transparent approach in dealing with proposed national changes to the organisation.

Your TSSA National Management Council have met with Network Rail on several occasions to discuss national principles in order to mitigate any requirement for compulsory redundancies and to propose more viable alternative solutions.

The proposed alternative solutions have included:

- **Reduction in contractor and Agency workers:** The company employs over 2,000 contractor/agency staff in management roles, yet they refuse to remove these staff to preserve your jobs
- **National VSS:** They declined hundreds of applications for the Special Voluntary Severance Scheme, and yet they refuse to open a company-wide Voluntary Severance scheme that we know would be attractive to many staff
- **National closed listing process:** They have nearly 400 management grade vacancies internally, yet they refuse to implement a national closed listing and redeployment process to maximise opportunities for staff at risk and retain industry expertise
- **Recruitment Freeze:** They have advertised huge numbers of jobs externally over the past months, and continue to do so with over 100 jobs advertised this week, yet they refuse to implement a recruitment freeze to make these jobs available to staff at risk

The TSSA has registered a Failure to Agree regarding the company's proposal. As a result, the TSSA will not be engaging in either functional or regional consultations until the dispute resolution process has completed as per the national Collective Bargaining Agreement.

2. When will I see proposals for changes for my Region/Function?

It is normal practice that the proposals for individual regions and functions are finalised and published once the national principles are established. These principles create the criteria to enable Regional/Functional proposals to be applied consistently and fairly.

Contrary to company communications that you may have seen indicating that national principles were completed, TSSA does not accept that the talks were either meaningful or objective. These communications were rushed out by the company and presented a false impression that all is going well. However, the reality is that the company shut-down the talks prematurely. Political pressure appears to be their prime motivator. They simply had no rational response to the fundamental challenges that TSSA presented.



Had the company shown willing, there was extensive scope to massively improve the situation which employees are facing. We have registered our 'Failure to Agree'.

We remain willing to work with Network Rail in seeking means to genuinely mitigate the risk of compulsory redundancy. We believe it is readily possible to remove the risk entirely. The next step will be an 'Avoidance of Dispute' meeting, where we will, once again, try to engage with the company in reasoned debate, to seek an agreeable solution which can mitigate against the impact of compulsory redundancies.

TSSA Reps won't be engaging with management on Regional or Functional level consultations until the National Principles are concluded.

3. At what point will I know what it means for me and if my role is at risk or safe?

We have asked the company to provide us with details of the roles which are potentially at risk of redundancy. The company have thus far not provided that information.

It is our view, that to objectively understand the options available to minimise risk of redundancy, it is necessary to understand the scale and extent of the risk. We cannot do that without understanding who is proposed to be put at risk.

If the company continues to refuse to engage with TSSA in meaningful discussion at a national level, you will only discover if you are personally impacted once the regional/functional proposals are published. Whilst that may lead you to think that we should hurry things along, in fact the opposite is the case. We must continue to seek a different approach at national level. The current proposal of only locally applied process will massively reduce the opportunities for impacted individuals to find suitable alternative roles, almost certainly leading to employees facing compulsory redundancy.

4. How many roles are at risk?

More specific details about potential roles at risk will be available once the Functional and Regional consultations commence. However, high level details have been shared with your TSSA National Management Council during the national principles consultation.



We can therefore expect, at its worst, proposed compulsory redundancy numbers to total 905 as below:

Region/Function	Bands 1 to 4 (proposed as at risk)
Wales and Western	0
System Operator	256
Route Services	205
Scotland	0
CFO	50
North West & Central	180
Southern	95
Technical Authority	50
Eastern	39
HR	30
Total	905

Network Rail claim this number will be lower as they seek to mitigate compulsory redundancies during function and regional consultations. We have sought assurances from Network Rail that they would consider all our proposed alternative solutions prior to any compulsory redundancies. As a result of Network Rail's unwillingness to do so and their desire to close negotiations, a Failure to Agree has been registered.

5. Will you be looking at Network Rail voluntary redundancy or compulsory redundancy?

As part of our national principles, the closed listing process will include the use of voluntary redundancy where possible. This will depend on the proposals for changes put forward by regions and functions.

TSSA is seeking that Network Rail offers a national Voluntary Severance scheme. Network Rail dismissed this opportunity, preferring to first displace employees and then offer only those displaced employees the option for Voluntary Severance. There are many employees who would jump at the chance to take Voluntary Severance and the TSSA believe that those who wish to go would mitigate against redundancies for others that wanted to stay in the company.

The TSSA favours a national closed list which would allow employees displaced in one region or function to apply for similar roles in another region, however the company does not want to mitigate against redundancies. We believe that the process is not fair and equal but is preferencing Agency Contractors and Professional Services\Service Contracts over permanent employees.

TSSA proposed the use of 'Bumping' as a solution. This is where a person who wants to take redundancy makes their post available for somebody who wants to stay. Employees who are not displaced but still wish to take severance can volunteer for their roles to be added to the closed list. If a displaced employee then opts to take-up that role, the original post holder can be released. (Note: this does mean that employees who volunteer for voluntary severance are not guaranteed that they



will be able to leave). The company has declined this proposal to mitigate against redundancy.

In support of assisting employees to find suitable alternative roles, training should be provided where needed, as per the RIRG Enabling Framework Agreement to retrain where to do so can alleviate against compulsory redundancies.

Network Rail proposes to consult each Region or Function separately after National Principles has concluded with TSSA, therefore not considering a National Close list which would help mitigate compulsory redundancies of those permanent employees with railway experience and competence. Bizarrely the company would prefer to employ more expensive short and long term contractors to replace the permanent employees.

6. Who designed the proposed new structure for my team? What did they take into account when doing it?

The company has made it clear that there is no national plan or strategic design for the Modernising Management programme. This is believed to be why each Region and Function appears to have taken very different approaches to designing their organisations. To date no design information has been shared and the company were not confident at a national level of the figures that they did provide.

7. When will I see the proposed new structure for my team?

The majority of local proposals will be shared with colleagues and trades' unions after national principles consultation, once the region or function's plans are ready. Wales and Western chose to release their consultation proposals regardless of national principles being agreed.

The national principles consultation has not been completed. The dispute resolution process has not been completed. Therefore, the company should not be proceeding until this has happened. The company has not yet provided a date for dispute resolution but has 14 days to initiate this from the date of formal notice of the failure to agree.

8. The TSSA has asked Network Rail to extend the no compulsory redundancy until the end of 2022 – will you do this?

Network Rail have not committed to no compulsory redundancies until the end of 2022. The TSSA believes compulsory redundancies are unnecessary. We have proposed a number of options which would remove any requirement for compulsory redundancy: reduce external recruitment, removal of agency workers, run a national voluntary severance scheme and national closed listing. NR have been unwilling to meet any of these requirements in full.

9. Is there now a recruitment freeze?

Network Rail have declined to apply an external recruitment freeze and are actively advertising large numbers of vacant roles externally, on LinkedIn, Indeed and the Company website with an additional 32 vacancies added on 15th February 2022. Many of the roles being externally advertised are the same as those being proposed



for compulsory redundancy elsewhere within the Modernising Management programme. We do not believe that external recruitment has slowed down and may actually have increased following the SVSS programme, as the TSSA has seen an increase in externally advertised roles since the beginning of January 2022. Therefore, it is clear the company has no intention to mitigate against compulsory redundancies for the permanent employees and is blatantly advertising roles which our permanent employees could undertake with training as per the intention of the RIRG Enablement Framework Agreement.

The company is also guilty of backfilling Network Rail SVSS leavers roles with Agency and Professional Services\Service Contracts contractors, instead of advertising these roles internally on the vacancy list. once again failing to mitigate against redundancy as per the Managing Our People Through Change agreement.

The TSSA does not accept that most of the contractor roles advertised are for short-term needs, there is evidence of a number of long-term roles being undertaken by more expensive contractors rather than being filled by permanent employees at risk of redundancy. How can this be in the best interests of the taxpayer?

The TSSA has also seen multiple instances of SVSS leavers returning to Network Rail with a supplier\contractor and in some cases doing similar work to that which they did when previously working in Network Rail. How can this be in the best interests of the taxpayer?

It appears to the TSSA that Network Rail's perverse recruitment strategy seems to be driven by a requirement to reduce permanent Network Rail staff and day to day operational costs, whilst deliberately increasing other costs that are reported differently and can therefore be 'lost'. This results in an overall increase in Network Rail's costs. How can this be in the best interests of the taxpayer?

10. The national principles consultation paper only refers to management bands 1-4. When will you consult on management bands 5-8?

TSSA believes that it would be impossible for Network Rail to implement a significant change within Bands 1-4 without impacting Bands 5-8. Network Rail has accepted that it will have to complete national principles for Bands 5-8 before Regional and Functional consultations can proceed.

11. How will you ensure that Network Rail continues to provide a safe service

The company has not been able to provide any justification or evidence as to how they can safely remove an additional 905 posts. This is in addition to circa 1000 people being removed by SVSS and circa 2000 additional posts which were not filled after creating the PPF operating model for devolution. The company has so far made no attempt to justify how this could be done safely.



12. Last year the special voluntary severance scheme (SVSS) was only offered to certain people. Are there plans to offer it to other colleagues?

TSSA is not aware of any plans to offer SVSS to other colleagues and we are not in favour of any extension of SVSS.

TSSA however has called for the company to initiate a national policy of voluntary redundancy as defined in the Managing our People Through Change agreement.

TSSA firmly believes it is possible for the company to achieve its desired savings without putting employees at risk of redundancies and that voluntary severance should always be considered as a means to mitigate the impact of compulsory redundancy.

13. Why is the management consultation focused on support functions?

Network Rail has not shared the detail of where redundancy risk is highest across the business to make national principles consultation meaningful. If support functions are more at risk the TSSA will require Network Rail to provide a national list of suitable alternative roles; which is why TSSA has requested a national voluntary severance scheme and national closed list process.

Additional FAQ's

1. Why are Network Rail proposing redundancies when we have so many agency staff?

TSSA do not know. It is ridiculous that Network Rail are proposing to displace 905 employees whilst retaining circa 2000 agency staff, many of whom are undertaking the same or similar roles.

2. Has the company considered a wider application of voluntary severance?

Network Rail has so far refused to consider voluntary severance other than for those roles displaced by the organisation change. This will be insufficient in mitigating against compulsory redundancy and TSSA will continue to pursue a wider application of voluntary severance.

3. Is it fair that someone could be facing redundancy who shares a job role of someone else who has been declined Special Voluntary Severance Scheme? (SVSS)

No. TSSA challenged the SVSS scheme as it was apparent that it was not necessarily going to mitigate against future compulsory redundancies. We are now demanding that any role that was refused SVSS should not now face the risk of compulsory redundancy.

4. What has the company considered about retraining before proposing putting people at risk of redundancy.

Despite having signed up to the Rail Industry Recovery Group (RIRG) Enabling Framework Agreement and committing to the requirement for industry wide retraining as a mitigation against redundancy, Network Rail has remained silent on



any plans to retrain displaced employees. This is because Network Rail has no national oversight of the cuts proposed in each region and function.

5. Is Network Rail Executive Leadership team deliberately undermining its employees?

It is astonishing that we have gone very quickly from a massive expansion of posts required for devolution to a position where the structure designed to manage a devolved structure were not implemented and then followed up by releasing more than 1000 employees through SVSS and placing a further 905 roles at risk of compulsory redundancy.

TSSA have been told that the proposed changes come with no national plan or strategic design. We have therefore stated in National Principles that Network Rail's Executive Leadership team appear to be actively sabotaging Network Rail's ability to safely maintain and operate our national rail infrastructure.

6. What savings has Network Rail considered to reduce the cost of professional service contracts prior to proposing redundancies?

TSSA has challenged Network Rail that prior to proposing compulsory redundancy of Network rail employees, there should have been steps taken to consider savings without the need for redundancies. TSSA believes that there are currently circa 2000 roles (and increasing) which are occupied by professional service contractors and there have been no proposals from Network Rail to reduce the scale of professional service contracts that it is currently using.

7. Has Network Rail informed the ORR of this significant change proposal

No, Network Rail has not informed the ORR of its proposal to remove more than 900 roles across the company. When challenged that it has a duty to do so under NR/L2/HSS/020, the company's response was that they did not believe they had the right expertise in the consultation and that this matter would be referred to a subgroup. Unfortunately, the company then prematurely closed down the national principles consultation prior to that subgroup being able to meet.

We believe that the programme of Modernising Management does constitute a significant change and therefore Network Rail should be informing the ORR accordingly.

8. Would it be possible for the company to make these changes without the need for compulsory redundancies?

Very clearly yes if genuine measures to mitigate compulsory redundancies were put in place. TSSA will continue to pursue Network Rail to put in place suitable measures to mitigate against compulsory redundancies through the dispute resolution process.

9. Why are all staff not being offered voluntary redundancy when we have 905 colleagues facing the risk of compulsory redundancy?

TSSA believes a national voluntary redundancy scheme should be offered to maximise the number of roles that can be made available as suitable alternatives to displaced employees through a national closed list or redeployment process.



The two examples below demonstrate how Network Rail could manage the need for redundancies in line with the Managing Our People Through Change agreement:

- a) Where the volume of posts in a similar role is being reduced, voluntary redundancy can lessen the complexities of the selection process. Purely for illustration, if we have 10 Programme Managers today and the proposal is to reduce that number to 6, then all 10 will need to be displaced and a selection process used to decide which 6 are retained. However, if 4 (or more) were to volunteer for voluntary redundancy, then the issue is resolved, and all the employees who want to stay in employment can be identified to a role without being displaced.
Network Rail wants this process to be managed locally at a Functional and Regional level, thereby denying the opportunity for staff to retain employment by moving Function or Region in order to do so.
- b) The second scenario is referred to as the 'backfilling of vacancies process' or the more common term of 'bumping'. This is where a person who wants to leave under voluntary severance makes their post available for somebody who wants to stay. Employees who are not displaced but still wish to take voluntary severance can volunteer for their roles to be added to the closed list. If a displaced employee then opts to take-up that role, the original post holder can be released. (Note: this does mean that employees who volunteer for voluntary severance are not guaranteed that they will be able to leave).

It is true that a national closed list process is administratively more complex than smaller scale lists managed locally. However, TSSA believes this is a small price to pay, given the significant advantages it affords employees in their opportunities to find a suitable role. Recent changes to working patterns means that geography is far less of a factor than previously, further increasing the benefits of a national closed list.

Network Rail have indicated that they will only offer voluntary severance to employees who are directly impacted, (scenario a. above) and at regional/functional level. TSSA believes this approach, whilst faster to implement, greatly reduces the likelihood for employees to find suitable alternative roles, almost certainly leading to employees facing compulsory redundancy.