

# tssa

August 2013

## JOURNAL

- Public ownership special edition
- East Coast action reports
- A People's ScotRail





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Andrew Wiard

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Welcome to the August edition of the *TSSA Journal*, which includes a special focus on public ownership. We need to fight to keep what we have – be that East Coast, Network Rail or the London Underground – as well as win the argument for extending public control right across the network.

Opinion poll after opinion poll shows that people at large favour public ownership of the railways over for-profit franchise-holders – but that was the case even when the sell-offs first went through 20 years ago. Our task is to turn that quietly held view into a demand which cannot be ignored and the most immediate test of this will be with East Coast.

The Government want to return the franchise to a private operator as a priority, whilst Labour have pledged to keep it in public hands. Labour's current position is that this is to provide a comparator against which for-profit franchisees can be judged – but listen to the arguments made by Labour MPs (pages 14-15) and almost all apply to each and every franchise.

It's great to see dozens of Labour MPs and their local party members handing out TSSA-branded materials to their constituents, explaining why we should keep East Coast public. Think how much stronger a force we could be were Labour to head into the next election – just 21 months away – with a message that all franchises would be allowed to expire. A popular policy which would bring electoral support for the party, numerous gains for passengers and could transform the working lives of those who staff what should rightly be regarded as a public service.

We can all play our part – big or small – in this campaign. Make a start by thinking where you could display the poster in the centre of this Journal or write to your MP using the model letter at

[www.tssa.org.uk/eastcoastcampaign](http://www.tssa.org.uk/eastcoastcampaign).

Ben Soffa, editor

# Keep East Coast public: A grand day in Yorkshire

**THE CAMPAIGN TO** retain the East Coast franchise in public ownership has been growing rapidly, with actions taking place right up the line detailed on pages 14-15.

One recent highlight was on Yorkshire Day – the first day of August – with TSSA members in the county taking the opportunity to speak to passengers and the

local media about the campaign. TSSA executive member Andi Fox reports, ‘Yorkshire Day is to celebrate all the good things about our county – and one of those is definitely the East Coast’.

‘At my home station of Doncaster we were delighted to be joined by two local MPs – Rosie Winterton and John Healey – plus Labour Party members, who turned out in force. The local radio station interviewed us, spreading the message to thousands. The support from the public was amazing – we handed out over 2,000



Dan Jarvis, MP for Barnsley Central joins the action in Leeds.

leaflets, with passengers reacting with disbelief that the government could even think of selling off East Coast when it’s successful and making money. The reception was really uplifting and spurred us on to plan more campaigning. A massive Yorkshire thank-you to all who helped.’ ◀◀



MPs Rosie Winterton (Doncaster Central) and John Healey (Wentworth and Dearne) join campaigners in Doncaster.

## Progress in CalMac ferries dispute

**AFTER A CONCERTED** campaign by members and reps including political lobbying, media work and a strike threat, negotiations with Caledonian Macbrayne have seen significant progress. The dispute centres on a plan to harmonise terms and conditions which could have seen some staff facing a 25 per cent pay cut.

Ferries are an essential part of Scotland’s transport network, supporting business, tourism and employment opportunities and providing access to schools and healthcare for island communities which would rapidly become unsustainable without the service.

Caledonian MacBrayne’s 26 routes across the Clyde and Hebrides are hugely valued by those they serve, yet proposals made last December made the firm’s outport clerks feel anything but valued.

In an attempt to harmonise terms and conditions, significant pay disparities were found. Whilst understandable that management would want to address this, a highly inflexible approach was taken with a group of staff who would be disproportionately affected. Outport clerks, who are mainly women, were left facing a pay cut of up to 25 per cent.

After repeated attempts to dissuade CalMac from withdrawing overtime payments and shift supplements, TSSA took the matter to Scottish Parliament with members raising their anguish directly with MSPs. TSSA won the backing of the STUC and Scottish Labour Party in calling for CalMac to withdraw their proposals and agree a negotiated settlement. With strike



action threatened, media and political pressure ultimately led to the managing director meeting TSSA’s general secretary.

Robust talks followed, with reps Carol Ann Baxter (Largs) and Alison Gamet-MacIndoe (Colintraive) being supported by senior regional organiser Doug Blundell. These resulted in improved buyouts for overtime and annual leave bonus payments (four times the annual loss) and the retention of shift supplements payments – a significant step forward from the original proposals.

TSSA remains concerned about the future of CalMac and how the Scottish Government’s re-tendering process will impact upon our members. We need more trained reps across the ports to ensure we win the best deal. ◀◀

**i** If you’d like to find out more about getting involved, email [blundell@tssa.org.uk](mailto:blundell@tssa.org.uk).

# Thousands join People's Assembly Against Austerity

**OVER 4,000 TRADE** unionists and anti-cuts activists gathered in Westminster Central Hall to launch a new national movement against the government's economically and socially damaging austerity policies. The TSSA was well represented with dozens of members in attendance. General secretary Manuel Cortes spoke on combatting climate change by building a greener economy with a shift of investment to rail and public transport.

Over a dozen workshops covered a wide range of issues, from NHS cuts to housing, around which the movement aims to bring people together to put an alternative agenda to the cuts of the Tory-led government. The audience,



one of the largest gatherings of trade unionists and campaigners in decades, heard from columnist Owen Jones, comedian Mark Steel and TUC general secretary Frances O'Grady, amongst others.

TSSA treasurer Andy Bain reports, 'One of the next steps from the day is to organise for

the 29 September demonstration to 'Save our NHS' at the Tory Conference in Manchester. All our members and their families will be affected by NHS privatisation. If it is allowed to go ahead families may in the future be faced with having to sell their homes to treat a

serious illness or just accept their fate.'

Andy adds, 'Local People's Assembly groups will be planning activities for 5 November, called as a day of action around the UK. Many local groups are already listed on the People's Assembly website, but if there's not one near you, why not set one up, perhaps based around your local trades council?'

'Austerity does not work, least of all for the vast majority who are not the richest in society. There is a growing movement that we can be part of – not just to resist cuts (like the recent overturning of the decision to close Lewisham Hospital) but to build a better alternative. The more of us who get involved, the stronger the movement will be.' ◀◀

## Tolpuddle Festival gets our East Coast message

**LAST MONTH MEMBERS** from across the country travelled to the small Dorset village of Tolpuddle for the TUC-organised festival, commemorating the pivotal case of the six farm labourers deported to Australia in 1834 for daring to form a trade union.

The festival has grown in recent years, with a mix of socialising, learning about the work of other unions and debates about the future of the movement. TSSA general secretary Manuel Cortes joined his opposite number at ASLEF, Mick Whelan, and Shadow Transport Secretary

Maria Eagle in a debate about public ownership of the railway.

Saturday night saw the now traditional TSSA barbeque held jointly with reps from ASLEF, Hope Not Hate and tutors who train our reps.

TSSA's campaign to Keep East Coast Public was out in force, with over 1,000 people signing up to the campaign. The 'ghost train' joined the festival's march through the village, with local and union members alike cheering our message on protecting station staff. ◀◀



Marching at Tolpuddle

Singer Billy Bragg jumped aboard TSSA's ghost train



# campaigns



## Ghost Train tour makes it's mark

**THE TSSA GHOST Train** is touring the country to raise with passengers both the threats posed to station staff by the McNulty Report and the government's decision to hike fares above inflation.

So far the Ghost Train tour has made the following steps:

- May: launching at TSSAs' annual conference, activists battled rain outside Glasgow Central to talk to people about public ownership of our railways.
- June: FutureTSSA activists finished their spring meeting by taking the Ghost Train to Bristol Temple Meads Station and alerted passengers to the governments' plans to cut station staff.
- June: During the People United bus tour, Labour parliamentary candidate

Sarah Owen and members of the local Labour Party joined TSSA activists speaking to passengers commuting into London from Hastings.

- July: media in Hackney covered our Ghost Train action in East London after plans were announced to cut staff from the London Overground.
- July: the TSSA community team worked with Friends of Crewkerne Station in Somerset, receiving some great coverage in the local media.
- July: the Ghost Train made an appearance at the Tolpuddle Martyrs' festival.
- July: the Ghost Train was joined by members of the TSSA Executive on a not so sunny morning in Brighton, handing

out leaflets about the impending fare hikes.

- July: we were joined in Crawley by local Labour parliamentary candidate, Chris Oxlade, to talk to passengers about fare increases.
- August: the TSSA Executive Committee made a short detour to Kilburn High Road, another station at risk on the busy London Overground network
- August: local reps in Somerset worked with rail users' group the Friends of Bridgwater Station, to talk to passengers about the threats to their station staff. ◀◀

**i** Would you like to have the ghost train visit your station? Go to [www.tssa.org.uk/ghost-train](http://www.tssa.org.uk/ghost-train) and register.

ALL MEMBERS ARE INVITED TO ATTEND TSSA'S EVENTS AT TUC CONGRESS AND LABOUR PARTY CONFERENCE

### TSSA and Morrish Solicitors

#### Neurodiversity –

#### Celebrating our differences

Hear about groundbreaking research from Heriot-Wat University, the personal experiences of the TSSA reps who act as neurodiversity champions and the legal angle in the fight for supportive workplaces.

Tuesday 10 September 5.30pm  
Bournemouth

Contact: [hughess@tssa.org.uk](mailto:hughess@tssa.org.uk) to attend

### Organising communities to win for Labour

- Rob Jenks – TSSA Community Organising team
- Unite community membership organiser
- Unions 21
- Community Union
- Movement for Change

Tuesday 24 September 4.30pm

Castor & Pollux beach front gallery,  
165 King's Road Arches, Brighton

### TSSA and Unite the Union

#### Keep East Coast on track!

Speakers include:

- Maria Eagle MP, Shadow Transport Secretary
- Manuel Cortes, TSSA general secretary
- Andi Fox, East Coast employee and TSSA Executive Committee
- Diana Holland, Unite the Union
- many MPs active in the campaign

Tuesday 24 September 6pm  
Glyndebourne 2, Holiday Inn,  
137 King's Road, Brighton



# Our part in changing Westminster

**WITH JUST 21** months until the UK general election, members have been involved in a wide range of local political work which can help deliver for us all – both in the workplace and beyond.

Political officer Sam Tarry says, 'We're working to ensure we get policies that benefit our members, safeguard our industries and deliver representatives at every level of the UK's political system who really listen to TSSA members – and work with us to get results'.

Dozens of members are learning new skills to support this work, with political schools and training sessions giving people the knowledge and confidence to make their voices heard, and in some cases, to stand for election themselves.

TSSA has been active in assisting candidates who share our values and support our policies win Labour parliamentary selections. We need a better deal from politicians for the rail industry and our work will help ensure this. We now have candidates that TSSA



Nancy Platts – a TSSA member hopefully heading for Parliament

has supported in winnable Parliamentary seats across the country.

Nancy Platts, a TSSA member and now Labour candidate for the Tory-held Brighton Kemptown seat says, 'I'm really excited about the innovative community campaigns we can run together. TSSA supported our local elections in East Sussex with phone banks, door-knocking and a social event that brought Labour and trade union members together. Our Labour vote in that campaign went up by 25 per cent and we can continue to increase our vote if we work together as a labour movement.'

Our marginal seat strategy means that we will strategically target our resources to help deliver not only a majority Labour government committed to improving the rail industry, but that we will have a long-term practical campaigning relationship with candidates who buy into our policies both on rail and workplace rights.

Clive Lewis, Labour's candidate in Norwich South says, 'I'll be working with the TSSA locally and nationally to make sure the government and rail companies are held to account in the run up to the 2015 general election. In the coming months we'll be working together to highlight shocking fare increases. It's also why we'll be holding a joint Norwich 'Rail Summit'. Here we'll listen to the voices of rail workers, passengers and businesses and make the case for a future Labour Government re-nationalising our railways.'

Work is already underway in Hastings and Rye, Peterborough and Crewe and Nantwich, with other seats getting underway as we build our campaign capacity. This has included a major telephone survey, with nearly 1,000 TSSA members in key marginal seats being called. These conversations have given us



Clive Lewis is working closely with TSSA in Norwich South

a sharper understanding of the views of local members on TSSA's priorities, workplace issues and political campaigning.

Our aim is to have a 'Team TSSA' in each marginal Parliamentary seat that we need to win. This doesn't mean just campaigning for Labour – it could be assisting our community organising campaigns on issues like high fares, station de-staffing, keeping East Coast in public hands or working on a regional 'rail summit'.

TSSA's plans will only be as strong as our members' commitment to get involved. We have an opportunity to really be part of an exciting project – the many members who attended the Political conference earlier this year left feeling enthused and excited about what TSSA is doing.

Be part of that – don't leave politics to the politicians. It's time to take back Parliament for the many, not the few, and make sure our voice is heard loud and clear.

**i** To find out more contact Sam Tarry via [tarrys@tssa.org.uk](mailto:tarrys@tssa.org.uk) or on 07850 793971.

TSSA president [Mick Carney](#) looks at two fights for justice – against vicious employers and also for the rights of neurodiverse workers

## Fighting the evil of Blacklisting

**BLACKLISTING HAS BEEN** in the news a lot recently. These secret lists prevent decent hard working citizens from gaining worthwhile employment for no better reasons than the fact that they've been active in a trade union. But blacklisting is by no means a new phenomenon. Back in 1972 a group of men who became known as the Shrewsbury 24 were arrested for nothing more than fighting for better wages and safety on notoriously unsafe building sites. Six were jailed, including amongst their number Ricky Tomlinson – at the time a builder, but now better-known for his acting. The fight to clear their name goes on.

In 2009 the Information Commissioners Office raided the premises of a shadowy organisation called the Consulting Association. Here they discovered a blacklist of construction workers with over 3,200 names on it. The list had been accessed by over 40 construction firms including McAlpine and Carillion. The existence of a blacklist had long been suspected but this was the first concrete proof. Just like the Shrewsbury 24 so many years ago, decent family men and women were being denied work for nothing more than their lawful trade union activities.

In May this year blacklisted construction worker George Tapp was



A Smith

George Tapp

leafleting outside Manchester City's Eastlands stadium when a car deliberately accelerated into him breaking both his legs and causing serious injuries to several others. George is 64 years old and was doing nothing more than peacefully campaigning for workplace fairness.

Back in December last year TSSA launched its Neurodiversity project at the House of Commons. Our work was guided by the research we commissioned from Herriot Watt University. Interviews were conducted with TSSA members who had

experience of neurodiverse issues. These can include dyslexia, dyspraxia, dyscalculia, Asperger's syndrome and autism. The results were surprising and the stories that came from this touching. It is clear that these issues were holding a significant number of our members back in the workplace, denying them promotion. The symptoms can often go unnoticed until adult life. I myself have two nieces who went right through the education system until college level without having their dyslexia diagnosed.

TSSA launched a campaign to recruit 'Neurodiversity Champions', members trained up to do a basic screening on those who might possibly have an issue. So far we have over 40 such screeners in various workplaces – to find out more email [hughess@tssa.org.uk](mailto:hughess@tssa.org.uk).

Both of these seemingly unrelated issues come down to one thing: social justice. It is something the unions are constantly striving for, whilst this unelected government is imposing policies like the bedroom tax and universal credit which no one was ever asked to vote for. They are making those with next to nothing pay for the folly of the rich, and yet we are told by the Tory press it is 'union barons' who wish to bring the country to its knees. A campaigning union such as ours is, and has always been, a force for good. ◀◀

TELL THE CONSERVATIVE CONFERENCE

# SAVE OUR NHS

DEFEND JOBS AND SERVICES  
NO TO AUSTERITY

**MANCHESTER MARCH & RALLY**  
**SUNDAY 29 SEPTEMBER 2013**

Assemble Liverpool Road (M3 4FP) from 11am  
Find out more at [NHS299.org](http://NHS299.org) #NHS299

TUC



Manuel Cortes

general secretary

# Labour: We need a relationship that delivers

There has recently been widespread coverage in the British media of the relationship between the Labour Party and its affiliated trade unions. Sadly, most of this coverage has been sensationalist and riddled with inaccuracies. You know, the money that ordinary working people contribute to British politics is by far the cleanest in the business. Let's not forget how the Labour Party came into being. In 1899, Thomas R Steels, a member of the Amalgamated Society of Railway Servants – a predecessor of our sister union, RMT – proposed to his local union branch that the Trades Union Congress call a special conference to create a single body to sponsor Parliamentary candidates. His vision was far-sighted and in 1900 led to the creation of what we now know as the Labour Party.

Workers' desire for representation in Parliament came on the back of mass social and economic struggles towards the end of the 19th century. During this period, trade unionism had transformed itself from being predominantly craft based to becoming a movement that embraced all workers and increasingly adopted socialist ideas. Unions clearly understood that whilst the main focus of activities was and will always be within the workplace, laws that affect working people are made by politicians. Consequently, many unions, including our very own, decided to give their members a political voice, funded through a voluntary levy. This has allowed our union to affiliate to the Labour Party to ensure that your voice is represented within Parliament. Over the years this long-standing relationship has not always been an easy one, even though it has delivered great advances for working people such as the NHS, health and safety legislation, workers' rights, the minimum wage, paid holidays, anti-discrimination laws and much more.

Ed Milliband has now said that he wishes to make our relationship with Labour fit for the 21st century. I think that we should broadly welcome his initiative as the status-quo is clearly not working. For example, in 2004, our union successfully persuaded the Labour Party Conference to pass a motion in favour of public ownership of our railways. Regretfully, this policy

Our relationship  
has not always  
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I would love to see  
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but this won't  
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policies which  
meet your  
aspirations

did not appear in either 2005 or 2010 Labour Party manifestos. I believe that a review of our relationship with the Party offers an opportunity to strengthen the link and to better allow trade unions to positively pursue their members' collective aspirations within the Party.

The sad reality is that only around 1 per cent of the British population are members of a political party. This contrasts very unfavourably with the rest of Western Europe where the active participation of ordinary people in politics is far higher. You know, I would love to see our Labour Party transformed into a mass organisation of working people. I will therefore welcome and support changes that help make this possible. However, the simple fact is that this won't be achieved unless Labour has policies which meet your aspirations – a commitment to public ownership of our railways would be a great start!

I also understand that many of you, whilst recognising the importance of our union having a political voice, will not want to become members of the Labour Party. That is why our campaigns are focussed on the issues that affect you – so that everyone can get involved irrespective of party affiliation. In fact, our political strategy also seeks to involve passengers in our campaign for public ownership and affordable fares. Perhaps, most importantly, the role of a trade union is to represent your collective wishes as determined by you, be that within your workplace, your branch or at our conference. As much as I would welcome Labour becoming a mass party of working people, this can't be done at the expense of your collective voice.

Let's face it, the Labour Party can't operate effectively if it simply becomes a party of individuals. Its raison d'être is to provide a political voice for organised workers. There can't be a Labour Party without a Labour Movement and there is no Labour Movement without trade unions. In short, any attempt to end the collective representation of your aspirations will by default lead to the creation of a 'new party' that could not honestly be called a 'labour party'. That is why we will continue working extremely hard to ensure that your collective voice prevails. ◀

Commitment



Twenty years on from the start of privatisation, Britain's rail network is at a critical turning point. Almost all major franchises will expire during the next Parliament, so whoever forms the next government will have the chance to shape the industry for decades to come.

# Public ownership: winning the argument

**The Conservatives are clear – they want more of the same, creating a cheaper railway by cutting frontline staff whilst ignoring the underlying inefficiencies of the system. Labour have committed to keeping East Coast in the public sector as a benchmark, but are still reviewing their overall plans for the shape of the industry. Meanwhile, the public are, and always have been supporters of public ownership. It is their voice – as passenger, taxpayers and voters – that we need to amplify in this debate to make it clear that the experiment of privatisation has failed and rail should be allowed to come back into public hands.**

With all to play for, we need to be getting out there and making the case for public ownership more clearly than ever before. These are a few of the arguments.

### Rail as a public service

Even the most ardent market fundamentalists in the current government accept that our railways provide an essential public function and cannot simply be allowed to go bust, through lack of profitability. This compromise, of supporting services which hugely benefit the national economy, but do not run at an immediate profit, results in the payment of subsidy with the aim of creating a fake 'profit'.

Were nothing else changed in the fragmented system, just franchises progressively given over to the publicly-owned Directly Operated Railways, this would allow hundreds of millions to be retained in the system or sent back to wider public funds. By the end of this year, East Coast will have returned £800 million to the public purse since it came into public ownership in 2009. In a publicly-owned system, this revenue, combined with savings from greater integration, could bring down ticket prices by 18 per cent according to the Rebuilding Rail report.

### 'Corporate Benefit Scroungers'

Many of the companies involved in the system – from TOCs to the ROSCOs who hire the vehicles – are attracted by the low level of risk, and highly dependable income on offer. Compared to almost all other areas of the economy, they can invest relatively little and know they can sit back and receive their regular payments from the government. Some companies have innovated more than others, but few have taken risks proportionate to the rewards they've paid out to shareholders – in the case of the West Coast main line, Virgin has extracted over £500 million from the route.

The most cautious view is that the public money going into the railways has

increased from around £2.4 billion per year before privatisation (1990-95), to around £5.4 billion (2005-10, all at 2009/10 prices).

Rolling Stock Operating Companies (ROSCOs) have a guaranteed market, so can deliver a trickle of investment at a high price. So much so, that since 2006, the average age of rolling stock has increased year after year. Public financing of new rolling stock, whilst making the debt more visible, would bring to an end the removal of billions of pounds from the railways by the ROSCOs – a class of company which has no need to exist.

### A structure which works for rail users, not shareholders

The recent report from CRESC, the Centre for Research on Socio Cultural Change at Manchester University, describes how large parts of the franchising system are run for the benefit of corporate bidders, not passengers, taxpayers or the national interest.

They see much of the activity around franchising – the only time when any real competition exists between TOCs – as them 'gaming' the system to extract maximum profit. Big payments back to government are deferred to the end of the contract, with TOCs confident they can just walk away (like National Express on the East Coast) if the burden becomes excessive.

Large parts of the system add cost not just due to the inefficiencies of fragmentation, but because they provide attractive points around which profit can be made.

## Removing fragmentation and duplication, delivering integration

The Rebuilding Rail report calculates that on the most conservative basis, the cumulative added cost of privatisation is over £11 billion. Significant elements of this come from the duplication of structures across each TOC and the cost of interfaces between them.

More integrated public transport has been a long-discussed goal, but currently there is little incentive for operators to make any innovation unless it is immediately profitable. Public ownership would allow for more long-term thinking towards achieving integration between rail, buses, trams and cycling.

## Democratic control

At present, despite the billions in public funds given to the industry, accountability is weak and control only through complex regulatory processes. Franchise holders can threaten legal action if they are challenged, whilst deals are kept secret from Parliament and the public for reasons of 'commercial

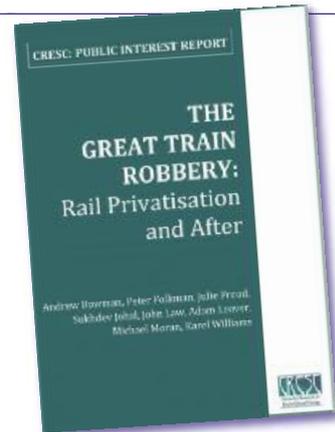
confidentiality'. Even the 'almost-public' Network Rail can set wildly excessive boardroom bonuses with near impunity. Public ownership would bring real accountability and control. Ministers would no longer have to shame chief executives into not accepting millions of public cash as bonuses – a genuinely democratic system could reward success whilst preventing abuse.

## A voice for railway workers

No public service is run primarily for the benefit of its staff, but a publicly owned railway could give a much fairer hearing to those who actually run it, day in, day out. Hammering down on staff numbers, pay and pensions would no longer be the default option it is when profits are being squeezed. Ed Miliband has praised the inclusion of workers' representatives on company boards – the case for the inclusion of employees at all levels of decision-making would be even stronger in a publicly-owned railway.

## Rail for the benefit of all – people and planet

The rail network is a driver of economic growth and a way of delivering social goals whose impact is felt far beyond the railway. With public ownership would come a clearer understanding that the



You can read the CRESC report at [www.tssa.org.uk/better-rail-reports](http://www.tssa.org.uk/better-rail-reports)

economic and social usefulness of a service was just as valid a reason for running it as whether it is 'profitable' in the most immediate of senses.

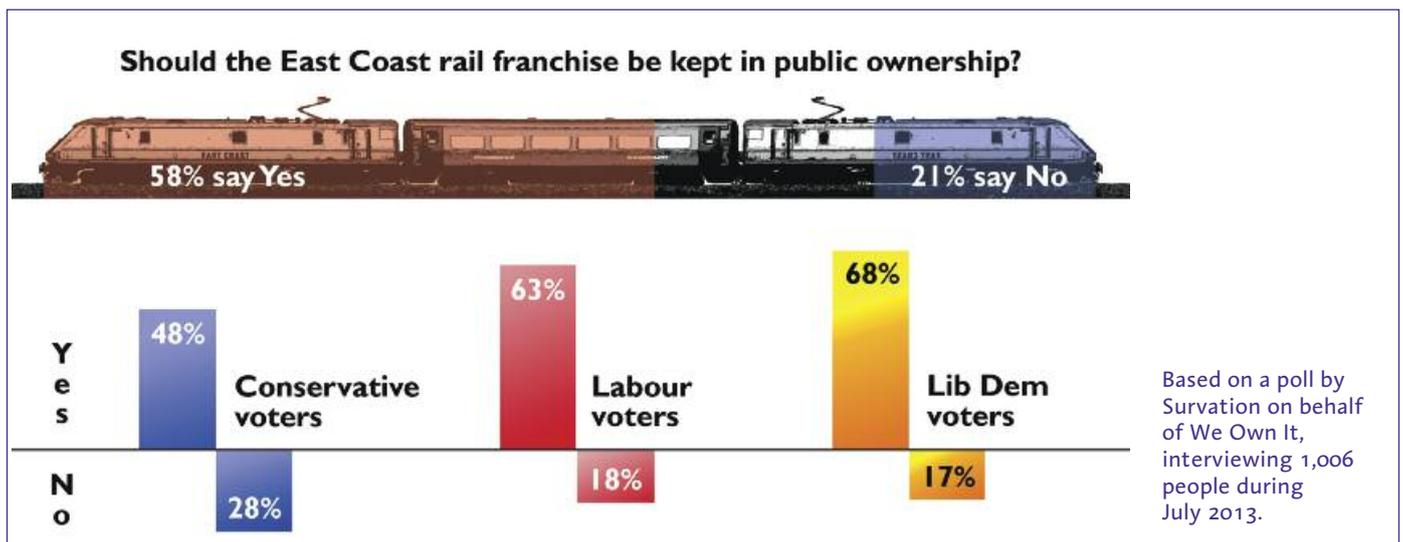
Fares set to encourage people to shift from their cars and planes, rather than to maximise profit could make a significant contribution to cutting carbon emissions.

We can have genuine pride in our railways, but if they genuinely were ours, under public ownership and control, their success could be so much greater. Let's protect what we have in public ownership, and fight to extend it across the industry. ◀◀

**i** You can find the reports mentioned in this article at [www.tssa.org.uk/better-rail-reports](http://www.tssa.org.uk/better-rail-reports).

# Polling shows huge support for public ownership

**POLLS HAVE CONSISTENTLY** shown the public support public ownership. Regardless of which party they support, far more people back not-for-profit rail ownership than agree with continued private franchising. The latest poll, specifically on East Coast, shows an almost 3:1 ratio of backing for public ownership.



# KEEP EAST COAST ON TRACK



Sign up to keep East Coast publicly-

# Britain needs a railway for all, not profit for the few.

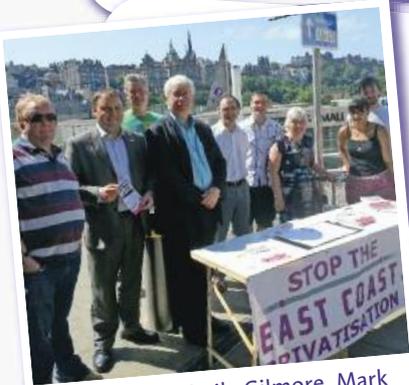


owned: [tssa.org.uk/eastcoastpublic](http://tssa.org.uk/eastcoastpublic)

## Aberdeen

Dame Anne Begg, MP Aberdeen South is one of dozens of MPs who have signed the parliamentary motion (EDM 58) which says the plan to privatise the route 'puts ideology ahead of the interests of passengers and taxpayers' and 'calls on the Government to abandon its plans to re-privatise East Coast.'

You can ask your MP to sign the motion via [www.tssa.org.uk/eastcoastcampaign](http://www.tssa.org.uk/eastcoastcampaign).



Labour MPs Sheila Gilmore, Mark Lazarowicz and Ian Murray at Edinburgh Waverley.

## Edinburgh

Edinburgh East's MP Sheila Gilmore has been leading a campaign in parliament to stop the privatisation of the route. She says, 'Tory ministers are embarrassed about the success of a publicly operated railway. The next Labour government should go further than just preserving East Coast as a public operator: the remaining private franchises could be allowed to run their course.'

Mark Lazarowicz, MP for Edinburgh North and Leith says 'East Coast has achieved success under public operation, receiving less subsidy than any of the other 18 private franchises and paying back more to the taxpayer than all but one. Ministers should now drop their plans for privatisation to give East Coast stability so it can plan for the future.'

## Newcastle

Half a dozen Tyneside MPs gathered to give TSSA's leaflet to passengers. Sharon Hodgson (second from right), MP for Washington and Sunderland West says that 'As a regular user of the service I know firsthand that there have been real improvements under public ownership. Unfortunately, it looks like ministers would rather see profits end up in the pockets of shareholders than used to keep the improvements on track.'



## Keep East Coast on Track!



East Coast is yours – it's owned by the Government on behalf of all tax payers. At the moment every pound that is made by East Coast is returned to us!

**Over £800million will have been returned to the Government by the end of this financial year.**

But the Tory Government now plans to sell it off – putting money from your fares straight into the hands of private shareholders. The Government's decision to push ahead with this dogmatic privatisation is unnecessary and financially irresponsible.

**Keeping East Coast in public hands ensures that money from fares continues to be reinvested to improve the service.**



[www.tssa.org.uk/eastcoastcampaign](http://www.tssa.org.uk/eastcoastcampaign)

Thousands of TSSA's leaflet were handed out by members, community allies and Labour Party members and representatives.

# Action Stations

## Members, passengers and MPs speak out all along the East Coast route

Two recent action days have seen TSSA members and allies opposing the sell-off of the East Coast franchise, which the government want to see return to a private-sector bidder by February 2015. Polls show the public want the route kept in public ownership by a ratio of 3:1, and even amongst Conservative voters, only 28 per cent support re-privatisation.

With the Labour leadership proposing to keeping East Coast in public ownership as a comparator by which private franchises could be judged, TSSA worked with Unite, Aslef and the Labour Party to initiate a highly successful day of speaking to the public and local media right along the route on 21 June.

This was soon followed by a further series of TSSA-supported actions convened by the TUC's Action for Rail, with the protests at 11 East Coast stations on 1 August. See page 4 for a report of this 'Yorkshire Day' action.

Here is just a sample of the activity that has been going on right up the line.



Roberta Blackman-Woods, Pat Glass and Grahame Morris, giving out TSSA's leaflet in Durham.

## Durham

Graham Morris, MP for Easington, vehemently defends public ownership of East Coast: 'It's ours, don't give it away! If privatised, the profits will once again line shareholders pockets, rather than be given back to the tax-paying travelling public.'

Pat Glass MP for North West Durham recalls 'This is the third time that the franchise has been offered for tender, but it has failed in private ownership twice before. It has proven to be very successful as a publicly owned company.'

Ian Mearns MP for Gateshead says, 'The government's motives are entirely ideological. East Coast should remain where the bulk of the travelling public want it – in state ownership.'

## Wakefield

Activist Nicola Jukes represents TSSA at the Action for Rail national community group meetings, helping build an alliance for public ownership – starting with East Coast!

Wakefield's MP, Mary Creagh said, 'The East Coast mainline is making money for the taxpayer. Instead of selling it off Ministers should focus on sorting out the chaos in the franchising system.'

## Retford

Local Councillor Ian Campbell is working with TSSA to build public meetings on the government's refranchising plan. Our network of reps in Retford, Newark Northgate and Grantham are building links with local groups to support public ownership.



## Newark

Shadow Rail Minister and MP for Nottingham South Lilian Greenwood joined campaigners at Newark North Gate. She reports, 'People I met tell me that they are happy with the improved services that they are seeing, but that there is more that needs to be done. We can only guarantee further improvements to the East Coast rail line if we ensure that every pound of profit continues to be reinvested and is not shared with shareholders.'

## Peterborough

Peterborough is part of TSSA's marginal seats campaign and East Coast is a key issue. Our Community Organising Team are working with local groups and political leaders to build support for public ownership. TSSA were joined for a recent leaflet action by Lisa Forbes, Labour's candidate for Peterborough: 'It makes no sense to go back to a failed model of franchising that saw two private operators fail mid-way through their contracts. The success of the East Coast line has exposed the myth that private rail companies offer better value for money to the taxpayer. They don't – they just swallow more subsidies.'



Andrew Wiazard

Maria Eagle MP, Labour's Shadow Transport Secretary joined TSSA general secretary Manuel Cortes, ASLEF's Mick Whelan and London Assembly Member Murad Qureshi at Kings Cross.

## Kings Cross

Maria said, 'Ministers must keep East Coast on track by abandoning this unnecessary and costly privatisation. Since being run on a not for private profit basis, East Coast services have improved and more than £800 million has been returned to tax-payers in contrast to the two previous failed private operators. Unlike every other rail service in the country, profits are reinvested in improving the service instead of leaving the industry in payments to shareholders. If Ministers get away with selling off the East Coast then the fares paid by passengers will once again be benefitting a few at the top instead of improving the service.'

# Building community alliance for public ownership

**ACTION FOR RAIL** is the joint rail union campaign for public ownership of our railways. Over recent months Action for Rail has been holding numerous actions to build support for public ownership of the railways, with the active participation of TSSA members. These have included:

- a national Day of Action on 27 March to mark the anniversary of the Beeching Report
- an event at the House of Commons to highlight the issues facing disabled and older people due to staffing cuts. Rebecca Barnes, a ticket office staff member from TSSA's South Eastern Metro branch spoke about the impact that cuts to ticket office and other station staff would have on travellers with disabilities and older people
- holding a 'Rail Forum' of industry members to launch new report, 'The Great Train

Robbery, Rail Privatisation and After', compiled by academics from Manchester University.

Given TSSA has a well-established Community Organising team and has been working within local communities to campaign on public transport issues for some years, we are extending this work through Action for Rail. TSSA will be taking the lead in reaching out to community groups as part of our contribution to the work of Action for Rail, which make up the next steps of our community organising programme.

Over the past few months Action for Rail has been holding meetings with community groups interested in campaigning for public ownership of our railways, starting with the fight to keep East Coast in public ownership. TSSA member Nicola Jukes, a health and safety representative for our



members on East Coast Trains has been part of bringing together these groups.

'We need to be part of Action For Rail. Many organisations, community groups and other rail unions

are involved; all want the same result – to keep East Coast under public ownership. Many voices are better than one, so we need to work closely to fight for this cause', says Nicola. ◀◀

## Get involved in the campaign

The TSSA Community Organising team has worked with members at East Coast to identify opportunities to campaign within local communities along the length of the line. Over the next few months, our members will be meeting with their local MPs, councillors and community groups to build support for the campaign. So far almost 30 community and faith groups have been identified and approached about joining the campaign to keep East Coast under public ownership. Dozens of MPs and local councillors have already been involved in leafleting actions with our members at stations and events such as the Durham Miners' Gala and Tolpuddle Festival. In October and November, it is planned that members and our new community partners will help organise a series of local public meetings to support the campaign.

For more information on how you can link up with local groups to get involved, or if you'd like help to meet with your local MP or councillor, contact Rob Jenks, senior community organiser [jenksr@tssa.org.uk](mailto:jenksr@tssa.org.uk) and sign up to the campaign on [www.tssa.org.uk/eastcoastpublic](http://www.tssa.org.uk/eastcoastpublic).

Upcoming actions include:

- **24 September:** Fringe meeting at Labour Party Conference on public ownership (see page 6)
- **9 October:** European Transport Federation action against the EU's Fourth Railway Package, which pushes for more marketisation.
- **5 November:** National Day of Action marking the 20th anniversary of the Railways Act, which brought in privatisation.

Many more local actions are being planned. For details on any of these, contact Nadine Rae, national organiser [raen@tssa.org.uk](mailto:raen@tssa.org.uk).

## Compass: Making the case for public ownership

**LEADING CAMPAIGNING THINK-TANK** Compass will be working with TSSA over the coming months to boost the debate on public ownership, aiming to find 'unlikely allies' who can break through the impression that it is only the 'usual suspects' who wish to reverse rail privatisation.

Compass' Rosie Rogers told the *TSSA Journal*, 'Our privatised rail system isn't working for anyone – not for commuters who can't afford price hikes, rural communities who are stranded, travellers who don't feel safe, businesses who see rising costs or rail workers who are voiceless. The government could save £1.2 billion a year by bringing the railways into public ownership or it could continue to hand over millions in subsidies to a small group of people who own the train companies.'

'To achieve public ownership, we need to bring together what may at first seem like unlikely alliances, as well as create a narrative that can win people over.'

Compass plan to organise local events, with representatives from businesses, environmental groups, trade unions and others, as well as hosting a 'Rail Summit'. This will feed into the building of a more effective narrative around the failure of privatisation - and the alternatives to it, and leading on to the publication of a renewed model for public ownership. ◀◀

 To see more on Compass, visit [www.compassonline.org.uk](http://www.compassonline.org.uk).



### Railway Employees Privilege Ticket Association

Available to all in the transport industries, TSSA members, family and retired staff. REPTA offers many free, discounted and special rates, listed in our 80 page Yearbook.

New for 2013: Membership discounts at National Railway Museum, free Personal Accident cover for travel on public transport. Discount cinema tickets and online rail ticket bookings continue.

£4.50 per year. Additional cards for family members £3.

Send cheques/POs to REPTA, 4 Brackmills Close, Mansfield NG19 0PB. Tel: 01623 646789.

Include name, address, email and date of birth for each + code 'TSSA' or join at [www.repta.co.uk](http://www.repta.co.uk).



## New campaign for publicly-owned services

'WE OWN IT!' is a new campaign that aims to push back against the tide of privatisation and public sector outsourcing of the last three decades.

Public opinion polls show that far from the 'public is bad, private is good' media consensus, most of us reject this dogma. People want public services that are good quality, accountable and efficient.

We Own It's message will resonate with millions of working people, especially those of us active in the trade union movement. We've seen how the mania to privatise has led to the loss of millions of decent, well-paid jobs. In its place have come the likes of zero-hours contracts, replacing experienced staff with agency workers, poor pay and the bare minimum of statutory rights – if that. Of course, enabling all this to

happen too is the erosion of workplace rights, the legislative assault on trade union freedom and the decline of collective bargaining.

Campaign founder Cat Hobbs says, 'We are a voice for public service users – that's anyone who's ever used a hospital, got on a train, sat in a park or had their bins collected – which is pretty much everyone.'

'We're campaigning for a Public Service Users Bill. The Bill would promote public ownership as the default option for public services, give service-users a say over whether services are privatised, as well as creating powers to hold private companies to account.' ◀◀

 For more information about the We Own It report and for a model motion to submit to your branch meeting visit [www.weownit.org.uk](http://www.weownit.org.uk).

Rail travel in Europe is about thirty times safer per kilometre than travel by road, but the spate of recent accidents set [Christian Wolmar](#) asking ‘can more be done?’



Oscar Corral / Rex Features

## Safe can always become safer

**As a result of the spate of four accidents on the railways across the world in July – Canada, France, Spain and Switzerland – I was interviewed several times about safety on the railways by both foreign and domestic media.**

The first question was invariably some version of ‘are the railways safe to travel on?’ It was an easy question to bat away. The fact that these accidents happened in quick succession was just a strange coincidence. They were all different in nature – a runaway tanker train, a broken fishplate, an overspeed at a curve and a collision – and there was no pattern, apart from the fact that there were fatalities at each one.

This was, though, happenstance, just as there have been several long periods when there have been no accidents at all. I pointed out on the radio several times that some 3,300 people are killed on the roads daily. Yes, daily, a quite staggering figure amounting to eight full jumbo jets falling out of the sky, and adding up to 1.2 million deaths per year.

However, while rail is undoubtedly much safer than road transport, there are still issues to address arising out of these accidents, in particular the Spanish one at Santiago de Compostela on July 24 which had such disastrous results and appears so eminently preventable.

The media rushed to suggest the

driver was to blame, but actually the cause appears to have been the result of a much more complex process caused by the failure to understand the risks the particular lay-out of the route posed. The accident happened 2.5 miles after the end of a lengthy fast section where the train had been travelling at around 140mph. The curve at which the accident occurred had a speed limit of 50 miles per hour and therefore the train had to be slowed down quickly. Moreover, there was change of signalling technology from the ETCS (European Train Control System) Level 1 system that would not allow any overspeed to the standard Spanish Asfa system.

On exiting the ETCS, the driver would have been alerted that all automatic driving modes were disabled, and that manual driving mode was activated.

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[I pointed out on the radio several times that some 3,300 people are killed on the roads daily. Yes, daily.](#)

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**Drivers increasingly rely on safety systems. When there is none, errors are more likely than when they worked on their own.**

However, ETCS for some reason was not operating as this type of class 730 set operate exclusively on Asfa on that route and therefore that warning was never issued.

Moreover, unlike on the UK network, there are no specific warnings to alert drivers to the possibility of overspeed at curves. In the UK, this was introduced as a result of several derailments on the curve at Morpeth. Worse, the driver was apparently fielding a phone call from his own guard just before the accident, with a conversation over what platform would be used. In the UK such conversations would be banned as, quite rightly, they are a distraction.

The driver, who may well have made mistakes too, was consequently left exposed in a way that should not happen in today's railway. The most fundamental lesson of 175 years of rail accidents is that safety systems should be devised around the notion that one single mistake by a railway worker should not lead to a disaster. Of course this type of accident cannot be designed out entirely, but the risk should be reduced. Precisely the opposite seems to have happened in the accident at Santiago.

There are resonances, as has been pointed out by the excellent Zelo Street blog, with the 1997 Southall disaster caused by a driver failing to observe two signals. It was suggested initially that driver Larry Harrison had been fiddling with his bag and this was why he missed the two signals.

Manslaughter charges were initially being considered, but they were soon dropped when it emerged that not only was the Automatic Train Control system that was being trialled on the Great Western and Chiltern lines not working, but neither was the basic Automatic Warning System either. Consequently

Harrison was left with no protection from technical devices.

There is an added point to make here. Drivers in today's environment come increasingly to rely on the fact that they are backed up by a safety system. So when there is none, drivers are more likely to commit errors than when they are used to working on their own.

We are in a transitional phase where the risk of a single mistake by a driver

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**The Potters Bar accident of 2002 killed seven and injured 76. Poor maintenance of points by Jarvis ultimately caused Network Rail to bring maintenance work back in-house.**

leading to an accident is gradually being phased out. It has been, though, a long phase. A primitive predecessor of AWS was first introduced on, ironically, the Great Western in 1905 but the system was not widely used until the 1970s.

The lessons of Southall were not learnt quickly enough as the 1999 Ladbroke Grove accident, just a few miles away, happened before the accident report had been published. This time there was a quick response, with the speeding up of the implementation of the Train Protection and Warning System which had already been discussed. This was just the right sort of kit because, while it does not always stop a train which has passed a signal at danger before the overlap, it will slow the train down automatically and was also able to be introduced across

the system quickly and relatively cheaply – a bargain at £500 million.

Partly as a result of the introduction of TPWS, but also thanks to other improved safety features and, it must be said, luck, there has been just one fatal train crash in the past 11 years on Britain's rail network – Grayrigg in 2007 – caused by poor track maintenance like the recent French disaster. That disaster, too, is reminiscent of Potters Bar, as apparently the fishplate had three out of four bolts missing, an apparent failure of basic maintenance.

There is no room for complacency. To maintain the long-term trend of improved safety, drivers have to receive

more protection and systems have to be implemented to ensure that a single mistake does not lead to tragedy. It is terrible that the Spanish authorities made such an elementary mistake. <<

**i** *Christian Wolmar is Britain's leading transport commentator. For all his latest articles see [www.christianwolmar.co.uk](http://www.christianwolmar.co.uk).*



**Moving from tracks covered by the European Train Control System to more manual driving can introduce risks.**

**As a result of TPWS, other safety features and, it must be said, luck, Britain has seen just one fatal train crash in the past 11 years.**



CC BY NC SA 2 Bruce Stokes

Underlining the complications of rail devolution, Scotland's busiest station is managed by Network Rail, rather than a body regulated by the Scottish Government.

# For a People's ScotRail

If you get on a train within Scotland, the chances are it will be painted in an attractive saltire livery and emblazoned with the words 'ScotRail: Scotland's railway'. And there is a sense in which it really is the nation's railway, despite being operated by a private company, First Group. The franchise is let not by London-based civil servants, but by Transport Scotland which is answerable to the Scottish Government.

There's a record of success which railway people south of the border can only look at with envy. The last few years have seen considerable investment, including the re-opening of the Stirling-Alloa and Airdrie-Bathgate lines (providing a new Glasgow-Edinburgh link) and the extension of the Glasgow suburban electric network. The biggest project of them all, re-opening the Waverley Line from the Edinburgh suburbs south to Galashiels and

Tweedbank is going ahead and will open in two years time. Edinburgh's busy Haymarket station has been rebuilt and several new stations opened. Oban Line services are being doubled in frequency, giving much-improved services to the West Highlands. Electrification is planned for several further routes and new rolling stock is being introduced across large parts of the network.

**Scotland has a tradition of public ownership in the transport sector: Lothian Buses, the Glasgow Subway, CalMac ferries.**

Meanwhile, the Scottish Government has provided funding for two officers to promote community rail initiatives in Scotland, building on the extensive network of 'station friends' groups already active.

In so many ways it's a good news story, but it could be even better if the income generated from the franchise was going back into the railway. This isn't so far-fetched as it may seem. Scotland has a tradition of public ownership in the transport sector. Lothian Buses is owned by four local authorities with Edinburgh having a 91 per cent share. It runs a fleet of 650 buses and employs over 2000 staff. Last year it made a pre-tax profit of

£10 million, some of which went back into the company and the rest to support other public services. Not a penny went to individual shareholders. Strathclyde Passenger Transport owns the Glasgow Subway, a unique example of a vertically-integrated, non-franchised publicly-owned railway. CalMac ferries, which provide essential services to the Highland and Islands are mostly operated by companies ultimately owned by the Scottish Government. Last year they made a profit of £2.2 million and paid a dividend of £1.7 million to their owners.

So public ownership of transport services is ingrained in Scotland's economy. Buses, ferries and the subway are all examples of successful, socially-responsible transport businesses providing essential services and contributing to the wider good. So why not rail? The Scottish Government has a large degree of control over the 'domestic' rail network, however it is bound by the Railways Act 1993 which covers the whole of the UK and so lacks the power to use a publicly-owned rail operator. The SNP Government's transport minister Keith Brown broached this with the then Secretary of State for Transport Justine Greening and was given a very firm 'No'.

The current franchise, managed by Transport Scotland on behalf of the Government, is run by First Group, a Scottish-based company but one with interests spanning the globe. Bidding has



Dozens of new Desiro-family trains have joined the network, with all trains due to carry the saltire livery.

CC BY SA 2 mattbuck4950

**The Scottish Government has much control over the 'domestic' rail network but is bound by Railways Act 1993, so lacks the power to use a publicly-owned operator.**

already started for the new ScotRail franchise. The Scottish Government, through Transport Scotland, has invited pre-qualification bids with a deadline of late August. The new franchise will start in April 2015, for a period of up to ten years. In many ways it's a missed opportunity. The SNP-led Government had expressed interest in the idea of a 'not for profit' ScotRail, but in recent months appears to have gone cool on the idea. Yet an alliance of Labour and Green MSPs has been lobbying hard for a different approach, using some of the arguments developed in the Co-operative Party's report *Rail Cymru* (see *TSSA Journal* January 2013).

A debate in the Scottish Parliament during May aired many of the key questions. Labour MSP Ken Macintosh said: 'At the moment, rail services in Scotland enjoy around £800 million of public investment. The rail franchise accounts for the lion's share of that, with last year's £447 million rising to more than £511 million in the future ... Tackling the issue of the ownership of businesses and services goes to the heart of how we rebuild a successful, sustainable and progressive economy in Scotland. I have talked recently about how we should pursue a community ownership model for wind farms, and I believe that a co-operative rail franchise would be a similar step.'

In the same debate, Patrick Harvie MSP for the Green Party argued that 'There is a need for the travelling public to be much more fully involved in future decisions about franchising. Current train operating companies may be private-sector profit-seeking businesses, but Scotland's railways are public services, and the public should be centrally involved in setting the priorities. I want all the options to be open for Scotland in

restoring a public service ethos to our rail business. We on the Green side of the chamber hope that Scotland will soon take on the powers to change UK legislation and open up new possibilities, which would include Labour's option of a mutual or not-for-profit franchisee. Such a bid could be made at the moment, but realistically it will not materialise out of thin air. That option needs Government support, which would at present be inhibited.'

The debate opened up the prospect of a future ScotRail that would be run for and by the people of Scotland, with a mutual company involving employees, passengers and government. The SNP spokespeople were not hostile, but neither did they go out of their way to encourage a new approach. Whilst welcoming bids from not for profit bodies, the minister, Keith Brown, made it clear that such bids would get no special favours.

**Franchise bids typically cost £10 million. I'd be interested to discover a social enterprise able to take on that sort of risk to bid for a rail franchise.**

And there's the problem. As we've seen from the recent fiasco over the West Coast main line bid, franchise bids are expensive. To be in with a chance, bidders typically invest in the region of £10 million. If they win, they have to stump up further cash in the region of £25 million as a bond in case it all goes belly-up. I would be very interested to discover a social enterprise that is able to take on that sort of risk, just to mount a bid for a rail franchise. No wonder that it's all the familiar names who are lining up for the ScotRail contract: First, Stagecoach, Abellio, National Express and MTL.

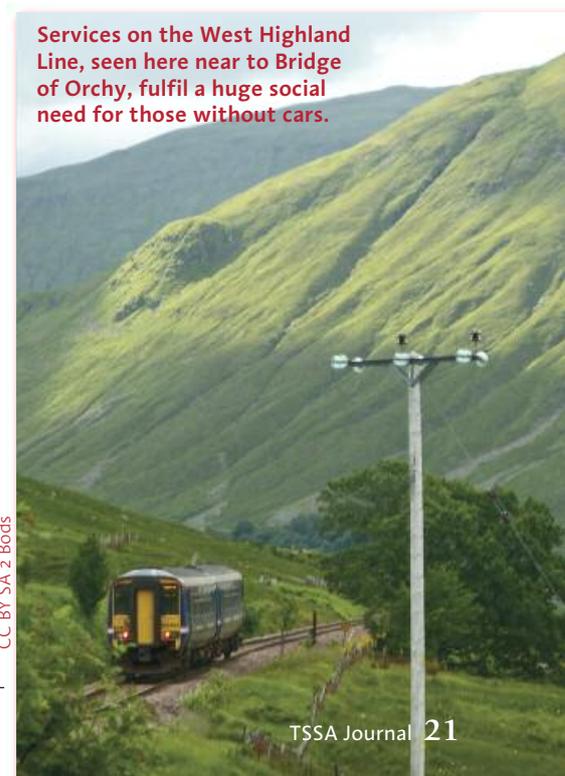
Railway insiders have suggested that Transport Scotland, which is managing the franchising process, has been taking a cautious approach, giving little weight to wider social and economic benefits.

Yet if rail is to play a dynamic role in the Scottish economy, it is important to look at wider benefits from the franchise and build those into the bidding process. As that process is shrouded in secrecy – 'commercial confidentiality' covers a multitude of sins – we don't know exactly what weighting is given to non-financial benefits.

The best that can be hoped from the new franchise is that the successful bidder will be expected to deliver specified benefits including smartcard technology, on-board wi-fi and transport integration. It could have been very different. The really interesting question is what will happen to railways in Scotland if the referendum delivers a 'yes' vote for independence. The realistic answer is probably nothing much at first, but over a period of time the prospect of a more vertically integrated, socially-owned Scottish rail network becomes more of a possibility. But even if Scotland says 'no' there will be the prospect of further devolution and the likelihood of Holyrood having greater powers over the rail network – so it really will be Scotland's railway. ◀◀

**i** Paul Salveson is a member of TSSA Yorkshire Ridings TOC branch and a visiting professor in transport and logistics at Huddersfield University. He is currently working with the Co-operative Party on ideas for a socially-owned ScotRail.

**Services on the West Highland Line, seen here near to Bridge of Orchy, fulfil a huge social need for those without cars.**



CC BY SA 2 Boods

## Member compensated after wet floor foul-up

"This was always about getting the company to change a bad system. It was never about the money," says Jacqueline, an engineer with a rail maintenance firm.

Jacqueline had been walking through a public area of a station when she slipped on an unmarked wet floor area and badly fractured her wrist.

"A passenger had spilled a carton of juice on the floor about 10 minutes before I arrived. The midday cleaning supervisor had already mopped up the spillage and asked a colleague to retrieve a warning sign for her to put up. Although the weather was dry, there had been a few incidents throughout the station and she had used all the warning signs on her cart. The colleague then got diverted with other tasks and the cleaning supervisor was asked to attend to something else by the station manager. She told him she couldn't leave without putting up the sign, but he called back saying his problem was more urgent and she had to attend straight away."

The cleaning supervisor asked another member of the station staff to warn passers-by of the wet floor until a warning sign could be set up.

"I think the cleaning supervisor was trying very hard to do the right thing, but the station manager is known for being a bit stropky. If she hadn't gone the second time he called ... well, let's just say she felt the smart thing to do was whatever he wanted."

The other member of staff who had been asked to watch the area had seen Jacqueline approach. Just as she was nearing him, a passenger diverted his attention with an enquiry and Jacqueline walked straight into the still damp area, slipping and falling to the floor.

"Because of the nature of my job, when I go to stations I don't travel light. I have documents with me, a laptop, my mobile, all the safety gear including two different types of footwear in case I need to get out on the tracks or into the substations. I was laden with my bag and the paraphernalia and when I slipped I went down like a ton of bricks. I tried to put my hand out to cushion the fall and that's how I got a displaced fracture in my wrist," says Jacqueline.

"The cleaning supervisor was mortified when she heard about my fall, and she came to me straight away to say sorry. But honestly, she was not to blame.

The station manager should have given the spillage priority. What if this had happened to a passenger or some other member of the public? The cleaning supervisor was trying to do the right thing." After noticing a report in TSSA's Journal magazine, Jacqueline decided to make a call.

"My job revolves around maintaining every last detail of lineside equipment so that the network can work as smoothly as possible. Yet I fell and got hurt because someone who should know better decided to over-ride a safety measure. I guess he'll think twice before trying that again." Jacqueline was put in touch with John at Morrish Solicitors, TSSA's legal experts in accident and injury claims. John contacted the employer, alleging they had failed to take reasonably practicable measures to maintain a safe work environment, had breached regulations and their duty of care to an employee.

"As well as the fracture, my right thumb already had arthritis which was exacerbated by the accident. I didn't need to take much time off work, but I did have to move to light duties, which I was not happy about."

After initial negotiations, the employer accepted liability for the



CC-BY-z-lekert-Gwapo

accident and agreed to pay damages for her injuries and financial loss. Shortly before the case was due in court Jacqueline accepted a damages offer of £9250 plus payment for physiotherapy and damage to her property.

"What I really wanted was for the station manager to say to me 'Sorry, that was my fault'. He never has, of course, but the Regional Director has since put new systems in place so that front line staff can put safety first without feeling they are risking their livelihoods."

● Based on a real-life story. Some details have been altered to protect the identity of the victim. Morrish Solicitors offers free personal injury legal advice for TSSA members and their family members. Whether the injury occurred at work or completely unrelated to work, Morrish Solicitors provides expert legal advice you can trust. Call 0800 093 0353.

Morrish Solicitors is a Limited Liability Partnership and regulated by the Solicitors Regulation Authority.

## Accidents do not happen - they are caused!



As a member of the TSSA, should either you or your immediate family suffer injury through someone else's negligence, you will be entitled to FREE legal advice and representation from our specialist personal injury lawyers Morrish Solicitors LLP.

No money will be deducted from any compensation recovered and no charge will be made to you or your family for the advice and representation you receive.

If you'd like to find out more, call us today and we will look after you.

**TSSA Personal Injury Services**  
Free to Members & their families

**0800 093 0353**



ACCIDENTS AT WORK ACCIDENTS OUTSIDE WORK ASSAULTS ROAD TRAFFIC ACCIDENTS SLIPS OR TRIPS OCCUPATIONAL DISEASE

If you have a question about your workplace rights, call our employment law specialists on 0800 3282673 in the UK or 1800 805272 in the Republic of Ireland or email [helpdesk@tssa.org.uk](mailto:helpdesk@tssa.org.uk)  
Hours: Monday to Thursday 8am–6pm Friday 8am–5pm



### Too hot or not?

**Q.** I'm a local health and safety rep. During the recent hot spell it was 35° in our office. Is there a maximum permitted temperature yet? What should I be doing about it?

**A.** Not yet. Whilst there is a legal minimum temperature in shops and offices of 16°C there is still no maximum. The Health and Safety Executive (HSE) have said they previously considered the issue and following extensive consultation and review of research, concluded there is insufficient evidence for such a change, either in the law or in the supporting Approved Code of Practice. Seems like the HSE must all work in an air-conditioned office! However, the Workplace (Health, Safety and Welfare) Regulations 1992, place a legal obligation on employers to provide a 'reasonable' temperature in the workplace. The employer has a duty to provide a healthy working environment, and so they should where possible provide portable air conditioning, cooling fans and window blinds. The HSE recommends that employers should consult with employees' representatives, to establish sensible means to cope with high temperatures. The minimum you should be asking for is for them to provide cooling drinks, extra breaks etc. and to relax any dress code. In the event of an unresolved dispute, the HSE recommends that employees may contact their local council environmental health office or HSE office for advice on how best to take the matter forward, so there's some leverage there. Also remember, as an health and safety rep or industrial rep, issues such as this affect non-members as well as members and are a great organising opportunity to raise the TSSA's profile and be seen to be doing something for our members in the workplace.

### Redundant whilst on maternity leave

**Q.** I am on maternity leave and have just been told my job is redundant. I phoned the Helpdesk and they told me that as I am on maternity leave, the company must offer me suitable alternative employment, where it is available, even ahead of others who are redundant. On a Keeping in Touch day I noticed a vacancy which they haven't told me about. It would mean an extra 30 minutes travelling each way, but I am quite prepared to do it. Can I insist that they give it to me?

**A.** You are quite right. Where a suitable vacancy exists you are entitled to it – even if you're not the best candidate. However, for the Regulation to apply, the work must be suitable and appropriate for you to do in the circumstances. Also, the terms must not be substantially less favourable than your old contract. The Employment Appeal Tribunal has said it is up to the employer to decide if a job is appropriate and suitable, taking into account what they know about your personal circumstances. Surprisingly, they are not required to consult with you about the suitability of a particular job. If the employer does not think a job is suitable, there is no obligation to offer it to you (or even tell you about it). This seems to narrow the protection of the Regulation, so it is important that you keep an eye on what's going on and what vacancies there might be, and let the employer know straight away, and in writing, that you are prepared to be flexible in regard to your willingness to accept less favourable terms such as travelling distance. This would then be included in their knowledge of your personal circumstances, and it would be more difficult for them to argue such a post was unsuitable.

UK 0800 3282673 / 1800 805272  
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This is your chance to share your views with thousands of other TSSA members. The deadline for the next issue is 14 October. Letters may be edited for length or clarity. Email [journal@tssa.org.uk](mailto:journal@tssa.org.uk) or write to *TSSA Journal*, Walkden House, 10 Melton Street, London, NW1 2EJ.

# Letters

## Palestine

There was an interesting selection of letters on Palestine in the last journal. As a member of the recent delegation I am glad I went as it changed my opinion of the Middle East for good.

The trade union movement is (and always has been) about far more than just members' terms and conditions. There are many other issues which affect our members, from LGBT issues to changes in benefits or cuts to hospitals. Surely we should be involved with all these things not just those which directly affect us individually.

International solidarity has also been a long-term

issue within the trade union movement. Money for many of these things comes from the Political Fund, to which individual members can decide not to contribute should they so wish.

As far as Palestine is concerned, most of the visit was concerned with meeting other trade unionists and activists, from both the Israeli and Palestinian communities. It was not 'one sided' as one letter said. The right-wing press want the public to believe that the Israeli Government is fair to all its citizens – that imbalance needs to be addressed. The ongoing siege of Gaza for instance is rarely mentioned by

the UK media. Neither is the very obvious way the illegal settlements take all the best land and cut off villagers from their fields, nor the new light rail system, effectively designed to connect settlements to Israel.

It is also not true that the problem is 'Israel' as such – it is the Israeli government's continued refusal to abide by United Nations mandates regarding those parts of Palestine occupied since 1967, aided and abetted by successive Western governments. Neither is opposition confined to Arabs. There are many Jews within and without Israel who hate what the

Israeli government is doing in their name and who also call for boycotts of goods and services – especially those made in the Occupied Territories and also of foreign companies who trade with the settlements and are therefore complicit in the illegal occupation.

So really at the end of the day it is up to you. You can sit back and say nothing or you can get involved in an issue which you think is important. We don't even have to agree with each other all the time!

**Colin Brazier**  
Executive Committee member, London South West

## Members remembered

### Rollo Roberts

We are sorry to announce the death of Honorary Life Member Rollo Roberts, who passed away suddenly at the age of 75. Rollo served on TSSA's Executive Committee from 1990-93.

Cllr Dave Roberts recalls first having met Rollo Roberts (no relation) when growing up in Crewe. 'We later became friends as apprentices in the Crewe works in the late 50s and then when we worked together on new diesel locomotives – me as a fitter and Rollo as an electrician.

'We lost touch when I went to Derby in 1968 but it seems our destinies were linked because I worked for Rail Express Systems at Derby and Rollo had also moved on to become a senior rolling stock inspector at the Crewe diesel depot which was also part of the unit. At this time both Rollo and I were members of the TSSA executive committee.

'We were born and raised in relatively poor areas of Crewe and we approached adulthood in the era of the Teddy Boy and so sharp suits and slick hairstyles were the order of the day. Rollo was never anything but well turned out and right until the end he kept his DA hairstyle and snappy dress.

'Rollo will be remembered as a credit to himself, the railways and TSSA.'



Rollo Roberts

### Bob Thompson

Former TSSA Executive Committee member

Bob Thompson recently passed away at the age of 93. He was for many years the chair of Middlesbrough Branch. Bob began his railway career as a Book Boy in Eaglescliffe signal

box on the LNER before being conscripted into the RAF, flying wartime missions over Europe as an observer. He re-joined the railways, going on to become a relief station master and ultimately a chief loading inspector for out of gauge loads. After serving on TSSA's executive from 1975 to 1981, he was awarded the Gold Medallion and honorary life membership of the Association upon his retirement.

Fellow local member Peter Walsh recalls Bob's great humour: 'He was quite the raconteur and had a great number of stories to tell. Very sharp witted, he was well liked by all who worked with him.'



Bob on receiving his Gold Medallion