

Written evidence submitted by Tom Kearney (BSB 13)
#LondonBusWatch

- 1) **Summary**; the Bus Services Bill will vest local authorities with similar controls over the design and enforcement of performance-based Bus Operator contracts that London has enjoyed since Transport for London (TfL) was established in 2000. I am grateful to Daniel Zeichner, Lilian Greenwood and Nic Dakin for moving a Bus Safety amendment containing Bus Safety Performance Monitoring and Reporting Policies, and would like to support its inclusion in the bill.
- 2) The Bus Safety amendment responds to statements by the government in the House of Lords supporting the inclusion of such a clause. The amendment achieves a significant improvement in the Bill without placing undue burdens on operators. In summary:
 - a) It ensures public safety is made a priority;
 - b) It imposes no financial burden on Bus Operators;
 - c) It has already been adopted in London (where [TfL contracts 25% of the country's bus fleet](#)), and
 - d) It mirrors legally-mandated and long-standing practice in the Rail, Aviation and Maritime sectors.
- 3) My interest follows my survival from a collision seven years ago when a bus hit me on Oxford Street. On my recovery, I began a [campaign](#) which has been supported by members of all parties in the London Assembly. As a direct result of this campaign, TfL:
 - a) Publishes (since 2014) [Bus Safety Incident Data](#) *every quarter* which *clearly identifies*:
 - i) the name of the Bus Operator involved;
 - ii) the incident's location (by London Borough) and date (month);
 - iii) the type of injury sustained (collision, fall, other),
 - iv) the sex and age of injured party;
 - v) the injured party's mode of transport (pedestrian, passenger, cyclist, vehicle); and
 - vi) the operational base (Bus garage/depot)
 - b) Makes subscription (since 2015) of its Bus Operators to Confidential Safety Reporting Scheme [Confidential Incident Reporting and Analysis System \(CIRAS\)](#) mandatory for all TfL Bus Contractors. In December 2016, the Mayor of London [announced independent confidential reporting](#) will “be incorporated as a mandatory health and safety requirement” for all Coaches operating in London under a London Service Permit.
- 4) These two Safety Performance Monitoring and Reporting Policies:
 - a) *provide* both London's Transport Authority *and the public* with enhanced tools to scrutinise Bus Operators' Operational Safety Performance in real time;
 - b) *ensure* that contracted Bus Operators can capture all safety concerns from

their employees on a confidential basis so that they can act to mitigate problems quickly on a no-fault basis and, equally important, that safety lessons are learned and shared among the Bus Operators by *inter alia*, TfL, the London Assembly and public interest groups.

- 5) As a result of these two Safety Performance Monitoring and Reporting Policies
 - a) London is the *only region in the United Kingdom* where the all operational safety concerns within the Bus System *can be captured and reported* back to the Bus Operators and contracting Local Transport Authority;
 - b) London is the *only region in the United Kingdom* where Local Transport Authorities and the public can easily *scrutinise* the Safety Performance of contracted Bus Operators and [calculate the costs](#) of Bus Safety Performance by *contracted operator*, e.g.

Cost of TfL Bus Collisions by Operator, 2015

TfL Bus Operator	KSI Collisions	Est. Cost 2016
Abellio	10	£2,190,430.00
Arriva	77	£21,962,480.00
Stagecoach	91	£21,631,636.00
RATP	19	£7,559,263.00
Go Ahead	69	£18,511,413.00
Metroline	49	£19,226,722.00
Tower Transit	7	£1,553,301.00
CT Plus	2	£438,086.00
Total	311	£93,053,311.00

Source: TfL (Collisions), DfT (Cost Estimates, 2012 basis)

- 6) [Based on the DfT's data](#), in 2015 we know that 64 people died (estimated cost: £122,737,024) and 638 people were seriously injured (estimated cost: £139,749,434) in Bus and Coach Incidents throughout the United Kingdom. Owing to TfL's Safety Performance Monitoring and Reporting Policies, we know the names of specific bus operators that were involved in only 20% (13 of 64) of all UK Fatal Bus Collisions and only 48% (311 of 638) of the all UK Serious Injury Bus Collisions. Based on FOI responses I've received from the [Department for Transport, DVSA](#), and the [Traffic Commissioner](#), we *have no details* on *over half* (378 of 702) of the UK Bus Collision Incidents where someone was killed or injured in 2015. Simply put: in 2014, fifty-one people were killed (estimated cost: £97,806,066) and 327 people seriously injured (estimated cost: £71,627,061) from Bus Collisions and we have no idea which Bus Operator was involved. In my opinion, this reflects a profound failure in operational safety policy that the Bus Safety amendment will directly mitigate.
- 7) The costs of these Bus Safety Performance Monitoring and Reporting Policies are minimal:
 - a) since all Bus Operators are required to collect and maintain Bus Safety Incident Data to comply with governing Health & Safety legislation, sending this same information to its contracting local authority is essentially *costless*;

- b) the costs of a subscription to a scheme like CIRAS are directly contingent on a company's turnover (currently ranging from £300 *per annum* for Bus Operators with a turnover of less than £1 Million to £25,000 *per annum* for Bus Operators with a turnover greater than £2 Billion) and, thus, are essentially *de minimis*;
- 8) [Confidential International Bus Benchmarking Group Data from 2007-2014](#) recently made available to the public showed that, for the past decade, although TfL's bus fleet is in the *first quartile* for *punctuality* and *revenue per bus*, London is in the *last quartile* for *speed* and *collisions*. The amendment moved by Messrs/Mmes Zeichner, Greenwood and Dakin directly addresses the material and long-standing divergence between operational and safety performance evidenced in London by applying well-proven Safety Performance Monitoring and Reporting Policies from the Rail, Aviation and Maritime Sectors and put in place by TfL since 2014.

March 2017

[2016 Winner, Transport – Sheila McKechnie Foundation SMK Campaigners Award](#)

ANNEX 1: Background

1. [London Assembly Transport Committee, Investigation of TfL Bus Safety, Roundtable with Tom Kearney, 28 February 2017](#) – Video Evidence
2. [#LondonBusWatch An Assessment of and Recommendations for TfL's 'world leading' Bus Safety Programme: Evidence Submitted to the London Assembly's Investigation of TfL Bus Safety, February 2017](#) – Published Evidence
3. [Bus Services Bill: Written evidence submitted by Tom Kearney, #LondonBusWatch to the Commons Transport Committee – August 2016 \(BSB0056\)](#) – Published Evidence