

**PROPOSED DISPUTE RESOLUTION
AGREEMENT**

**TSSA and PASSENGER TRAIN OPERATORS -
WORKFORCE CHANGE**

**Appendix 4 – Approved Codes of Practice
(ACoPs)**

4.1 Training & Competency ACoP

Develop the approach with TU consultation at industry level through an Approved Code of Practice (ACoP) covering training and on-going competence requirements. Modernised training including the use of technology will be applied as the base, with the use of practical applications to supplement competency assessment. Training will be based on a standardised template with simplified agreed competences incorporating local working arrangements for specific equipment:

- Safety training including relevant Safety Critical where applicable
- Customer information
- Commercial duties
- Supporting passengers who have accessibility issues
- The default position for training is that it will be done utilising technology with the ability to take place remotely.
- On board colleagues will be responsible for ensuring they maintain their future professional competence using these training methods during their normal working week in accordance with Diagramming and Rostering parameters.

Background

Onboard competence is to be based around the key priorities of safety, customer, service, revenue protection and supporting passengers who have accessibility issues. Where policy or equipment dictates that onboard staff need to retain operation of train doors and or other safety responsibilities, training and ongoing competency will need to be provided.

Objective

To develop a new standardised training methodology, structured around a harmonised training syllabus, which adopts a modern approach to adult learning, including taking into consideration the learning styles and preferences of those that are emersed in the digital age. A highly efficient and safe approach that also appeals to a more diverse range of people and that embraces technology and connectivity to effectively enhance the learning experience and better prepare trainees for their role as on train staff.

Principles

Training, including safety critical work competency will be set out collectively by Train Operators in a national framework for the tasks undertaken by on board staff. The framework will set out if the task requires specific knowledge or an understanding by differing on-board staff roles. The training can include the following:

- The roles and responsibilities of all onboard staff, both safety critical and non-safety critical;

- An understanding of the routes that the train operates over with a focus on stations, platforms and facilities (if doors operated by on board staff):
- The dispatch arrangements for stations that the train will call at and terminate at (if doors operated by on board staff):
- The dispatch arrangements and safety for stations if required by multiskilled staff:
- Revenue protection and ticketing if the role requires it;
- What info customers require and when, how to source it, how to deliver it:
- The needs of passengers, including vulnerable customers and those with disabilities, involved in in normal operations and during On Train Emergencies;
- Where train passenger communication apparatus is located and how to respond to these activations (if doors operated by on board staff);
- Where on train emergency equipment is located and how to use it correctly if required;
- Conflict avoidance and how to respond to an anti-social behaviour or security incident on-board;
- How to ensure a train is clear of customers when terminating normally or in disruption;
- Controlled or uncontrolled train evacuation (either support or will have specific responsibilities);
- Emergency communication including emergency use of GSM-R.
- A harmonised modular training syllabus will be set out based for either on board staff who provide customer service only and those that additionally operate train doors and who are safety critical. Employers will match the modular training syllabus to the tasks their on-board staff undertake provide company specific training and syllabuses
- Delivery of training and ongoing competence will normally be based on technology to prepare trainees for normal, unusual, degraded or emergency situations. This will be focused through a facilitated learning experience that encourages trainees to take responsibility for their initial training and continued professional development.
- A virtual learning environment will be the norm that provides authorised / secure access to the training syllabus via a learning management system (LMS) that hosts all related materials and resources.
- Where applicable updating and refreshing of competence will normally be online via a learning management system (LMS) that hosts all related materials and resources. The framework will set out where this might be applicable.
- Where applicable an enhanced competency framework that is focused on gathering / recording the evidence required to satisfy competency requirements to be used.

- An effective approach that supports continued professional development, to be used by on board staff to develop and/or maintain their skills
- Trainees and current employees will be required to satisfy the competency standards through a range of assessments, including via an online system and practical assessments within a live operating environment if required.

4.2 Diagramming ACoP

Agree a set of diagramming principles that are consistent across all train operators, documented through 'Approved' Code of Practices (ACoPs).

Diagramming is the responsibility of the employer to support high levels of utilisation and availability to facilitate robust operational delivery.

Traction and Route knowledge requirements and the allocation of work by depot will be determined by the employer to ensure an efficiently operated railway.

Timing allowances are based on the actual time it takes to walk and/or undertake a task, determined in conjunction with staff representatives.

Arrangements for breaks taking account of turn length and the nature of the work content.

Diagram length limits to reflect working week with diagrams to be constructed for robust delivery of a 7-day railway.

Other restrictions e.g., diversionary route knowledge retention arrangements etc. to be jointly reviewed.

Mixed Diagrams with train working i.e. including supporting passengers during disruption, Engineering alterations, rail replacement, special events, briefings or training etc.

Background

Diagrams are critical to the efficient, operationally robust and safe delivery of the train service. Clearly defined diagramming rules, which are applicable to diagrams worked by both full-time and part-time members of traincrew utilised within the Long Term (Permanent) and Short- Term processes enable their compilation by the company with content that meets these objectives facilitating them being made available for rostering in a timely manner.

Diagramming Principles

Diagrams may be published under Short Term Planning alterations where alterations will be Informed or through the Long Term (Permanent) process where diagrams will be subject to Consultation; with the company determining the method of publication applicable.

LTP diagrams will be subject to change in accordance with the national timetable planning cycle change dates and any associated interim Permanent Alteration dates with the company, having determined those alterations to be published under LTP and STP processes, providing an activity schedule for the production of diagrams. Where exceptional circumstances arise which prevents such a schedule being achieved, the company will consult with staff

representatives the required mitigations to avoid/minimise impacts to service delivery for passengers.

Diagrams will conclude when a member of staff has reached a place of safety (e.g., platform) at the Home Depot location except where there is a need to hand-in equipment or their specified duties require them so to do. In addition, on-board traincrew may also book on/off at satellite locations as provided for under any rostering arrangements.

Diagrammed Route and Traction strategy along with work allocation will be designed to facilitate efficient and operationally resilient delivery of the train service with link structures suitably aligned with the level of traincrew presence determined by the company to meet operational need and afford good customer service.

Any restrictions concerning work content e.g., the maximum length of individual blocks of work including the interval needed to break such, will be determined by the company using a risk assessment process factoring both safety and performance.

In addition to train work and associated activities other duties can, subject to competence, be included within a day's duty which includes diagrammed work content e.g., On-board staff: manage or assist catering activities where applicable and agreed, operation of points and train control equipment, checking trains are cleared of passengers when terminating, despatching ECS services as defined within the safety management system.

The locations and means by which on-board traincrew undertake activities e.g., On-board staff: Train Preparation and Train Clearance, Picking Up and Returning of Ticket Equipment including Cashing-Up, Breaks, Waiting, Walking, Travelling Pass or by Taxi, etc., will be to a standard suitable for their safe and effective use, with the occasions and circumstances when they take place determined by the company so as to enable good and efficient service delivery.

Diagramming Time Allowances

Having appropriate time allowances determined in a timely manner such that they can be effectively employed within the diagramming process is essential to sound railway operations as this:

- Ensures activities can be completed in a safe and effective manner;
- Enables robust levels of performance and good customer service;
- Provides for efficient service delivery;
- Reduces the need to make late changes to diagrams and so enables effective rostering;
- Eliminates ambiguity in the planning and execution of the train service

Scope

These principles will be consistently applied to on-board traincrew grades covered by this agreement thereby ensuring common time allowances where appropriate e.g., walking times on the same route will be the same, taxi times, etc. Where it is necessary to undertake an intermediate task enroute between locations, or other factors apply separate allowances, where appropriate, will be provided.

As part of the company's train planning production schedule which will provide a programme for diagram/roster preparation/finalisation etc, dates will be published by which changes to time allowances should be determined to enable their effective incorporation into diagrams. It is recognised that on occasion, e.g., to deal with a walking route physically changed at short notice, it may be necessary to incorporate changes via STP however, otherwise, all such timing allowances should be resolved to enable their effective incorporation at the LTP planning stage.

The principles within this ACOP will be used for the determination of time allowances of activities undertaken by traincrew. Diagrams might typically, but this is not an exhaustive schedule, include:

- Train Related Activities e.g., Preparation, Disposal, Train Clearance on Termination, etc
- Walking, Travelling by Taxi, etc
- Non-Train Activities e.g., Book On/Off, Pick Up/Return Revenue Equipment/Cash, Operation of Points, etc

Procedure

Prior to any timing review taking place the activity concerned must be clearly determined and recorded against which the assessment will be made e.g.

- Process involved – e.g., actions undertaken as part of Train Preparation, Returning of Revenue Equipment/Cash, etc
- Walking/Taxis – routes involved

Time allowances will generally be determined by physically undertaking and timing the task (see below regarding taxis). Whilst a suitable value may be able to be concluded after a single assessment, where an activity is susceptible to variation in its duration by its nature, it may be appropriate to undertake further measurements to improve the accuracy.

Staff representatives will be afforded opportunity to participate in these assessments with the proposed time allowance, which must provide sufficient time to undertake the task whilst delivering the balanced needs of resilient performance and efficiency; then being subject to consultation. Where the proposed allowance is not able to be agreed the matter will be referred for escalation by existing processes with a review undertaken by a nominated staff and management representative of company council for final determination.

Company or staff representatives may seek a review of time allowances under the following circumstances:

- Where the current allowance associated with an existing activity is felt to be inappropriate;
- When changes are made to an activity or geography e.g., the duties involved, the walking route, etc with changes being applicable on either a Permanent or Temporary basis as appropriate.

As an alternative to undertaking timing trials, it will normally be appropriate to use an accepted tool such as AA Route Planner (or similar) to assess taxi running times. However, this should not be used as the sole data source concerning taxis required to operate during the daytime within urban areas, reflecting their susceptibility to road congestion. Any proposed timing should be assured by the company's taxi contractor prior to consultation with staff representatives. To reflect road conditions, different taxi time values may be utilised by time of day, with their applicable periods being specified.

Timings associated with train movements e.g., Sectional Running Times/Shunt Allowances will be determined by the company in conjunction with Network Rail reflecting that organisation's accountability for national timetabling, using timing trials/train running data sources.

Noting the impact of changes to time allowances on traincrew diagrams, proposed values should be made available to the train planning unit to enable awareness of their planning implications.

Time allowances will be documented within a central register for each operator which will be maintained by the company, being made generally available, with the manager accountable for the change responsible for their timely inclusion.

Change Assurance

It is recognised that on occasion time allowances have been historically set with an extended duration which makes provision not only for the time required to undertake the activity itself but also inherently provide a performance buffer to assist with general recovery from late running.

Where, as a result of this ACOP, existing time allowances are reduced, a performance assessment must be made by the company, being initiated by the manager accountable for the change, to ensure that provision is made within the operational plan to maintain adequate performance levels.

Diagramming Length and Breaks

When considering changes to Diagram length and associated break arrangements, the following determinants should be applied:

- The ability to achieve an Average Turn Length as committed by Conditions of Service obligations concerning the length (days and hours) of the working week

- Avoiding loss of efficiency where permissible turn lengths do not reflect the duration of work needing to be covered
- Providing for the control of fatigue as might be associated with extended periods of duty

Diagram Length

Minimum diagram length will be set by each company at not more than six hours however, this may be reduced to not less than five hours where this is necessary to achieve diagramming efficiency i.e., avoiding the generation of diagrams which are longer than that of work to be covered. Such a higher minimum may be achieved where this naturally reflects the extent of train working or might otherwise be accomplished by the inclusion of other activities, for which competence is held, into duties which combine them with train-work.

Maximum turn length will be determined by each company so as to enable the creation of productive diagrams which achieve the average turn length required for effective rostering of those weekly days/hours committed within Conditions of Service.

Where advantageous, different maximum turn lengths may be set for SX and Weekend/Bank and Public Holidays where this will allow productive diagrams to be compiled and so:

- facilitate part-time working
- aid in the compilation of rosters offering attractive rest day patterns
- assist in the management of fatigue

Any need for any further restriction on the maximum length of “unsocial” diagrams, i.e., night turns and those booking on prior to 0500, will be determined by the company through the appropriate assessment process i.e., in accordance with working towards ORR fatigue risk management guidance with cognisance considered during diagramming compilation.

Break Arrangements

Turns over 6h00m duration will include a single diagrammed 30min break (exclusive of walking time or other allowances) or, where required to enable efficient diagramming, 2 x 20min breaks (exclusive of walking time or other allowances), except where the nature of the work provides for natural breaks to take place i.e., on-board staff working services where the spacing of station calls or the length of turnrounds provides for equivalent periods.

The maximum period before, between, or after breaks as appropriate will be 6h00m.

Breaks will not be diagrammed to start within the first two hours and must be completed before the last hour, which may necessitate diagrammed on/off times being adjusted accordingly.

Breaks can be taken at any location where suitable facilities in accordance with the company’s accommodation standards are available. This can include them taking place:

- In a designated seat/location on a moving train or otherwise on a stabled train which has not been advertised and where equivalent facilities can be provided.
- Or through the use of accommodation shared with other grade groups.

Whilst still providing for a break to take place during service disruption, individuals will be expected to move their break(s) from that diagrammed, with relief provided as soon as can be arranged within the “exigencies” of the service, reflecting the objective, of a maximum period on duty without a break not exceeding six hours.

4.3 Rostering ACoP

This ACoP sets out a set of rostering principles that are consistent across all train operators that deliver effective resource utilisation whilst seeking to provide work life balance through quality time off.

Rostering is the responsibility of employer to maximise efficiency of resources.

Allocation of Traction and Route knowledge requirements for individual depots will be determined by the employer to ensure an efficiently operated railway.

Master rosters to be constructed to ensure robust delivery of a 7-day railway.

Ensure adequate cover and flexibility of spare movement and length to ensure robust delivery of a 7-day railway.

Where you have exhausted your normal complement, other available staff with appropriate competence can be used to support train operation if needed to maintain robust delivery of a 7-day railway.

A framework for annual leave arrangements is included that provide for leave quota and leave balanced across shifts.

Standardised leave entitlements are calculated in weeks with flexibility for additional ad hoc days to include Bank Holidays.

Background

Traincrew rosters are the mechanism which provides for the structured management of traincrew working hours and working week. They are critical to the safe, efficient management of the train plan and control of the working hours of employees. Traincrew rosters when not effectively managed can constrain how efficiently and safely delivery is achieved of the day-to-day utilisation of traincrew and the service provided to customers.

This ACOP sets out clearly defined roster design rules, which are applicable to the Long Term (Permanent) processes so as to enable the effective design of links and the compilation of rosters by the company.

In addition, the ACOP explains how traincrew should be routinely utilised and allocated to turns of duty.

Principles

The company will design rosters to fulfil the business need providing for safe, efficient, and operationally resilient delivery of the train service, being designed, and risk assessed, with

due consideration taken of ORR guidance on managing rail staff fatigue and working patterns as part of an effective fatigue management system.

Traincrew rosters and utilisation of traincrew will be subject to agreed collective bargaining arrangements. Local representatives will be provided with the opportunity to suggest improvements or raise issues of concern to enable improvements to be made and enable refinement of the final rosters.

Rosters will be designed to meet depot workload requirements, providing for effective route and traction retention in accordance with any norms as might be determined by the company. The company will decide in consultation with TU representatives on the number of rosters at any given location, ensuring traincrew efficiency is not lost when traincrew progress via link progression at locations with multiple rosters.

Locations may have rosters which facilitate part time employees or reduced hour working where such a request is made by employees, however this will be subject to the exigencies of the service and fairness of application, taking into account such factors as are required by law. Where such rosters operate these will form part of the depot's establishments and along with other links will form part of the overall establishment which remain at all times determined by the company. The level of part time work will be determined between the company and appropriate local Depot staff representatives. Notwithstanding, the Company may at any time determine the level of part time work and/or make any determinations in individual cases that it considers necessary to comply with its legal obligations and ensure the efficient running of services.

Rosters will be subject to change in consequence and in accordance with the national timetable planning cycle change dates and any associated interim Permanent Alteration dates as may be required by the company to facilitate engineering work or other business needs.

These alterations will be published in accordance with a production schedule and will include for the posting of each roster in line with company arrangements prior to the commencement of a new timetable.

Where exceptional circumstances arise which prevents such schedule being achieved, the company will consult with staff representatives the required mitigations to avoid/minimise impacts to service delivery for passengers.

Traincrew may request link transfers within or between depots which will be given due consideration by the company in conjunction with local representatives and take place at the company's discretion with the transfer date as determined by the company to meet business need.

Where train crew are promoted or transferred between locations they will retain all current competence, including routes, traction and instructor status until those skills lapse and will be able to be maintained where required by business needs.

Master rosters and their associated diagrams and spare turns must balance to the contracted working week over the roster cycle with spares being of lengths as required for effective rostering and set to reflect the maximum and minimum turn lengths as provided for in accordance with the ACOP in connection with Diagramming Arrangements.

This will provide for:

- The setting of maximum turn lengths which might vary so as to enable the required average turn length to be reached
- The inclusion of other activities i.e. including supporting passengers during disruption, Engineering alterations, rail replacement, special events and briefings, at either the STP, diagramming or alteration sheet stages thereby enabling average booking lengths to be productively achieved as might be required to generate an average reflecting that required to meet Working Week obligations.

Sundays

To provide for resilient operation of services at weekends, i.e., the 7 Day Railway concept, rosters will be designed in one of two ways; these being with:

- Sundays forming part of the working week where this currently exists
- Through the principle of Committed Sundays where Sundays are not currently part of the working week under which employees will have a contractual obligation to work their rostered Sunday turns and are required to attend for work.

It will be a business decision on which approach to adopt. For further details refer to associated ACOP concerning 7-Day Railway Sunday Commitments and Bank Holiday arrangements.

Rest Day Allocation

The placement of rest days within a roster will be in line with the parameters provided by the company.

There should be no minimum rest days injected over and above the total requirement to achieve the hours of the working week with the number of allocated rest days in any week being proportionate to the working week with no requirement for fixed or rolling rest day patterns.

To enable effective rostering and to ensure the adequate provision of spares there will be no minimum or maximum rest days on a given day.

Wherever possible rest days and spares should be balanced to reflect the workload (diagrammed and associated necessary spare turn commitment) ie may vary by day of week.

Rest Day Working

Systems will be put in place by the company to manage RDW and include for:

- Individual traincrew registering their availability for working Rest Days
- Recording periods of leave where traincrew are not available to work
- Controls to ensure that working of Rest Days does not create excessive hours work or conflict with items such as break times between turns of duty
- Normal rostering processes being used to notify employees of their bookings associated with Rest Days requests

Ensuring that Rest Days are allocated in a fair and equitable way, normally via a numbering system, which is transparent to the employees and their Trade Union representatives

Spare Allocation Within Rosters

Spare requirement and service protection turns should be determined in accordance with data supplied through availability and utilisation returns to provide for business needs of robust performance and efficiency and be proportionate to workload.

The placement of spares within rosters and their length to be in line with the parameters provided by the company.

Lengths of individual spares may vary but the average length of the spares should reflect the diagram average turn length of the depot.

Rosters should be produced with full weeks of spare to meet business needs.

Holidays

There will be no special arrangements or allocation arrangements for rostering of bank and public holidays which will be rostered as a normal working day.

Traincrew must retain two days from their holiday allocation for Christmas Day and Boxing Day to be taken should the company not require them to work either day.

Weekly holiday quotas, which will be based on a rotation set over an agreed period of time, should be calculated over not less than 48-week period with equal number of people off on each week set via the depot establishment.

The Ad hoc holiday days quotas are determined, published and be proportional to the daily diagrams and may vary by day of week reflecting available cover.

Wherever possible leave should be balanced over AM and PM turns of duty with a set maximum level per week. Where changes are made to rosters after the holiday rotation has been set, leave commitments made to individuals will be honoured.

Leave entitlement will be defined as block leave in weeks (minimum 4, maximum 5 weeks) and ad hoc/floating days.

Holiday leave may be rostered on a company wide basis by methodologies comprising of either:

- Through the rostering of spare turns to cover the master rostered turns of duty in accordance with spare allocation. To assist with the coverage of holiday this may include the creation of lines of spares in the master roster. I.e. comprising a full week of spares and being subject to full movement and extension such that they can cover on a one-for-one basis the full week's work on any uncovered line of work e.g. due to holiday, sickness, vacancy, restriction, etc taking up the associated rest day pattern accordingly.
- Holiday can be built into the master roster as fixed blocks using a combination of rest days and holiday date to form fixed blocks e.g., eight weeks on and two weeks off. Where this system is used such holiday days should be identified as "not able to be worked".

Utilisation Of Traincrew: Booking On and Off Duty

Employees should present themselves for duty using company specified media using the appropriate booking on allowances.

All traincrew must book on at a specified location.

Satellite booking on/off locations may be provided under rostering arrangements to meet company needs.

There is no booking off allowance or requirement for traincrew to sign off duty except where traincrew complete their duties at a location (siding) or depot where DC current is in operation, under which circumstances, they would be required to confirm they are safely clear of all DC current in accordance with specified company arrangements.

It is the responsibility of traincrew to establish their next turn of duty.

Traincrew will be rostered to have 12 hours rest prior to commencing safety critical work (lodging excepted) or 9 hours for non-safety critical work.

Utilisation Of Traincrew: Spare Allocation

The principal method for utilisation of spares will be on a time order basis, subject to competency, rather than with the arrangement of the spare with the nearest booking on time being booked to the turn.

There will be no set AM/PM cut off times and these will be determined by the company on a roster-specific basis with the applicable movement providing for booking out on either shift i.e., no early/late turn split.

Lines comprising a week of spares will be constructed to assist with efficient rostering, such as for the coverage of annual leave, and where so used to cover full lines of work will take the associated rest day/s of that work. Such spares where allocated on the weekly roster, which will be posted in accordance with company procedures, will be booked out in time order with no restrictions on movement and will be able to be extended up to the maximum length permitted within the diagramming arrangements in accordance with the principle that three days' work constitutes a week's work.

Where a master roster spare is marked out to a line of work e.g., for covering an individual long-term sick who then resumes, the former spare would revert to being spare as per the marked out line of work being subject to re-booking in accordance with the arrangements for master rostered spares, below.

Other master rostered spares will be subject to movement of up to three hours and will be able to be extended by up to three hours at both the weekly and daily alteration sheet stages with spare markup allocated being posted in accordance with a published production schedule.

When it is not possible to give a spare member of staff a complete week of diagrammed turns, he/she will be rostered as ordered on the unused days at a datum booking on time as his/her previous day's booking. Under these circumstances spares will be subject to being further rostered in accordance with the daily alteration sheet process after publication of the weekly alteration sheet.

Spares resulting from the cancellation of turns will be subject to movement of up to three hours and will be able to be extended by up to three hours at both the weekly and daily alteration sheet stages; being further subject to an envelope that the resulting booking off time would not be more than four hours later than the booking off time associated with the cancelled turn.

Reflecting the reduced flexibility associated with spares resulting from cancelled turns, where necessary to provide for efficient rostering such spares may be allocated prior to booking out of master roster spares.

Further changes can occur up to and including on the day because of service requirements with adequate notice to staff affected. Changes due to late alterations must be kept to a minimum, this may result in unutilised spare turns jumping over previously allocated turns with movement restricted to that associated with the original datum time.

Spare turns will be allocated offering the most efficient coverage across all depots and links which could include covering other depots and links work based on business priorities.

Traincrew who are unable to fulfil their whole diagram due to competency issues will revert to spare with associated spare booking arrangements.

Amended and Cancelled Turns

Where a diagrammed turn is amended or extended due to train service alterations and the work content is readily identifiable with the original turn (i.e., the majority of the trains in the original diagram continue to run) the individual concerned will, subject to rostering constraints, be rebooked to the turn through the alteration sheet adopting the signing-on time and duration as follows:

- Booking on time may be altered +/- one hour from datum time to enable minimisation of the number of occasions upon which a diagram is cancelled and an additional diagram issued thus reducing disruption to the roster.
- Turn length may be extended by up to two hours with the traincrew committed to work the full turn of duty;

Should a diagram be cancelled traincrew will be rostered in line with spare arrangements. Where due to service alterations the resulting level of train-work results in unallocated traincrew this may include being, subject to competence, utilised for other duties including customer care, supporting rail replacement, receiving briefings, etc.

Late Running & Service Disruption

To resiliently resource a train service on the day, traincrew can be moved from their original booked turn of duty. This may include stepping up to cover other services including where their original booked service is running. In such circumstances they will not be required to work more than one hour above their booked hours, subject to maximum turn length.

General Principles

Employees can be required to undertake other activities including random A&D testing, route reviews, meetings, medicals, interviews, training and briefings as well as train working within their turn of duty.

Employees must make themselves available to their supervisor or designated person during service disruption.

During service disruption individuals will be expected to move their break(s) from that diagrammed, with relief provided as soon as can be arranged within the “exigencies” of the service, reflecting the objective, where practicable, of a maximum period on duty without a break not exceeding six hours.

Employees may be required to undertake weeks training with the rest day(s) allocated dependent on the training with 4-days’ notice. Where this is the case, and a member of traincrew is required to work more days than as shown on the master roster then such rest days cannot be banked or claimed within that working week but will generate a day(s) in lieu to be taken in accordance with ad-hoc holiday arrangements.

During normal working arrangements, Traincrew can be required to work another company’s trains where intercompany trading agreements permit and subject to required competence.

Workforce Planning including Link Progression

Calculating the number of traincrew employed is an employer responsibility and will be undertaken to meet business efficiency needs as well as those of operational robustness.

The involvement of traincrew representatives in consultation concerning the levels of traincrew employed at both company and depot level is at individual company discretion.

Workforce Planning

To provide for robust coverage of workload the following principles will be applied:

- Each company will use a standardised industry approach to calculating establishments which will enable creation of a future workforce plan reflecting projected changes in availability (e.g., retirements and other losses) and workload.
- Traincrew numbers will be set with an objective of reducing any reliance on RDW and overtime routinely necessary to deliver the train plan.
- Resource plans should reflect a principle of training sufficient new train crew to meet future requirements including anticipated retirement losses rather than relying on recruiting qualified personnel from other operators.

Link Progression

The following principles will apply:

Progression and transfers between and within locations (including between links) will be based on aptitude and competence and be undertaken in a fair and equitable way that is in line with the cost-efficient running of a train operating company with any movement decided by the company in consultation with the staff representatives.

Where link progression takes place; the timing of and nature of such link progression moves will be determined by the company in consultation with the staff representatives so as to optimise the availability of traincrew resource.

Traincrew who are promoted or transferred between locations will continue to hold (transfer) all current competence, including routes, traction and Instructor status until those skills lapse or these can continue to be maintained in line with normal practice to meet company needs.

Employees who are not members of traincrew may undertake a training programme in order to secure occupational competence to carry out assessments.

7-Day Railway (7DR): to ensure robust coverage of Sunday Services

7DR Background

Today's rail industry requires modern 7-day railway principles to support growth and provide the same guaranteed service delivery to cater for changing customer requirements. Across the Train Operating Companies there is a lack of consistency and approach to covering Sundays. Subsequently it is not uncommon for services to be cancelled, due to a lack of available resources thus having a negative impact on performance and customer satisfaction.

We need to adapt to better serve our passengers current new needs with an increased demand for a 7-day railway.

Resource availability to operate the railway every day of the week to meet market demand where overtime and rest day working are not part of business-as-usual rostering.

Introduction of a Sunday Commitment Protocol. This will mean that employees who are rostered to work a Sunday shift are committed and required to work their shift where alternative competent staff cannot be identified to cover.

The outcome for customers will be less disruption on Sundays with services better aligned to passenger demand.

Scope

These principles will apply to both station and on-board traincrew grades.

Principles

Removal of reliance on voluntary overtime to resource Sundays and replacement with robust contractual requirement to work rostered shifts on Sundays under a 'Commitment to Work Sundays Protocol'.

Where the level of Sunday work diagrammed to a depot is proposed to be subject to material increase the company, in conjunction with local staff representatives in accordance with agreed collective bargaining agreements, will give consideration to the employment of part-time members of staff, whose rosters will include weekends, to assist with its coverage. The level of part time work will be determined between the company and appropriate local Depot staff representatives. Notwithstanding, the Company may at any time determine the level of part time work and/or make any determinations in individual cases that it considers necessary to comply with its legal obligations and ensure the efficient running of services.

Employees are required to work their rostered Sunday turns. Consideration will be given to employees who request Sundays off or to do a mutual exchange of shifts with another employee. To facilitate this a process will be put in place by each company.

Employees can work extra Sundays to cover those who do not wish to work subject to not impacting on rest intervals between their previous and next turns of duty.

The granting of requests not to work a rostered Sunday is subject to the demands of the service. Where no cover is available every effort is to be made to provide cover from other locations subject to competency.

Employees rostered a Sunday turn may request not to work it in accordance with local practice (depot arrangements). If the Sunday cannot be covered by another competent employee, the commitment to work stands. Employees who volunteer to cover an additional Sunday shift once rostered are committed to work it.

Employees who have 2-weeks rostered annual leave are not expected to work a rostered Sunday in the middle of their 2-weeks leave. All other rostered Sundays will be committed to be worked.

Where an existing employee (where Sundays is currently outside the working week without a contractual commitment to work) does not currently work any rostered Sundays then they could give 12-months' notice to not work Sundays as an extra weekend shift providing extra weekend staff can be employed to cover. If cover cannot be provided, then the employee would be required to work their rostered Sundays (the 'commitment to work' stands).

Commitment to recruit weekend only staff where beneficial to delivery of the 7-Day Railway commitment.

All future new entrants will be contractually required to work their rostered Sunday shifts.

The introduction of rostering improvements to allow more efficient utilisation of hours with greater flexibility of cover.

Cancellation of Rostered Sunday Turns

Employees who have their rostered Sunday turn cancelled will be allocated another turn or alternative task if one is available or become spare at their rostered booking on time and then being rostered to undertake duties as per their respective competence.

If a turn is cancelled and the employee is not required to work as there is no alternative work available, they may be booked off without pay providing they have received a minimum of 48 hours' notice before their rostered booking on time.

A cancelled Sunday turn will attract payment unless 48 hours' notice is given (e.g., from booked time, with notification provided). However, if a turn is cancelled with less than 48 hours' notice, there is no alternative work available, the employee does not wish to work, and they are not required they may be booked off without pay.

Exclusions

The following arrangements do not apply where Sunday is already in the working week.

- Where Sundays are not part of the working week all employees have a contractual obligation to work their rostered Sunday turns and are required to attend for work.
- Current arrangements for any employees that have a contractual agreement which states they are precluded from working Sunday turns will remain.
- If an employee does not want to work Sundays, they can apply for a permanent contract change through, for example established company flexible working policies. Each request would be considered and assessed against the impact it would have on the business in accordance with the criteria set out in the policies.
- Employees who have 2-weeks rostered annual leave are not expected to work a rostered Sunday turn in the middle of their 2-weeks leave. However, an employee may, by giving 14 days written notice request to work their rostered Sunday.
- Consideration will be given to employees who request a rostered Sunday off, this will be dependent on service requirements and the availability of alternative cover.
- If an employee can find a suitable person to swap duties with then a mutual exchange of duty request can be submitted providing it is no later than 1-week before the rostered Sunday turn of duty.
- Mutual exchange of duties are subject to management approval, and all parties being fully competent to cover the rostered turn (including amendments made through the alteration sheet process), not impacting on rest intervals between their previous and next turns of duty or breaching control of working hours regulations.
- If the rostered Sunday turn cannot be covered by another competent employee, the Sunday commitment to work stands.

National Bank and Public Holiday Arrangements

In line with creating an enabling framework for a 7-day railway, Bank and Public Holidays will be a normal working day ensuring a standard approach and improved operational resilience across the industry.

All national Bank and Public Holidays will be treated as normal working days and reflected in Holiday entitlements.

With regards to work allocation for national Bank and Public Holidays, this will be undertaken by the Train Operating Company's rostering and resourcing team.

If the employees booked diagram on the base roster is cancelled then they will be subject to movement in line with agreed rostering arrangements.

There will be no additional payment and / or provision of compensatory days if an employee is rostered to work on a national Bank and Public Holiday or designated substitute Bank and Public Holiday

Employees will be able to apply for Holiday on national Bank and Public Holiday's in line with agreed internal arrangements. Furthermore, there may be the opportunity for additional Holiday above the agreed depot levels to be granted subject to operational requirements.

Employees will be required to take a day's Holiday from their personal entitlement if the 25th or 26th December falls on a rostered working day and they are not required for duty.

END