
Meeting: Rail North Committee Consultation Call
Subject: Northern Trains Performance
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Sponsor: Martin Tugwell, Chief Executive
Meeting Date: Wednesday, 30 October 2024

1. Purpose of the Report:

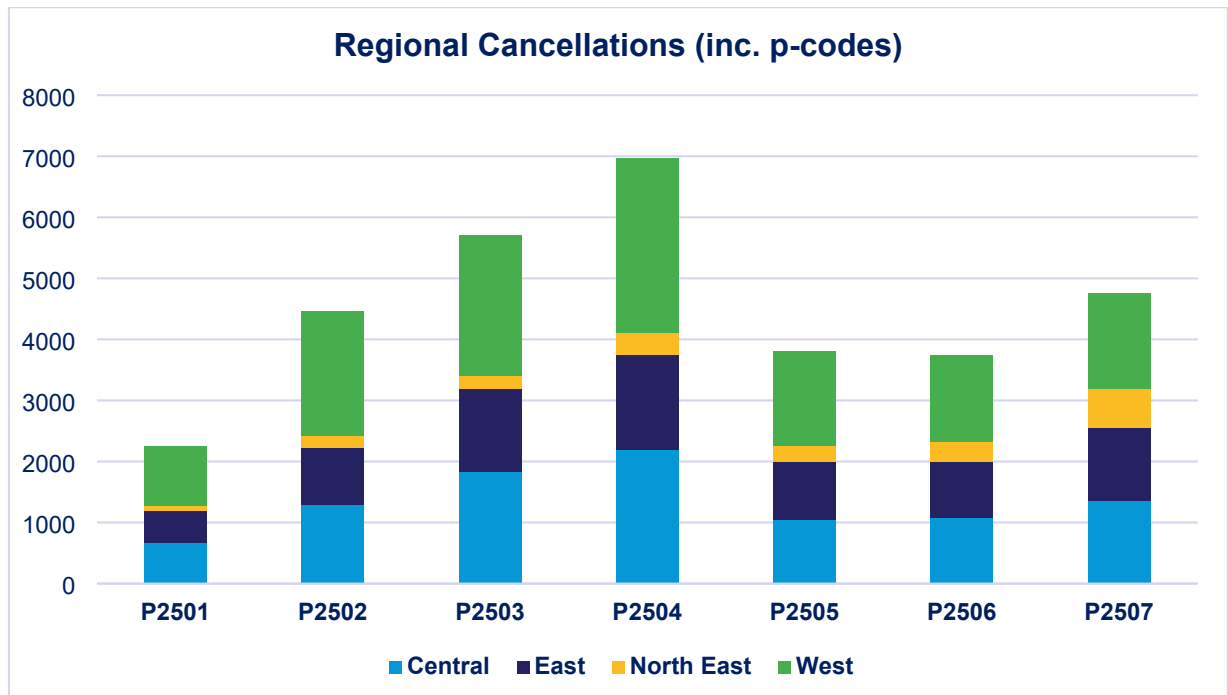
- 1.1 For the Rail North Committee (“the Committee”) to consider the current performance of Northern trains and to identify those actions required of Northern and/or other parties in order to restore service performance to an acceptable level.
- 1.2 The Committee’s discussion will be informed by an update from Northern Trains (“Northern”) on progress with the development of their Remedial Plan as a response to the Breach Notice issued for unacceptable levels of performance in July 2024.

2. Recommendations:

- 2.1 The Committee considers the current situation and identifies those actions required of Northern and/or other parties in order to restore service performance to an acceptable level.

3. Main Issues:

- 3.1 Northern’s performance has deteriorated significantly to unacceptable levels. The contractual breach performance level for ‘TOC on self’ cancellations (where the cause sits with the operator) is 7% of services. However, from 28 April to 20 July 2024 (rail operating periods 2-4), the level of cancellation was 7.08%, 8.71% and 10.59% respectively. In July 2024, due to the unacceptable service levels, Northern were issued with a formal Breach Notice by Rail North Partnership (RNP).
- 3.2 The Breach Notice requires Northern to develop a formal Remedial Plan. Formal dialogue between RNP and Northern has taken place regarding the content of the initial draft of the Remedial Plan, and a revised plan is due to be submitted to RNP on 31 October 2024.
- 3.3 Since the Breach Notice was issued in July, Northern’s performance has continued to be unacceptable with ‘Do Not Travel’ notices regularly issued, especially in the North West and Central areas, as can be seen in the graph below, including the most recent period 7 (15 September to 12 October).



- 3.4 Cancellations occur across the week, but Sundays have been a particular issue in the North West due to the long-standing issue of Sundays not being in the working week in the region. In an attempt to provide some certainty to customers, Northern has been pre-cancelling (p-coding) services ahead of each Sunday.
- 3.5 Northern is currently without a Rest Day Working (RDW) Agreement (where train crew can volunteer to work their rest days). This has significantly exacerbated the problems across all days of the week as it limits the availability of train crew to cover sickness, training and annual leave, leading to service cancellations.
- 3.6 The root cause of the issues experienced by Northern are broadly in three categories:
- i. Significantly higher than pre-Covid levels of operational staff sickness (nearly 80% higher than pre-Covid levels),
 - ii. Double the normal levels of outstanding training days for train crew, and
 - iii. Industrial Relations and reform (including Sundays where historic inconsistent contracts mean that Sundays are not part of the working week for train crew in some in some parts of the North).
- 3.7 At the Committee meeting on 3 September 2024, Northern presented the key points of the Remedial Plan. The detail was discussed in the private session of the Committee as some items relate to staffing matters and matters for negotiation with the Trades Unions. An updated version of the Remedial Plan will be submitted to RNP on 31 October 2024 and the team are confident that it will address the issues identified with the previous version. The revised plan will be presented to the Committee at the next meeting scheduled for 20 November 2024.
- 3.8 The issues on weekdays and Sundays are largely distinct and will be addressed separately in the Remedial Plan. In terms of weekdays, the biggest short-term positive impact would be a restoration of RDW for drivers. In order for this to happen, Northern needs a mandate from government for a revised agreement and then seek agreement with ASLEF on behalf of drivers. Work has been

progressing on this over the last few months and the mandate is now hoped to be close to agreement.

- 3.9 Sundays are a separate, long-standing issue, which came to a head after the May 2018 issues. The root cause is that not all staff have agreements, which make Sundays a part of their week, due to historic practices inherited by Northern's predecessor. Where Sundays are not covered by an agreement, it means that working these days is effectively voluntary. Progress on standardising terms and conditions has been slow and, again, requires a mandate from government. Even with this in place, it is likely to take some time to reach appropriate agreements and allow normal working. Although we would hope to see an interim agreement in place with RMT on behalf of conductors to secure some improvement in the meantime, it is essential that Northern is proactive in managing the situation and providing customers with as much clarity and certainty as possible.
- 3.10 Historically the Christmas/New Year period has been challenging for performance with a combination of more passengers (e.g. attending Christmas events) and additional staff leave and absence rates. Given the current position, it is important that Northern develops appropriate plans to mitigate this and works with partners to manage the impact of local events.
- 3.11 Tricia Williams (Northern Trains Managing Director) and Matt Rice (Northern Trains Chief Operating Officer) will attend the Committee meeting and summarise the key issues, and set out the options available which will address the immediate priority of restoring service performance to an acceptable level, including:
- i. Measures that can be taken to manage the challenges at weekends – both managing disruption at weekends and the proactive measures that can be taken to help prospective travellers
 - ii. Measures to address and manage the challenges of the Christmas/New Year period and with a view to avoiding publishing short notice 'do not travel' notices
 - iii. Setting out the options available in terms of the Remedial Plan
 - iv. Providing an update on how they are addressing the issues raised by the Office of Rail and Road (ORR) in respect of the provision of passenger assistance.

4. Corporate Considerations

Financial Implications

- 4.1 There are no financial implications to Transport for the North arising within this report.

Resource Implications

- 4.2 There are no direct resourcing implications to Transport for the North as a result of this report.

Legal Implications

- 4.3 Legal implications are included within this report.

Risk Management and Key Issues

- 4.4 Northern failure to address this issue is undermining credibility in rail services, particularly at weekends, and is having a detrimental impact for people (being unsure whether or not to travel) and also having an impact on the economy.

Environmental Implications

- 4.5 This report does not constitute or influence a plan or programme which sets the framework for future development consents of projects listed in the Environmental Impact Assessment (EIA) Directive and therefore does not stimulate the need for Strategic Environmental Assessment (SEA) or EIA.

Equality and Diversity

- 4.6 Transport for the North has not undertaken an Equality Impact Assessment, however the Remedial Plan priorities outlined in this report have the potential to impact customers, due to the impacts of poor performance and uncertainty it creates for people and places. Therefore, it is our view that Equality Impact Assessments should be undertaken by Northern to ensure that they have both identified and addressed any equality and accessibility requirements, prior to implementation of any actions/changes.

Consultations

- 4.8 Transport for the North Members are being consulted through this report.

5. Background Papers

- 5.1 There are no background papers.

Glossary of terms, abbreviations and acronyms used

TfN	Transport for the North
RDW	Rest Day Working
RNP	Rail North Partnership
EIA	Environmental Impact assessment
SEA	Strategic Environmental Assessment