The Quadrant:MK
Elder Gate
Milton Keynes
MK9 1EN
Ref:

5 May 2017

Susan Murray
Unite
Via email

Dear Susan,

During the last national health and safety council, there were numerous issues raised about our Vehicle Tracking System (VTS). I have now had the opportunity to consider those issues in full and set out my responses below.

1. *The VTS devices are being fitted to the new transit vehicle type specification and not the older model.*

We accept that we could have been clearer in our communication here. We reviewed and assessed the position of VTS units originally fitted in Wessex. I can confirm that the assessments and fitment were undertaken using the old style transit model and have now created the correct vehicle VTS location document which can be accessed from our Safety Central portal; we can confirm that all vehicles are now fitted with VTS in accordance with their specification.

2. *The collection of data during private use may not be compliant with the data protection act.*

As stated during consultation, the introduction of VTS would replace the requirement for employees to manually fill out a driver's log book which was used to record both business and private mileage. It is for these reasons and these alone that we collect data for personal mileage. This is an obligation placed on us from HMRC.

In addition, we have checked that collection of data outside of working hours is compliant with the Data Protection Act (DPA,) our Data Protection team, whom are closely aligned to guidance from the Information Commissioner have confirmed that that we are currently complaint under the DPA.

For the avoidance of doubt, whilst we collect private mileage data, we will not and cannot use it to track speeding events.

3. *Arrange meeting with the trade unions to discuss and agree the governance around the data that the VTS is collecting and how it will and could be used.*

A meeting has been arranged for 10 May, health and safety representatives from each union have been invited to attend. The first meeting should consist of developing a terms of reference for the group as well as looking at some data that is being produced by the system.

4. *Rupert to arrange a visit for any lead reps who have not yet seen the VTS system.*

Rupert Lown has proposed to all lead health and safety reps that a VTS unit is reviewed at the next team meeting held by Lynn Chamberlain Clarke. Reponses from reps to date indicate this as a sensible solution.

5. *Guidance and clarity to be compiled and provided on the use of company vehicles in the following context:*
   - *What sanctions are you subject to when using a company car in regards to using VTS and in other respects, such as breaching life saving rules by speeding or using phone etc.*

As discussed during consultation, employees will be subject to life saving rules (LSR) investigations should they breach the speeding limits that were consulted. Employees have 60 second to modify their driving behaviours before an exceedance report is generated. This was further clarified in the attached letter provided to each Trade Union on 26th April 2017.

- *When are you classed as using the car for work and when for personal use – what constitutes this?*

Network Rail's travel and subsistence policy define business travel as:
Business travel: Any travel undertaken on official Network Rail business or in the pursuit of business activity. It includes, but is not exclusively restricted to, travel;

- To business meetings
- For Network Rail interviews
- For medicals and other examinations
- For briefings
- For attendance at functions in connection with Network Rail business
- For workplace inspections
- For courses
- For training and assessment
- When working away from normal place of work
- To attend at incidents

It **does not** include personal travel to and from the usual place of work.

6. *Lessons learnt document on issues so far to be created and circulated to the unions and the business.*

The installation of VTS has presented us with numerous challenges, as such, a post implementation review is planned to be undertaken in June 2017 once the project has completed. We will invite representatives from each union to attend.

7. *Circulate communications clarifying the fact that the VTS will not trigger a speed exceedance for the first 60 seconds. Create a draft and ask the union reps to review before circulating.*

Rupert Lown issued a draft note on 27 April 2017 to Paul Clyndes, Steve Coe and Susan Murray for their review

8. *Letter to RMT to be placed onto safety central and circulated to representatives on the council.*

Our responses following a meeting with the RMT on 1 March 2017 were shared with the representatives who attend the National Health and Safety council on 17 March 2017. A copy can also be access on our safety central portal.

9. *Mike Carey and Ergonomics team to review research done into the effects of driving using a VTS TomTom system. Is there any proven research into things such as the glare of the device.*

We accept that the installation of the VTS units is a change for our workforce. Sat navs have become a standard item of equipment in vehicles in the UK. To seek a resolution we have decided to ask for an independent view. A draft proposal has been circulated to the trade unions to seek their input as to the scope of the work to evaluate this issue. The meeting is set up for 2nd May 2017.

I hope the above response serve to address your concerns.

Yours sincerely

Lisbeth Fromling