

MAYOR OF LONDON

Michael Liebreich
Chairman and CEO
Liebreich Associates
[REDACTED]

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Date: 03 OCT 2019

Dear Michael,

Thank you for your letter of 9 September setting out the concerns you have previously raised; and talked through again at the London Assembly Transport Committee on 10 September, about the safety culture in parts of Transport for London (TfL) and the handling of Fatigue Audit IA 17 780.

First, I simply do not recognise your comments about TfL's safety culture. I can only speak from my experience of TfL since May 2016, but the team leading Surface Transport in TfL has always shown a powerful and unwavering commitment to safety as their number one priority. A team without such safety leadership would not be so visibly embracing Vision Zero; delivering a world-leading Bus Safety Standard; introducing 20 mile per hour limits across the Transport for London Road Network; and working with academics and our trade unions to understand fatigue among bus drivers in greater detail than ever before.

Turning to your specific comments about Fatigue Audit IA 17 780, at the 10 September meeting of the Transport Committee my Deputy Mayor for Transport, Heidi Alexander, explained in detail the exact circumstances and timeline that led to the fatigue audit not being shared with regulators until January 2018, and the report on the investigation into this is provided on TfL's website. I believe this provides a full and adequate explanation, and I do not consider a further investigation is necessary given the comprehensive and transparent way in which TfL has responded to this matter once a regrettable, but simple, human error was identified. It is still not clear to me what the point of a further investigation would be.

There was also discussion at the Committee meeting about changes that had been made to the internal audit report through the drafting process. As Heidi explained in the meeting, no evidence and no recommendations were taken out of the report in that process. It is standard practice when carrying out audits to share and discuss findings with those being audited before finalising the report to ensure any factual inaccuracies are corrected. This process resulted in some revisions and reordering of the draft for accuracy, but the evidence and recommendations were not changed.

In the draft report, which I shared in response to a question asked by Assembly Member Pidgeon, recommendations were set as priority 1 and priority 2 issues; these are labelled 'opportunities for improvement' in the final version. How they are headed up is less significant for me than what the response has been subsequently and what improvements have been made in making the tram network safer.

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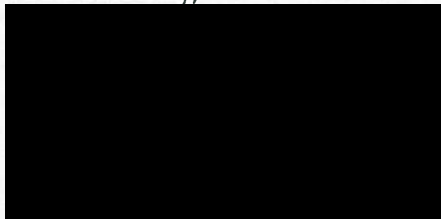
The final report makes clear that there were areas within Tram Operations Limited's (TOL) responsibility that had room for improvement. The Rail Accident Investigation Branch (RAIB) has also stated publicly that they have seen the internal TfL audit, and that it was consistent with their own overall findings.

Finally, I am satisfied that there was no conflict of interest in Leon Daniels, TfL's former Managing Director of Surface Transport, leading TfL's response to the Sandilands tragedy. It is to be expected that he would be kept fully briefed on all issues relating to something of this level of importance. As Heidi has stated, any further questions on what Leon said at various meetings in 2017 should be directed to him, to allow him to respond.

In closing, I believe that TfL's and my response to these concerns has been comprehensive and well documented by TfL, both in Mayor's Questions and during Heidi's attendance at the Transport Committee meeting, and there is nothing further that I can add. We should always be searching for ways to improve how things are done and I welcome that. As she committed to before the Committee on 10 September, Heidi has already begun discussions with Howard Carter and Lilli Matson, TfL's new Chief Safety, Health and Environment Officer, to consider how TfL can improve its audit processes and the way it keeps independent safety authorities updated.

TfL has apologised unreservedly for the mistake in not sharing the audit report sooner with the investigating bodies, and lessons have been learnt to ensure such a situation will not be repeated. TfL has always cooperated fully with all of the investigating bodies following the tragedy at Sandilands. Our focus must now be firmly fixed on ensuring that the remaining RAIB recommendations are delivered and TOL continues with the significant progress it has made to improve safety, to ensure such a tragedy never happens again.

Yours sincerely,



Sadiq Khan
Mayor of London