



## **Unite response to the Department for Transport consultation on Manchester Metrolink proposed exemptions from railways acts** **May 2009**

### **Introduction**

This submission is by Unite the Union. Unite is the UK's largest Trade Union with 2 million members across the private and public sectors. The union's members work in a range of industries including manufacturing, financial services, print, media, construction, local government, food, agriculture, education, health, not for profit and the transport sector.

Unite the Union's current membership in our Passenger Transport Trade Group, together with our membership in other trade groups, such as supervisory and administrative grades, and some maintenance engineering members, well exceeds 100,000. The Passenger Services Trade Group represents workers in all areas of passenger services including bus, coach, taxi, and tram and rail workers in 150 large local companies.

Unite is the largest trade union representing drivers, engineers, admin staff, inspectors and managers employed in the UK transport industry, with over 96% of the organised workers in the sector in Unite. Unite has obtained the views of our members through our lay member committees at national and regional level. Therefore Unite is in a unique position to submit a response to the Department for Transport (DfT) on its consultation on Manchester Metrolink proposed exemptions from railways acts.

## **The Failure of Deregulation**

Deregulation has seen transport workers terms and conditions, work/life balance and general health reduced, whilst the public has had to endure decreased services/routes, at higher prices.

Unite believes that any proposed exemptions from railways legislation will allow the company to regulate itself. In other words deregulation, which can only be of detriment to our members at Manchester Metrolink. For example, under the proposals the company would be able to dismantle the signaling system, which effectively controls the movement of the trams and would put the onus of control onto the drivers, in order to save on cost. Such a move would seriously affect the health and safety of our members and passengers.

Unite believes that granting Manchester Metrolink exemptions from the railways acts would be another example of the state passing responsibility to a private company, which could have disastrous consequences. When rail was privatised the Conservatives spoke about 'risk transfer' to the private sector, but it seems that risk has really been transferred to our members and the public.

The railways were not privatised as a going concern. Instead the system was split up between over a hundred different companies. The Health and Safety Executive warned about the fragmentation of decision-making before the sell-off. "Unless considerable care is taken to set up systems to ensure that new operators are properly equipped and organised, there can be no confidence that risk will be effectively controlled right from the start and that important matters do not fall between the safety arrangements of the various parties. The consequences of failing to achieve adequate systems of control will be seen in increased risk on the railway system and the likelihood of an increase in the

numbers, and possibly also the severity, of accidents."<sup>1</sup> In the rush no such systems were set up.

As we all know Manchester Metrolink is a light rail tram operation, however Unite believes that the dangers should be considered just as real as a Ladbroke Grove or Hatfield. The Government should not be giving a private company further freedom to dismantle a signaling system that works perfectly well and by doing so would place additional and unnecessary pressure on our members driving the trams.

This would also open up a question of where would responsibility fall in the event of an accident? Unite would argue that it would be the employers responsibility because they would be the private owner of the signaling system having taking it out of public control and not our members.

### **Conclusion**

The Manchester Metrolink proposals clearly are another example of relying on the market to provide public transport. This comes at a time when the Local Transport Act is seen by many as a first attempt to address the inadequacy and market failure within the bus industry since deregulation. Local authorities will have greater power to serve routes that are demanded in the local area, which have previously been dropped due to lack of profitability by private contractors, since deregulation.

In addition it is now becoming a commonplace observation that the market does not make decisions on the basis of logic and is not an all-seeing perfect instrument. It is self evident, that the state has an important part to play in ensuring that the blindness of the market is addressed. The unrestrained market has led to a massive deterioration of both public transport provision and the

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<sup>1</sup> <http://www.independent.co.uk/news/railway-safety-is-at-risk-ow-over-rail-safety-rail-safety-danger-safety-unit-32pt-ghjgkjngjggj-1598161.html>

quality of the jobs of public transport workers, as well as inferior health and safety standards, which has already been touched upon. This is not merely a problem for those workers but should be a concern for all.

Therefore Unite believes that a further roll out of deregulation allowing Manchester Metrolink to be granted exemptions from the railways acts should not happen.

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