
Secretariat memorandum

Agenda item 11
LTW 299

Author: Janet Cooke

Terms of reference of subsidiary bodies

1 Purpose of report

- 1.1 To seek Board approval of the proposed terms of reference for its subsidiary bodies to take effect from 1 April 2009, replacing the present arrangements which were agreed on 27 March 2007.

2 Information

- 2.1 In the light of discussions already held at various meetings of members, the Board needs to approve a revised subsidiary body structure at its meeting on 17 March 2009. This report invites it to approve terms of reference for each of those subsidiary bodies.

- 2.2 The principles adopted in the attached proposals are:

- the Board will meet less frequently, no more than six times a year;
- committees (legally sub-committees) will have an on-going role and be given delegated authority to take decisions on behalf of the Board;
- a new committee, Transport Services, will be established so that there will be four committees;
- the existing Casework Committee will be renamed the Consumer Affairs Committee;
- task forces will have a time-limited existence (even if that time limit is some way in the future) and report with recommendations to the Board or relevant committee as appropriate;
- the Executive Group is a special subsidiary body able to act on behalf of the Board on the issues set out in its terms of reference.

- 2.3 The five existing task forces will be disbanded and their work assimilated into that of the committees, viz :

- issues relating to access to healthcare and community safety will be dealt with by the Transport Accessibility Committee; and
- issues relating to the Olympic and Paralympic games, Crossrail and Thameslink will usually be dealt with by the Transport Services Committee.

3 Equalities and inclusion implications

- 3.1 The remit of the Transport Accessibility Committee will ensure that the Board gives proper consideration to the needs of people with disabilities as well as other minority

interests. All other subsidiary bodies are expected to give due weight to such considerations where these are relevant to their respective remits.

4 Legal powers and financial implications

- 4.1 Clause 11(4) of Schedule 18 of the Greater London Authority Act 1999 allows the Board to determine its own procedures. Clause 12 of the same Schedule allows the Board to delegate any of its functions to such sub-committees as it thinks fit.
- 4.2 There are no specific financial implications for London TravelWatch arising from the contents of this report, save that there will be a net reduction in the time commitment required from members in attending meetings of the full Board.

5 Recommendation

- 5.1 That with effect from 1 April 2009 the Board's existing subsidiary bodies are dissolved, and are replaced by the revised structure (and terms of reference) set out in the annex to this report.

Terms of reference of subsidiary bodies

(amended 17.3.09)

1 General

- 1.1 These terms of reference should be read in conjunction with the Board's rules of procedure. If a conflict is found between the two documents, the rules of procedure shall take precedence.
- 1.2 In accordance with the rules of procedure, all members of the Board have a duty to consider the implications for minority interests prior to reaching a decision on any matter.
- 1.3 The committees and the Executive Group shall have delegated authority to act on behalf of the Board. A committee or the Executive Group may refer a matter to the Board if it is felt that the issue is of such importance that the full weight of a Board decision is required.
- 1.4 The Board, a committee or the Executive Group may set up a task force or task forces to consider any matter that falls within its remit. The appointing body shall determine the membership and terms of reference of such task force(s). (A) task force(s) shall report back to the body that set it/them up with reports containing findings/recommendations as appropriate. The Chief Executive must be consulted prior to the establishment of any task force(s) so that the staffing implications (if any) can be taken into account.
- 1.5 Meeting dates for committees for the following calendar year shall normally be approved by the Board in July each year. Recognising the difficulties caused to members when dates are changed, no committee meeting date shall be changed (unless all non-ex-officio members of the committee agree) without the approval of the Chair of the Board and then only for exceptional reasons.
- 1.6 In addition to the chair of a subsidiary body, the Chief Executive and the vice-chair of that subsidiary body shall be invited to participate in the agenda setting of meetings. The non-availability of the Chief Executive and/or the vice-chair shall not prevent an agenda being agreed.
- 1.7 The working papers of the Executive Group shall be confidential to members of the Group and designated senior staff who attend its meetings, but minutes of those meetings and of other subsidiary bodies shall be available to all members of the Board and, so long as they are not designated 'confidential', to the press and public.

- 1.8 The chair (pro tem) of meetings of the committees, at his/her sole discretion, may invite members of the public to participate in discussions on a specific item or specific items on the agenda of meetings.
- 1.9 Individual committees may recommend that research be commissioned on any matter to assist it in their work. Before making such a recommendation the committee must obtain confirmation from the Director, Research and Development that resources will be available to staff and/or fund that research. The chair of the committee should then recommend to the Executive Group that this research be included be in the organisation's programme.
- 1.10 A committee may agree that any research undertaken in fulfilment of its remit may be undertaken jointly with other agencies.

2 Consumer Affairs Committee

- 2.1 The remit of the committee shall be to:
- oversee the handling of casework by the secretariat;
 - set and monitor targets for the handling of casework;
 - discuss their complaints handling with transport operators;
 - determine how best to progress matters where individual cases give rise to broader policy issues
 - review cases where the complainant is dissatisfied with the secretariat's response;
 - consider changes to passengers' charters, bye-laws and other consumer law issues; and
 - consider the results of any general surveys of passenger opinion commissioned by London TravelWatch
- 2.2 There shall be no further opportunity for appeal within London TravelWatch from decisions of the committee relating to individual cases, but every complainant whose case has been closed by the organisation shall be advised of their right of appeal to the Local Government Ombudsman if they believe that maladministration has occurred.
- 2.3 The committee shall refer matters to the Board for further consideration when the issues raised involve the establishment of (or a potential change to any) agreed perspectives by London TravelWatch on substantive issues of transport policy.
- 2.4 The committee may refer unresolved cases relating to the National Rail network to the Department for Transport under Section 252C(3) of the GLA Act 1999 (as amended), or any equivalent legislation that may supersede this.
- 2.5 The committee may arrange for London TravelWatch to consider appeals relating to the National Rail network jointly with Passenger Focus. Such joint working may include the formation of a joint committee of members of both London TravelWatch and Passengers Focus. But any referrals under paragraph 2.3 above, relating to issues arising solely in the London TravelWatch area (i.e. the London railway area as defined in Section 252A(2) of the Greater London Authority Act 1999, as amended) shall remain the responsibility of London TravelWatch members alone.

- 2.6 The committee shall regard a decision of the Board as precedent for the determination of similar complaints received at a later date, but it may invite the Board to review its decision provided that it offers a reason to justify a change in a policy perspective.
- 2.7 The committee shall provide the Board twice yearly with a review of the casework considered by London TravelWatch over the preceding six months.
- 2.8 The committee shall normally meet six times a year.

3 Fares and Ticketing Committee

3.1 The remit of the committee shall be to:

- consider proposed changes to fares and the structure of fares affecting transport services in the London TravelWatch area;
- consider proposed changes to the availability, validity and retailing of tickets for to transport services operating in the London TravelWatch area;
- consider any matter of fares and/or ticketing policy that it believes should, in the interests of transport users, be investigated;
- have regard for value for money for fare- and tax-payers in making its decisions;
- recommend to the Chair of the Board any public statements that it believes would be appropriate on any issue that it has considered; and
- receive for information reports from the secretariat relating to action it has taken on behalf of the committee under delegated authority approved by the Board.

3.2 The committee shall regard a decision of the Board as precedent for the consideration of any related proposals, but it may invite the Board to review its decision provided that it offers a reason to justify a change in a policy perspective.

3.3 The committee shall normally meet six times a year.

4 Transport Accessibility Committee

4.1 The remit of the committee shall be to:

- consider any matter affecting the journey experience of transport users including (but not limited to) :
 - actions to improve the end-to-end journey experience,
 - information provision,
 - enhancing the design and operation of stations, stops and transport interchanges,
 - the design of rolling stock, buses, taxis, etc.,
 - access to healthcare facilities,
 - community safety and personal security
 - social inclusion, and
 - affordability;
- consider specifically the transport provided for and the needs of passengers with disabilities;
- recommend to the Chair of the Board any public statements that it believes would be appropriate on any issue that it has considered; and

- receive for information reports from the secretariat relating to action it has taken on behalf of the committee under delegated authority approved by the Board.

4.2 The committee shall regard a decision of the Board as precedent for the consideration of any related proposals, but it may invite the Board to review its decision provided that it offers a reason to justify a change in a policy perspective.

4.3 The committee shall normally meet six times a year.

5 Transport Services Committee

5.1 The remit of the committee shall be to:

- consider matters affecting the provision of transport services as they affect passengers, including:
 - major changes to route patterns and timetables,-
 - operational reports,
 - standards of service delivery,
 - major changes to transport service contracts and rail franchises,
 - transport infrastructure projects.
- recommend to the Chair of the Board any public statements that it believes would be appropriate on any issue that it has considered; and
- receive for information reports from the secretariat relating to action it has taken on behalf of the committee under delegated authority approved by the Board.

5.2 The committee shall regard a decision of the Board as precedent for the consideration of any related proposals, but it may invite the Board to review its decision provided that it offers a reason to justify a change in a policy perspective.

5.3 The committee shall normally meet six times a year.

6 Closures Committee

6.1 A Closures Committee shall be established when required to consider, and to determine policy and/or make recommendations (as appropriate) in respect of, any proposal for the total closure of a station and/or line in the London TravelWatch area under the relevant provisions of the Railways Act 2005 or any subsequent legislation.

7 Executive Group

7.1 The remit of the Group is to exercise general oversight of the operation of the Board, with particular reference to :

- governance;
- the role and responsibilities of members (insofar as this is an London TravelWatch and not a London Assembly responsibility);
- preparing budgets and monitoring expenditure;
- staff (including their general terms and conditions of appointment and salaries);
- the overall performance of the organisation; and

- the conduct of Board meetings.
- 7.2 The Group shall keep under review London TravelWatch's rules of procedure and the terms of reference of its subsidiary bodies, and propose changes to the Board when appropriate.
- 7.3 The Group shall normally meet ten times a year.