

September 2003

Welcome to the latest edition of *Update*. This paper includes updates on the ADI Review, MOT2, Introduction of new safety questions to driving tests and the Booking Services Project. There is also information on the RoadWise initiative, illegal instruction and Data Protection. You will also find enclosed a leaflet from the Trade Union AMICUS which we have agreed to circulate. I hope that you find the contents of this edition of *Update* both interesting and informative.

Toilets at Dill Road

We have been advised that over the last year or so a number of items have been discovered in the Dill Road toilets which have caused the Agency some concern. It would seem that the toilets are being used for sinister purposes and that opportunists familiar with the routine at the centre are using the facilities while examiners, driving test candidates and instructors are off-site.

There is no suggestion that the items have been left by instructors or driving test candidates who are legitimately using the centre. However, the nature of the items found would indicate that illegal activity may have taken place in the toilets. For this reason the Agency's Property Services Manager has decided that the toilets should remain locked while the driving examiners and/or the cleaner are off site.

I appreciate, from a customer care perspective this is far from ideal however the Agency has little choice at the moment but to take this action. I apologise for any inconvenience caused by this measure and would appreciate if you would advise the staff in attendance or the Centre Manager if you have observed anything unusual while you have been at the centre.

AMICUS

You may already be aware of AMICUS – AEEU. It is a trade union which is launching a drive to sign up as many driving instructors across Northern Ireland. We met recently with representatives of AMICUS who feel that their role within the ADI industry can be complementary to the various ADI groups and associations which are already in existence and operating effectively.

Attached is a leaflet which AMICUS has asked us to circulate. As usual I have to remind you that our facilitation of this leaflet does not represent an endorsement of

the current or future views of the Union. However, a lobby of any sort claiming to represent the views of a majority of ADIs would be very welcome for the purposes of communication, consultation and good relations between the Agency and the ADI industry.

Introduction of Safety Questions into driving tests

The introduction of the show/me tell me questions into the driving test on 1 September seems to have gone fairly smoothly. Not surprisingly, ADIs have been keen to observe the safety questions being asked in order to familiarize themselves with what is being asked. We do hope however, that once the new questions have become a familiar part of the test, you will feel more comfortable about remaining in the waiting room as the test is about to proceed.

There are early indications that some instructors are not preparing the candidate for the safety questions, or if they do, it is immediately prior to the test. The purpose of the new questions is so that candidates can be comfortable and confident about carrying out these tasks, should it be necessary, not just answering questions about them. Please take the time to prepare your candidates for this part of the test in the same way that they are prepared for all other aspects of the test.

ADI Review

Subject to solicitor's clearance, new legislation will become operative in December/January which will bring into effect changes arising from the ADI review. The most significant of these will be the change to the Trainee Licence Scheme which will bring it partially into line with GB. Applicants will firstly have to **pass** Parts I and II of qualifying examinations, and not failed Part III before they can apply for a Trainee Licence. In GB there is a requirement to also have completed 40 hours training prior to application for a licence. However, this provision will not be replicated in NI given the lack of regulation of the ADI training industry and the concern that it could lead to the monopolization of the Trainee Licence scheme.

Deirdre Walsh, ADI Review Project Manager is keen to organize meetings with ADIs – possibly at a number of locations – a little in advance of the legislation being made. Many of you felt that regular seminars with the Agency at which you could be updated about developments in the learner driver arena would be a good step towards Continuing Professional Development. At the back of this Update you will find a return slip which I would ask you to complete if you are interested in attending a meeting. At this point we don't know when they will be held as it depends when we get solicitors clearance to make the new legislation.

Illegal Instruction

Please continue to report instances of suspected illegal instruction to your local centre manager or driving examiners. While we may not be able to bring these cases to court (lack of evidence) we do hope to deter these people from operating. For this purpose it is helpful to simply have confirmation from a learner driver that they have paid such a person for lessons. This means that while we do not have evidence, we can be confident that the person is acting illegally and are in a better position to

confront them or contact the PSNI. If you are aware of any learners who have paid an illegal instructor for tuition – please urge them to report it to us. We will not be using their name- it simply gives us a measure of the extent of an illegal instructor's operation.

Roadwise

The Roadwise project is being set up by Zurich Insurance, PSNI, Charles Hurst and others. The scheme will allow new full license holders to complete a training course and test, successful completion of which would make them eligible for discounted insurance in their own name. The Roadwise group have expressed a strong and compelling road safety motivation for setting up. The commercial interests feel that they should give back something of what they make from the car industry to try to reverse the trend of road fatalities.

The Agency recognises the venture as having potential road safety benefits and supports the concept of drivers taking additional training. However, at this stage we have stopped short of explicit support and prefer to wait until the scheme has been up and running for a while and can be evaluated for its road safety benefits. It is important for DVTA to remain independent, and while links with the commercial sector in the area of road safety are of course to be welcomed, we have to be careful of how any endorsement may be perceived.

We have however agreed to facilitating awareness of the project; and this is why we forwarded a recent maildrop about the scheme to all ADIs. Roadwise are aiming to sign up existing ADIs to carry out the necessary training and tests. Please be assured that your contact details were not divulged to anyone – the letter was sent to the Agency and addressed by us before issue.

Data Protection

Some time ago we asked you for specific permissions regarding publication or issue of your contact details. This was necessary for Data Protection reasons. Only about 150 of you replied. I am again attaching the return to this *Update* and would urge anyone who has not yet replied to do so. If you don't want your details to be given to anyone – that's fine but if you do we need to have your permission. We are about to publish a list of ADI (who have given the relevant permission) on the Agency's web-site. It is going to be a very short list. If you want your name, Telephone number or email to be on this list – please let us know by completing the attached form. I am sure you will agree that this would be a useful place for your business to be listed as the Agency web-site may be the first place many learner drivers look for a list of ADIs.

Refunds of ADI Registration fees

There is no provision in the current ADI regulations for the refund of ADI registration fees and our policy has always been to treat such fees as non-refundable. We have received representations on a number of occasions requesting us to change this policy and this together with a number of recent cases has prompted us to review the matter.

I am pleased to advise you that the Agency is now prepared to consider applications for the refund of registration fees where there are exceptional circumstances. Where an ADI has paid the full registration fee and cannot, through no fault of his/her own, continue to operate as an ADI in Northern Ireland, perhaps through illness, early retirement, or moving out of the country, then a proportion of the fee may be refunded. The refund will be based on each full year left on the licence and subject to the licence being returned to the Agency. Under the current fee structure, this amounts to £60.00 for each full year remaining. Refunds will not be considered where the Registrar removes an ADI from the Register.

The policy is effective from 1 September 2003 but cannot be applied retrospectively. Anyone wishing to apply for a refund should put their request in writing to the Registrar and enclose their licence. Please note that upon surrender and refund of the licence ADI must not continue to provide driving instruction for reward or use the designation 'Approved Driving Instructor'.

Specific provision has been made in the revised regulations, due to come into effect later in the year. In the meantime, I hope that this change will be a welcome development, particularly for any ADIs coming up to retirement and facing the prospect of registering for a further four years.

MOT2

DVTA's planned Rollout programme for replacing all vehicle-testing equipment at test centres is on target for completion September 2003 as planned. All centres, apart from Cookstown and Belfast have now been completely refurbished with new equipment and these centres will be completed before the end of September.

A dedicated website (www.mot2-ni.gov.uk) and a telephone helpline (0845 6014094) are available.