



CERTIFICATES OF PROFESSIONAL COMPETENCE FOR PROFESSIONAL LORRY AND BUS DRIVERS

PROPOSED ARRANGEMENTS FOR IMPLEMENTING EUROPEAN UNION REQUIREMENTS FOR INITIAL QUALIFICATION AND PERIODIC TRAINING



Awarded for excellence



INVESTOR IN PEOPLE



Department of the
Environment

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Dear Consultee,

CONSULTATION PAPER: DRIVER CERTIFICATE OF PROFESSIONAL COMPETENCE

What is the paper about?

The paper explains the requirements of new EU legislation (Directive 2003/59/EC) and how the Government proposes it should be implemented in the UK.

What does the Directive do?

All new professional lorry and bus drivers will have to pass an initial qualification, and all professional lorry and bus drivers will have to take periodic training on a five-yearly cycle.

Who will be affected by the changes?

The Directive will impact directly upon professional drivers and their employers.

What advantages will the new arrangements bring?

Better-skilled drivers should bring economic benefits, particularly from fuel savings. Drivers will be able to enter these occupations from age 18 years.

Where can I find out more about this?

We have posted copies of the consultation paper and the partial regulatory impact assessment (RIA) on our website: www.dvtani.gov.uk.

What if I can't download the documents from your website?

You can get hard copies of the document from us by sending an email to elaine.hutchinson@doeni.gov.uk, or by phoning (028) 905 41812, or writing to me at the above address.

What if I have any queries about the documents?

Please get in touch with us using any of the methods mentioned in the paragraph above.

How should I reply?

You can send your response by email to elaine.hutchinson@doeni.gov.uk or send a hard copy to me at the above address.

How long have I got to reply?

The deadline for responses is Wednesday 8 February 2006, but if it would really help if you could get your response to me before then.

Yours sincerely

J S T DUNCAN
Chief Executive
DRIVER & VEHICLE TESTING AGENCY
BALMORAL ROAD
BELFAST



Certificates of Professional Competence for professional lorry and bus drivers

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CHAPTER 1. INTRODUCTION

1.1. New European Union legislation¹ will require professional drivers of lorries of all sizes, buses, coaches and minibuses to hold a Certificate of Professional Competence (CPC) as well as holding a driving licence. The Driving Standards Agency (DSA) is the part of the Department for Transport (DfT) with lead responsibility for implementation within GB. Lead responsibility within Northern Ireland is with the Driver and Vehicle Testing Agency of the Department of the Environment, Northern Ireland (DVTA). When implemented, DSA will have Competent Authority (i.e. regulatory) responsibilities concerning the Directive's training and assessment obligations in GB and DVTA within NI. This Consultation Paper seeks your views on how the Driver CPC arrangements should operate within UK.

1.2. The European Commission published its proposals for new EU requirements as a draft Directive in February 2001. The Government supported the objectives - improving road safety, and the economic efficiency and well-being of the road freight and passenger transport sectors. But the Government had major concerns about the original proposals. These would have required long periods of training post acquisition of a full driving licence before a person could work, imposing a costly and inefficient process which risked inhibiting rather than assisting the provision of drivers with the right knowledge and skills.

1.3. DSA issued a public consultation paper on the proposals in April 2001². The Government's position on the Directive as negotiations developed was informed by feedback from the public consultation exercise and close working with the road freight and passenger transport industries. The Directive that was finally adopted contained major improvements:

- flexibility to run the CPC Initial Qualification process (both the training and testing aspects) concurrent with the driving licence acquisition process, to avoid unnecessary duplication.
- the option to focus the Initial Qualification on achieved competence rather than time-served training.
- the option to allow drivers to work domestically whilst completing their initial CPC when they were within a national vocational training scheme.
- more flexibility in the content and arrangements for periodic training, so it could meet better the needs of drivers and operators.
- more time to implement the Directive's provisions, so that those affected could be involved and the new arrangements deliver their intended benefits.

1.4. Since the Directive was adopted, the Agencies³ have continued engaging with stakeholders explaining the choices available within the Directive, listening to their views and concerns, and exploring the options. Also, the UK has been involved in negotiations on a draft third EU Driving Licence Directive. This contains proposals that overlapped with provisions in the Driver CPC Directive - particularly concerning licence renewal and minimum driving ages. Although the Driving Licence Directive has not yet been adopted, the Agencies believe that the current draft is unlikely to change significantly, so the proposals in this Paper should not be overtaken.

¹ Directive 2003/59/EC – copy at *Annex A* to this Consultation Paper.

² Draft European Directive on Compulsory Training for LGV and PCV Drivers

³ Throughout this Paper, "The Agencies" refers to both DSA and DVTA.

1.5. The Agencies can now set out the Government's proposed approach towards implementing the Driver CPC arrangements, and seek responses from everybody affected.

1.6. The Government considers that the new arrangements it proposes to introduce to transpose this Directive offers the opportunity to improve the economic well-being of the road freight and passenger transport industries and the access and prospects for professional drivers who work in them.

- Better qualified drivers - leading to significant savings in fuel consumption. Research⁴ indicates that these savings should outweigh the costs the two industries will incur as a result of this Directive.
- A safe route to enable younger people - from age 18 years - with the right knowledge and skills to become professional drivers. This should help recruitment into those occupations.
- Better qualified drivers should also result in fewer accidents - with savings in casualties, insurance costs and "down-time".

1.7. The Government considers that the new arrangements should also offer benefits to the wider community:

- Improved road safety from better qualified professional drivers would have a wider public benefit.
- Reduced fuel consumption should help with environmental targets such as carbon reduction and other emissions reduction.

⁴ SAFED - The Safe and Fuel Efficient Driving Standard – Momenta report for DfT 2005

CHAPTER 2. EXECUTIVE SUMMARY

Principles of the Driver CPC scheme

2.1. Professional drivers of vehicles in categories D, D+E, D1, D1+E, C, C+E, C1, C1+E (vocational driving licences) will, in addition to holding a full driving licence, have to hold a valid Certificate of Professional Competence (CPC). There will be a CPC for drivers of goods vehicles and a CPC for drivers of passenger-carrying vehicles. A CPC will be renewable on a 5-yearly basis. CPC status will be recorded on the holder's driving licence, or the driver will be issued with a separate Driver Qualification Card.

Expected benefits of the Driver CPC scheme

2.2. The proposed new arrangements offer the prospect of major benefits to the road freight and passenger transport sectors. In particular:

- better qualified drivers should mean savings in fuel consumption. Research indicates that the economic benefits should outweigh the costs of the Directive's provisions.
- better arrangements for skilling professional drivers will enable younger persons to take up those occupations, which has long been a request from the 2 sectors.

Exemptions

2.3 The Directive applies where a person needs a vocational driving licence to drive the vehicle. EU driving licence legislation allows for certain circumstances where a person may drive a vehicle in one of these categories without holding a vocational driving licence. Also, this Directive specifies certain circumstances where a person needs a vocational driving licence but is exempted from the CPC requirement. *In line with its views about not imposing regulation unless the case is clearly established, the Government will provide that these exemptions are transposed into domestic legislation.*

Acquired Rights

2.4 The Directive allows Acquired Rights in respect of its Initial Qualification requirements for drivers holding full vocational driving licences when those requirements are introduced, though those drivers will have to undertake Periodic Training in order to obtain their CPC. *In line with its views about proportionality when imposing new burdens, the Government will provide that the Acquired Rights for drivers holding appropriate vocational driving licences are transposed into domestic legislation.*

Initial qualification

2.5 The Directive requires new drivers - those obtaining their full driving licence for passenger-carrying vehicles or goods vehicles from the relevant implementation date - to satisfy an Initial Qualification process in order to be awarded a CPC. Each Member State must choose between two Options for obtaining the Initial Qualification. Regardless of which Option is chosen, the same syllabus applies, and drivers must achieve the same standard. Option 1 obliges a Member State to impose a specified regulatory arrangement for the initial CPC training, which includes a minimum 280 training hours. The driver must pass a test at the end of this course. Option 2 obliges a Member State to impose a more detailed test process in order to assure standards. *In line with its views that the purpose of this Directive is to assure standards of professional drivers, and its wish to avoid imposing unnecessary restrictions and burdens, the Government proposes to adopt Option 2.*

National Vocational Training

2.6 The Directive allows a Member State to introduce arrangements permitting a driver to work for up to 3 years before obtaining a CPC where the driver is undertaking a National Vocational Training (NVT) course that has a minimum duration of 6 months. A Member State is allowed to introduce an NVT arrangement regardless of whether it adopts Option 1 or Option 2 for awarding the Initial Qualification. The requirements that the Directive imposes relating to Option 1 or Option 2 (such as the restrictions on how CPC training is undertaken within Option 1) continue to apply. *In line with its views that it wishes to encourage lifelong learning and participation in aspirational vocational qualifications, together with the extra flexibility that an NVT arrangement might offer some students preparing for an Initial Qualification particularly where that is awarded under Option 2, the Government proposes to implement an NVT arrangement.*

Accelerated Initial Training

2.7. The Directive allows a Member State to introduce for certain drivers (depending on their age and the category of vehicle they wish to drive) a version of Option 1 for obtaining the Initial Qualification. The training hours obligation is reduced to 140 hours. *An Accelerated Initial Training scheme would inhibit the access of younger persons to the occupation of professional driver, plus introduce unnecessary complexity and costs in the Initial Qualification process particularly for a Member State that adopted Option 2. The Government does not propose to introduce Accelerate Initial Training.*

Periodic training

2.8. The Directive requires vocational drivers to undertake 35 hours of Periodic Training:

- within 5 years⁵ of obtaining a CPC following Initial Qualification, in order to retain a valid CPC
- within 5 years⁶ of the relevant implementation date (see paragraph 2.9 below) for vocational drivers exempted under “Acquired Rights” from the Initial Qualification provisions of the Directive, in order to obtain a CPC.
- within every subsequent 5 yearly CPC re-certification period, in order to retain a valid CPC.

The Government proposes to maximise the flexibility allowed in the Directive to implement the Periodic Training requirement in a way that maximises its potential benefit for drivers and operators.

Implementation dates

2.9. The Directive obliges Member States to have Regulations and administrative provisions in place by September 2006 and the Initial Qualification arrangement it has chosen no later than:

- September 2008 for new drivers of passenger-carrying vehicles.
- September 2009 for new drivers of goods vehicles.

To help allow for suitable preparation for the new arrangements, the Government proposes to use all the time allowed for in the Directive to implement the Initial Qualification.

⁵ A Member State may vary this 5 year period between 3 to 7 years in order to assist with implementing the Directive

⁶ A Member State may vary this 5 year period between 3 to 7 years in order to assist with implementing the Directive

2.10. The Directive obliges Member States to implement the CPC requirement (following Periodic Training) for Acquired Rights drivers no later than:

- September 2013 for drivers of passenger-carrying vehicles.
- September 2014 for drivers of goods vehicles.

2.11. For a Member State that chose to vary the 5 year period in order to assist with implementing the Directive those dates could be:

- Between September 2011 and September 2015 for drivers of passenger-carrying vehicles

- Between September 2012 and September 2016 for new drivers of goods vehicles

The Government is considering what would constitute optimum implementation dates for the Periodic Training requirement for Acquired Rights drivers in the context of driving licence renewal.

Regulation of training provision

2.12. The Directive requires that Member States impose the standards assurance arrangements specified in the Directive in respect of the training that is regulated under the terms of the Directive. This means that a Member State is obliged to regulate Periodic Training arrangements according to the relevant provisions in the Directive. If a Member State chooses Option 1 for obtaining the Initial Qualification, it is also obliged to regulate training for the Initial Qualification according to the provisions of the Directive. *Option 2 for the Initial Qualification has the advantage of offering domestic flexibility in respect of any standards assurance arrangements for CPC training for the Initial Qualification. The Government proposes to adopt a flexible approach towards the standards-assurance arrangements for Periodic Training, recognising that this is essential if Periodic Training is to meet the purposes of the Directive and to meet the needs of individual drivers and operators.*

Evidencing CPC status

2.13. The Directive requires Member States to provide drivers with tangible evidence of CPC status. Member States have the options of evidencing CPC status via a code on the driving licence (for which there is a standard European Union model), or via a code on a separate Driver Qualification Card that must be produced to an equivalent security standard. The Directive requires mutual recognition of CPC status by all Member States. *As an aid to simplicity and transparency, the Government proposes to adopt the insertion of a code on the driving licence as the primary means of evidencing CPC status. However, there will be some drivers holding non-UK driving licences who will be undertaking periodic training in the UK and recertifying CPC status, and the Government proposes that in these cases CPC status will be evidenced by issuing a Driver Qualification Card.*

Consultation

2.14. The Agencies invite all interested parties to contribute their views on the proposals outlined in this Consultation Paper in respect of:

- those parts of the proposals they support and those they oppose;
- the anticipated impact of the proposals; and
- any suggestions as to how the proposals might be improved.

2.15. The consultation period will last for a period of 12 weeks from 16 November 2005 to 8 February 2006. The costs of these proposals, including the compliance costs, will depend on the specific arrangements that are implemented. A partial Regulatory Impact Assessment (RIA) exploring estimated costs and benefits has been completed and is attached at *Annex D*. The RIA will be revised in light of any comments received as a result of this consultation exercise and as implementation details become clearer.

2.16. This Paper has been produced in accordance with the principles of the Code of Practice on Written Consultations⁷, which are reproduced at *Annex B*. If you consider that this Paper does not comply with the criteria, please write setting out the areas where you feel the Paper departs from the criteria to:

Graham Law
Consultation Co-ordinator
Driving Standards Agency
Stanley House
56 Talbot Street
Nottingham NG1 5GU
Tel: (0115) 901 5912
Fax: (0115) 901 5910
e-mail: graham.law@dsa.gsi.gov.uk

⁷ Modernising Government - Code of Practice on written consultation - Cabinet Office November 2000

CHAPTER 3. HOW TO RESPOND TO THIS CONSULTATION PAPER

3.1. The Directive allows each Member State some flexibility as to how the legislation is implemented. Although the Agencies would welcome your views on any aspect of the Directive, and the partial Regulatory Impact Assessment, we are particularly seeking your opinions on:

- Our proposed approach concerning the regulatory arrangements for obtaining the Initial Qualification, focussing on assessed competence rather than completing prescribed training hours followed by a test.
- The nature and content of the CPC tests to provide effective and efficient assessments in a customer-friendly manner.
- Effective and efficient learning and training strategies to help CPC students reach the required standard to obtain the Initial Qualification, and for delivering Periodic Training of value to drivers and operators.
- Allowing full licence holders to work whilst undergoing CPC training within the ambit of a National Vocational Training scheme.
- Suitable arrangements for documenting Periodic Training.
- Recording drivers' CPC status - codes on licences or a Driver Qualification Card.
- Co-ordinating driving licence renewal and CPC re-certification.
- Approval criteria for training centres and instructors, and quality assurance arrangements.

3.2. Our commentary on these points and further information can be found in the following chapters. Please use the questionnaire template at *Annex C* to respond.

3.3. Throughout the consultation period DSA representatives will be presenting information on the Directive and answering questions at a number of events, including Traffic Commissioner seminars. You can find out the dates by contacting DSA as shown at paragraph 3.4 below. Northern Ireland customers can get information on local events by contacting DVTA using the details in paragraph 3.4.

Your invitation to comment

3.4. It helps us considerably if you use the questionnaire template. You can e-mail your comments on any of the issues raised by this paper, including the partial Regulatory Impact Assessment, to cpc.consultation@dsa.gsi.gov.uk if you live in GB, and to elaine.hutchinson@doeni.gov.uk if you live in NI. Alternatively, you can write to DSA if you are a GB customer, or DVTA if you are a NI customer. The addresses are as follows:

Robin Massey
Policy Branch
Driving Standards Agency
Stanley House
56 Talbot Street
Nottingham NG1 5GU

Tel: (0115) 901 5916
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Elaine Hutchinson
DVTA Headquarters
Balmoral Road
Belfast
BT12 6QL

Tel: (028) 9054 1812
Fax: (028) 9054 7964

However you choose to communicate with us, we would appreciate your comments by 8 February 2006.

Responses

3.5. If you are replying on behalf of an organisation, it would be helpful if you could indicate who you are representing, the nature of the organisation, how many individuals' views are included within the response and what steps you have taken to gather those views. Please use the questionnaire template to provide this information.

3.6. The Agencies will use the responses received to this consultation exercise to inform Ministers of the preferred options for implementing the requirements of the Directive. A report based on the responses will be produced and posted on the Agencies' websites at: <http://www.dsa.gov.uk> and <http://dvtni.gov.uk> The Agencies will contact everyone who submitted comments to inform them that a Response to Consultation Report is available.

Disclosure of information

3.7. In line with the Agencies' policy on openness, it is DSA's intention to publish the responses received on its website at the end of the consultation period, unless it is asked not to do this. You should also be aware that the Agencies might be obliged to disclose your response if asked to do so as part of a request for information made under the Freedom of Information Act 2000. You may ask that your response is kept confidential, but the Agencies will only be able to do this if withholding the information is consistent with the obligations under that legislation. Please note that a confidentiality disclaimer generated by an IT system in e-mail responses will not be regarded as a confidentiality request. Where hardcopies of responses are requested by third parties, the Agencies will make a reasonable charge for processing and copying.

3.8. A copy of this Paper has been sent to the organisations listed at *Annex E*. This list is not exhaustive. It is representative of the types of organisations to which the Paper has been sent. Please advise us if you think that other organisations or individuals should be sent a copy. The text of the Paper is also available on the Agencies' websites at: <http://www.dsa.gov.uk> and <http://www.dvtani.gov.uk>

Transposition into domestic law

3.9. Implementing the Directive will require domestic legislation. The Directive requires Member States to put in place the necessary legislation by 10 September 2006. Detailed transposition into domestic legislation will be by regulation. The Government is seeking in the Road Safety Bill currently before Parliament to modernise the current regulation-making powers regarding driver training and testing. Subject to Royal Assent, these updated enabling powers should be available in Spring 2006. Also, the European Communities Act 1972 gives the Government the power to introduce legislation to give effect to EU law, and the Agencies envisage that these powers will be used.

Application within the United Kingdom

3.10. The Secretary of State for Transport has responsibility for driver training and testing in the United Kingdom, including EU negotiations and policy implementation. Driver training and testing are matters reserved to Westminster as regards Scotland and Wales. Legislative responsibility within Northern Ireland is devolved to the Northern Ireland Assembly under the Northern Ireland Act 1998.

CHAPTER 4. SCOPE OF THE DIRECTIVE, EXEMPTIONS AND ACQUIRED RIGHTS

Scope

4.1. The requirements imposed by the Directive apply to all professional drivers employed in road transport within the European Community (EC) and nationals of countries outside of the Member States of the EC who are employed or used by an organisation within it.

4.2. The Directive provides that if a person is required to hold a driving licence in any of the categories C, C+E, C1, C1+E, D, D+E, D1, or D1+E in order to drive the vehicle, the driver comes within the scope of the Directive, unless subject to an exemption specified in the Directive.

4.3. EU driving licence legislation permits, in certain circumstances, a person to drive vehicles in these categories without holding a vocational driving licence. Examples are the voluntary minibuss driver provision and the Community Bus Permit Scheme, where persons may drive a vehicle in Category D1 without holding a Category D1 driving licence. In such circumstances, this Directive does not apply the CPC rules to the driver.

4.4. Where a person switched from driving in those circumstances to driving a goods or passenger-carrying vehicle where the normal driving licence rules applied, then the CPC rules could apply to that driver. Drivers will need to be aware of their CPC responsibilities. Employers of drivers will also need to be aware of the CPC rules – as they need to be aware of driving licence rules.

4.5. Penalties for non-compliance with the CPC rules will attract similar penalties to those currently in force for driving/encouraging driving without an appropriate driving licence.

Government assessment

4.6. As a matter of general policy, the Government considers that the cost, including the compliance cost, of extra regulation should be proportionate to the risk being addressed. In circumstances where the EU has waived the need to hold a vocational driving licence, the Government considers that it would be disproportionate to impose a CPC requirement under domestic law.

Exemptions

4.7. The Directive specifies certain circumstances where a person is exempted from the CPC requirement regardless of the need to hold a vocational driving licence to drive that vehicle:

(a) vehicles with a maximum authorised speed not exceeding 45 km/h.

(b) vehicles used by, or under the control of, the armed forces, civil defence, the fire service and forces responsible for maintaining public order.

(c) vehicles undergoing road tests for technical development, repair or maintenance purposes, or of new or rebuilt vehicles which have not yet been put into service.

(d) vehicles used in states of emergency or assigned to rescue missions.

(e) vehicles used in the course of driving lessons for any person wishing to obtain a driving licence or a CPC.

(f) vehicles used for non-commercial carriage of passengers or goods, for personal use.

(g) vehicles carrying material or equipment to be used by the driver in the course of his or her work, provided that driving the vehicle is not the driver's principal activity.

4.8. Exemption (a) applies to vehicles with a maximum authorised speed of less than 45km/h and not to vehicles where the speed has been adjusted because of speed limiting devices. Exemptions (f) and (g) apply to “incidental drivers”. For example, a bricklayer might drive a vehicle to work transporting tools and equipment, but he is not a professional driver - the main part of his working day would be spent bricklaying; a schoolteacher driving pupils on curricular activities – again, they are not professional drivers, their profession is a schoolteacher.

4.9. These exemptions apply to drivers only whilst driving in the circumstances specified by the exemptions. For example, drivers employed by the armed forces will not be required to hold a CPC when engaged in Ministry of Defence duties. But if they subsequently became employed by a haulage or bus company as a professional driver, they would then need to hold a CPC before they could work.

Government assessment

4.10. In line with its views about not imposing disproportionate regulation, the Government will provide that these exemptions are transposed into domestic legislation. The Agencies are aware that there is some concern that the existence of these exemptions will act as a loophole. There are fears that they could undermine the benefits that the Directive will deliver, and could be exploited in a way that represents unfair competition. The Agencies believe these fears can be satisfactorily addressed by setting appropriate standards that must be met before any driver can obtain a vocational driving licence and proper enforcement of the circumstances when a CPC must be held.

Acquired Rights

4.11. The Directive allows Acquired Rights (sometimes called “grandfather rights”) for drivers holding full vocational driving licences on the date on which the Initial Qualification requirements are introduced.

- A driver holding a full vocational licence to drive a passenger-carrying vehicle on 9 September 2008 will not have to undertake an Initial Qualification to obtain a CPC to drive a passenger-carrying vehicle.
- A driver holding a full vocational licence to drive a goods vehicle on 9 September 2009 will not have to undertake an Initial Qualification to obtain a CPC to drive a goods vehicle.

4.12. Drivers subject to Acquired Rights will have to undertake Periodic Training in order to keep valid their acquired CPC.

Government assessment

4.13. In line with its view about proportionality when imposing new burdens, the Government proposes to implement this Directive giving effect to these Acquired Rights.

CHAPTER 5. INITIAL QUALIFICATION

Introduction

5.1. The Directive requires each Member State to adopt one of two regulated processes for obtaining an Initial Qualification. Member States agreed this flexibility in order to accommodate their different training and testing infrastructures. Whichever Option is adopted, there is a common syllabus and the same standard of competence must be achieved⁸. The Directive does not allow a Member State to adopt one process for drivers of goods vehicles and the other for drivers of passenger-carrying vehicles.

- **Option 1** involves imposing the requirements specified in the Directive in respect of both the initial training and the test that must be passed before an initial CPC is awarded.
- **Option 2** involves imposing the requirements specified in the Directive in respect of the theory and practical tests that must be passed before an initial CPC is awarded.

5.2. A driver does not need to hold a full driving licence before undertaking the initial qualification. The Agencies estimate that there is approximately an 80% overlap between the syllabus for CPC acquisition and the syllabus that underpins the related driving licence acquisition tests⁹ (see *Annex F*). They expect that many drivers will want to undertake the Initial Qualification for a CPC in parallel with vocational driving licence acquisition. Therefore there would be an advantage in adopting CPC implementation arrangements that enabled drivers, if they so wished, to integrate the training and testing processes for driving licence acquisition and CPC Initial Qualification. The arrangements would need to ensure that drivers seeking a CPC had demonstrated the knowledge and skills required by the Driver CPC Directive and had reached the required standard.

5.3. The CPC that a driver is awarded in respect of an Initial Qualification for one category of goods vehicle applies to driving all categories of goods vehicle. A comparable provision applies to drivers who have obtained an Initial Qualification for one category of passenger-carrying vehicle – the CPC obtained applies to driving all categories of passenger-carrying vehicle. A CPC awarded following Accelerated Initial Training (Chapter 7) is an exception as it has certain restrictions.

5.4. Drivers who are awarded an Initial Qualification for driving goods vehicles receive some recognition if they wish to obtain an Initial Qualification for passenger-carrying vehicles (and vice versa). The details depend on whether the Member State is operating an Option 1 or Option 2 process for obtaining an Initial Qualification.

5.5. The Directive allows Member States to provide that where a trainee already holds a CPC for the occupation of a road transport manager (TM CPC), the driver may be exempted from having to complete those parts (both training and test) of the Driver CPC Initial Qualification that had been covered whilst qualifying for the TM CPC. The details would depend on whether the Member State was operating an Option 1 or Option 2 process for obtaining an Initial Qualification. In practice adopting this provision would have little effect and would introduce administrative complication. The overlap between the Driver CPC syllabus and the TM CPC syllabus is minor, and becoming a driver is not a natural career path for a transport manager. Also, the TM CPC is a level 3 qualification and the Driver CPC a level 2 qualification.

⁸ Directive 2003/59 sets a standard for the Driver CPC of a minimum level of knowledge and practical competence at the level reached during compulsory education supplemented by professional training, which equates to NVQ/SVQ level 2 in the UK context.

⁹ Annex 2 of Directive 439/91 as substituted by Commission Directive 2000/56/EC

Option 1 requirements - Compulsory training course attendance and test

5.6. Option 1 obliges a Member State to regulate, according to provisions set out in the Directive, the training and testing of the drivers seeking an Initial Qualification, and the standards of the trainers.

Driver training

5.7. All trainees must undertake a training course that:

- has a minimum 280 hours duration (8 weeks).
- covers all the subjects in the CPC syllabus (set out in Annex 1 to the Directive).
- has been approved by the Competent Authority.
- is delivered by a training centre that has been approved by the Competent Authority.
- uses instructors who have been approved by the Competent Authority.
- includes a minimum of 20 hours driving.^{10 11}
- whilst driving, the trainee must be accompanied by a suitably qualified instructor.
- the training vehicle must meet the standards set for vehicles used for vocational driving licence acquisition tests.

5.8. Where the candidate already holds a Driver CPC relating to the carriage of goods and was seeking to extend it to cover the carriage of passengers (or vice versa) the course need only be 70 hours long, including a minimum 5 hours of driving.

Standards of trainers

5.9. Organisations wishing to provide training would need to apply in writing to DSA (DVTA in NI), or a body designated by them, for approval. The type of information required to support such an application is shown at section 5 of Annex 1 to the Directive and includes details of the premises, instructors and proposed training programme.

5.10. Instructors employed by the training centres to deliver the programme must be able to provide certification showing that they have knowledge of the subject material and teaching methods. They must also provide evidence of their experience as a professional driver or similar driving experience (e.g. as lorry or bus driving instructors).

Test

5.11. The trainee has to pass a test (oral or written) covering all the subjects in the syllabus at the end of the course. This means that the test could not be linked with the theory test taken as part of driving licence acquisition unless all the prescribed CPC training had been completed before a driver attempted the licence acquisition test.

5.12. The Agencies consider that a minimum of 35 questions would be required to provide a fair and valid test covering all the topic areas¹². As this would be a test on which a livelihood would depend, it would be essential that a candidate's performance could be evidenced. Also, evidence would need to be kept on the performance of the test to ensure the integrity of the CPC. These audit requirements mean the test would need documentation, though it could be a computer based test.

¹⁰ the Directive does not specify a maximum amount of time driving.

¹¹ Member States may allow up to 8 of the 20 hours to be undertaken on a 'top-of-the-range' simulator. The Directive does not define what this term means, though the Agencies understand some other Member States interpret it to mean a 'cab type' fully-moving simulator.

¹² 14 topic areas for drivers of passenger-carrying vehicles and 13 for drivers of goods vehicles

Evaluation

5.13. The mandatory training periods imposed by Option 1 are much longer than the training courses currently undertaken for vocational driving licence acquisition. The Agencies understand that lorry and coach drivers normally take courses lasting 1-2 weeks for licence acquisition. They have been advised that some large bus companies have 3-4 week training programmes for new drivers, though part of the training may take place after the trainee has obtained a full licence and is already working. Systems would need to be devised and implemented to record the training that a trainee undertook.

5.14. Option 1 would therefore have major direct training cost implications for the drivers, or the employers if they were to pay, or the public sector were it to provide training grants. The Agencies understand that the commercial rate for driver training is about £750 per week.

5.15. Option 1 would also have significant indirect cost implications. A person would be prevented during the long mandatory training periods from earning a wage as a driver or contributing as a driver to the economic welfare of the organisation.

5.16. In addition, Option 1 would create regulatory and compliance costs for training providers, and the long mandatory training periods could give rise to capacity issues.

Summary: Option 1 for the award of the Initial Qualification

Features	Potential benefits	Potential drawbacks
<p>280 hour compulsory training course.</p> <p>Detailed regulation of training content.</p>	<p>An environment in which all trainees have the opportunity to learn the knowledge and skills as set out in the CPC syllabus and are well prepared to meet the CPC standards.</p> <p>Give weaker trainees a better chance to meet the required standard.</p>	<p>A focus on time-serving does not address needs/abilities of all the trainees.</p> <p>A possible deterrent to recruitment – especially for the stronger trainees owing to the inflexible nature of the training process.</p> <p>The direct training costs of 8 week training courses for each trainee whether they need it or not.</p> <p>The lost productivity from drivers engaged in a 280 hour training course.</p> <p>All practical training must be conducted in vehicles that meet the standards for driving licence acquisition tests. This could create inflexibilities and costs, particularly for in-house training.</p> <p>Trainees undertaking practical driver training (minimum 20 hours) must be accompanied by a certified instructor - inflexible and costly.</p> <p>Any change of training provider during the course could result in the driver having to retake the whole course</p>
<p>Detailed regulation of training providers.</p>	<p>Should give greater assurance that training is at the right standard for Initial Qualification.</p>	<p>State obliged to evaluate, register and quality-assure all the training providers, instructors and course materials relating to CPC training.</p> <p>Regulatory arrangements needed for training as well as testing. Complicates and adds risk to the implementation programme.</p> <p>The costs of regulation will have to be recovered, and adds to overall costs.</p> <p>Training can only take place in approved training centres. This could give rise to availability and capacity issues.</p>
<p>More limited test requirements than for Option 2.</p>	<p>Test requirements smaller and cheaper than for Option 2.</p>	<p>The test standard would be the same. Could mislead trainers and trainees about standard to be met. The validating test would have to be passed – irrespective of the training taken – before certification could be awarded.</p>

Option 2 requirements - Compulsory test only

5.17. Option 2 obliges a Member State to regulate, according to provisions set out in the Directive, the testing of drivers seeking an Initial Qualification. The State can, if it wishes, introduce its own domestic rules concerning training, but these would not be constrained by provisions in the Directive as is the case if the State adopts Option 1.

5.18. The Option 2 test comprises a 4-hour theory test and a 2-hour practical test, in modules (though those modules could be joined if that suited customer needs). This compares with the current 1.5-hour theory test and 1.5-hour practical test that must be passed in order to obtain a vocational driving licence.

5.19. The Agencies envisage that, with careful test design and appropriate content and standards-setting, a test plan could be put in place with 2.5 hours more theory testing and 0.5 hours more practical testing that satisfied the requirements for both driving licence acquisition and CPC acquisition, either in parallel or sequentially. This approach would help integrate the qualification processes for the driving licence and the CPC, reducing the direct costs of the tests and also the compliance costs. It would facilitate integration of the training required for licence acquisition and that for the CPC.

5.20. With such a modular approach, drivers who obtained a full licence after the last date for Acquired Rights would be able to “top-up” a vocational licence entitlement in order to be awarded a CPC. *Annex G* indicates a possible arrangement.

Theory Test

5.21. The Directive requires:

- a 4-hour theoretical test, covering all the subjects in the CPC syllabus.
- using multiple-choice and/or direct answer questions plus case studies.

5.22. Where a driver already holds a CPC for the carriage of goods, and wishes to obtain a CPC for the carriage of passengers, the theory test may ignore those parts of the syllabus that are common to both (and vice versa).

5.23. The Agencies are aware of some fears that a requirement to pass a theory test totalling 4 hours allowable time would risk excluding persons who could be good drivers - based on concerns regarding literacy, numeracy and IT skill levels amongst drivers. The Agencies are also aware of some negative attitudes towards the type of case study questions used in the exam for the Transport Manager (TM) CPC.

5.24. The Agencies are confident that these concerns can be addressed by careful test design. Similar concerns about limiting access were expressed when the separate theory test was introduced for licence acquisition for vocational drivers in 1997, when that theory test moved from being a pen-and-paper test to being a computer-based test in 2000, and when a moving-image hazard perception test (HPT) was added to the test in 2002. On each occasion, it has proved possible to design a valid test that has not unfairly excluded applicants.

5.25. For the case study questions, it is likely that a candidate would be shown a scenario and asked to respond to on-screen questions. Candidates would not be writing “essay” answers.

5.26. A 4 hour modular theory test satisfying both licence and CPC acquisition would contain multiple-choice questions, hazard perception questions and case studies. The Agencies estimate that the test fee would be around £75. The Agencies would invite industry representative nominations to be part of a working group looking at test development issues, such as content validity, test item design, and to act as Subject Matter Experts, in developing new multiple-choice, hazard perception and case study items.

5.27. To maximise the public investment in e-assessment technologies currently at the Agencies disposal, and provide high levels of test provision nationwide, the theory test for CPC purposes could be made available at the same locations as currently provide the licence acquisition theory test - 157 public locations in GB and in NI.

5.28. The Agencies would still need to provide a theory test for those who needed a vocational licence but who did not need a CPC. They envisage this test would have a multiple choice question element and a hazard perception element, like the current licence acquisition theory test.

5.29. The Agencies would also need to provide a theory test for a person who held a full licence who subsequently sought a CPC. This “top-up” theory test might be a case-studies module.

Practical test

5.30. The Directive requires:

- a 2-hour, 2-part, practical test.
- covering specific points in the CPC syllabus (identified in *Annex E*).
- a first part involving 1.5 hours driving¹³.
- a second part involving 30 minutes vehicle safety/documentation/demonstration checks.
- the standards for vehicles used for the CPC practical test must be the same as those used for vocational driving licence acquisition tests.

5.31. The Agencies envisage introducing a 2-hour practical driving test that would serve licence acquisition and CPC purposes, which would only be 30 minutes longer than the current vocational practical driving test. DSA estimates that this test would cost applicants around £130. Provided they had received suitable training beforehand it is envisaged that delegated examiners would, as with licence acquisition tests, be authorised to deliver this test.

5.32. The Agencies could offer the 2-hour test as a standard assessment, but still provide a 90 minute practical test for those who needed a vocational licence but who did not need a CPC.

5.33. The Agencies would also need to provide a practical test for a person who held a full licence who subsequently sought a CPC. A “top-up” practical test might focus on the vehicle safety/documentation/demonstration checks. Operated as a separate event, test administration means that the test slot for such an event would be likely to be 45 minutes. DSA estimate such a top-up practical test would cost GB applicants around £50.

¹³ The Directive allows Member States to substitute up to 30 minutes of the 90 minutes by a test taking place off-road or using a top-of-the-range simulator. The Agencies have no current proposals to use this option, but in line with the Government's policy for using computer-based objective testing to promote standards, they will keep possibilities under review.

Evaluation

5.34. Option 2 would avoid the major direct training cost implications of the Directive that would be involved with Option 1. Drivers would need to undertake appropriate training before taking the theory and practical tests in order to reach the CPC standard. But costs would be limited to addressing the specific needs of the individual driver rather than driven by prescribed processes like minimum training hours. Trainees and their employers would have flexibility to choose how, where and when drivers obtained their training. This would help facilitate the integration of CPC acquisition within existing training arrangements. If Option 2 were adopted, the Agencies would work in partnership with both sectors to ensure suitable learning support was available to meet individuals' learning styles.

5.35. Option 2 would have far less indirect cost implications than Option 1. Most drivers should require significantly less than 280 hours of training in order to cover the subject areas in the CPC syllabus. Also, the regulatory and compliance costs for training providers that would be part of Option 1 would be avoided.

5.36. Costs would be incurred developing new assessments, though computer-based objective assessments are increasingly being recognised by other regulatory authorities as offering effective and efficient solutions for other industries.

5.37. An enhanced standard of theory test for all new drivers of LGVs and PCVs (shown as Module 1 in *Annex G*), with a more comprehensive and rigorous assessment of the syllabus for vocational driving licence acquisition (which has an 80% overlap with the CPC syllabus), would provide significant advantages:

- it should allay concerns that the CPC exemptions for non-professional drivers (allowed by Article 2 in the Directive) will not become a safety loophole.
- it would enable a cumulative approach to the overall licence/CPC assessment without a multiplicity of modules.

Government and stakeholder assessment of the two Options

5.38. The Government is not attracted to Option 1. Although its requirements are rather less costly and burdensome than some of the proposals in the original draft Directive, Option 1 retains most of the cost generators - for drivers, their industries and the public sector - that motivated the Government to argue in Europe for an alternative approach. Having achieved that aim in negotiations, the Government sees no reason now to discard those benefits.

5.39. The Government considers that Option 2 provides a more cost-effective means for implementing the Directive. It focuses on the standards assurance purposes of the Directive whilst minimising regulatory and cost burden on stakeholders. The Government therefore proposes to implement Option 2 as the method of acquiring the Initial Qualification.

5.40. The current thinking of the industry representative bodies and their Sector Skills Councils can be seen in the report of a workshop which DSA arranged in August to explore their views on the Initial Qualification choices. A copy of the report is posted on the DSA website¹⁴. Whilst some bodies have already decided that they prefer Option 2 on the grounds of cost, flexibility and deliverability, others are reserving their formal position until this public consultation exercise is undertaken.

¹⁴ www.dsa.gov.uk

Summary: Option 2 for the award of the Initial Qualification

Features	Potential benefits	Potential drawbacks
<p>Focuses on assessment of competence rather than training process.</p>	<p>A better educational approach.</p> <p>Opportunity to use multi-media approach offering inclusivity for trainees from different educational backgrounds.</p> <p>Provides better assurance that trainees have met the required standard, and that CPC will therefore deliver its intended benefits.</p> <p>Quicker and more efficient process for producing qualified drivers, using the existing modern UK-wide assessment infrastructure, with instant results.</p>	<p>Regulator relies on assessments to ensure that the trainee has reached the right standard of knowledge, understanding and skills.</p> <p>Work needed on the psychometric design and implementation of the assessments - including new techniques such as case studies.</p> <p>Candidates' perceptions about a 6 hour test.</p>
<p>No EU restrictions on initial training.</p>	<p>Reduced direct and indirect training costs.</p> <p>Flexibility as to the provision, location and duration of training.</p> <p>Freedom for modern and innovative approaches to learning to develop, including use of simulation, e-learning etc.</p>	<p>Trainees may not undertake adequate preparation.</p> <p>Trainees may be sold unsuitable courses, which do not meet their learning requirements.</p> <p>Some trainees may like the "traditional" aspect of long training courses.</p>
<p>Training providers avoid the Directive's regulatory approach</p>	<p>Training providers avoid direct and compliance costs.</p>	<p>Instruction provided may be directed narrowly at how to pass the test and not the validation of the syllabus content.</p> <p>Some training may be irrelevant or of unsatisfactory quality.</p>
<p>Implementation project for the Initial Qualification relates to testing rather than both training and testing.</p>	<p>Less risk to implementation project.</p> <p>Avoids concerns about achieving the capacity of regulated training by implementation dates.</p>	<p>Implementation project must still provide arrangements for periodic training.</p> <p>Concerns about waiting times for practical tests.</p>

CHAPTER 6. NATIONAL VOCATIONAL TRAINING

6.1. The Directive provides that a Member State may use its national vocational training (NVT) arrangements to create an environment in which drivers can work on revenue-earning duties before obtaining a CPC - contrary to the normal rules of the Directive.

6.2. The arrangement involves CPC training taking place within the wider context of a National Vocational Training (NVT)¹⁵ course. An NVT provision must be subject to conditions:

- the NVT course must be substantial - minimum duration of at least 6 months i.e. much longer than the 8-week minimum duration period for compulsory training under Option 1 for obtaining the Initial Qualification.
- the CPC exemption may last no longer than 3 years.
- the person may drive only within that State, i.e. the UK.

6.3. An NVT provision operates in parallel with the CPC rules that otherwise apply, which would depend on whether the State has chosen Option 1 or 2 for the Initial Qualification.

- if a State adopts Option 1, the NVT course has to accommodate CPC regulated training of a minimum 280 hours, covering all the subjects in the CPC syllabus. During those 280 hours, the Option 1 training rules would apply, such as those concerning a certified instructor as an accompanying driver, and practical training having to be undertaken in vehicles that meet the standards for licence acquisition tests. The trainee would have to pass the Option 1 test before obtaining a CPC.
- if a State adopts Option 2, the driver has to pass the Option 2 test to obtain a CPC¹⁶.

6.4. If an NVT provision was adopted, some administrative arrangement would be needed so a driver could evidence status of current involvement in NVT. This might be achieved by putting a domestic code on the driving licence.

Evaluation

6.5. Introducing an NVT provision would allow circumstances in which CPC could be undertaken as a module within a longer programme of NVT, during which the student would be able to work. This might be the right environment for some individual learning styles. Within Option 1, an NVT provision would offer the flexibility of allowing persons undertaking CPC preparation to work as drivers whilst they are not on an initial CPC training course, and thus earn a wage. Within Option 2, it allows students even more flexibility to work whilst preparing for the final modules of their initial CPC test, as the CPC training is not regulated under the Directive.

6.6. The Sector Skills Councils for the road freight and passenger transport industries have advised the Agencies that fewer than 20% of new drivers take this type of course. The choice concerning the CPC Initial Qualification Option will need to be suitable for the generality of drivers as well as this group.

¹⁵ The Directive does not define “national vocational training” (NVT) course, and States have differing vocational training arrangements. But the Agencies interpret NVT as a vocational training scheme recognised and accredited by the Qualifications and Curriculum Authority (QCA) or the Scottish Qualifications Authority (SQA).

¹⁶ The Directive allows the test to be taken in parts, which is consistent with the proposed modular approach to this test described in Chapter 5.

Government and stakeholder assessment of the NVT provision

6.7. The inclusion of the NVT provision in the Directive was a UK negotiating objective when the draft Directive was being discussed. The Government wishes to encourage aspirational learning supported by voluntary qualifications, and sought to have the EU CPC rules flexible enough so they did not discourage the UK arrangements for vocational qualifications. Taken together with Option 2 for obtaining the Initial Qualification, the NVT provision allows an additional flexibility - providing a way of making an economic contribution as a driver whilst training for an Initial Qualification. The Government therefore proposes to introduce an NVT provision.

6.8. Representative bodies of the road freight and passenger transport industries have indicated that they would welcome the introduction of an NVT provision.

Summary: National Vocational Training

Features	Potential benefits	Potential drawbacks
<p>Person can drive without a CPC for up to 3 years.</p>	<p>Voluntary provision – trainee and employer free to elect whether or not to participate.</p> <p>Learning opportunities from a person being able to work as a driver in parallel with studying for the Initial Qualification.</p> <p>Driver can earn wage whilst studying for an Initial Qualification.</p> <p>Driver can contribute to the economic well-being of the operation.</p> <p>Mitigates the risk that the EU CPC scheme will act as a disincentive for person to engage in national NVT courses, particularly when linked with Option 2 for obtaining the Initial Qualification.</p> <p>Encourages aspirational learning.</p>	<p>NVT course must be at least 6 months long.</p> <p>The opportunity to work lasts for a maximum of 3 years.</p> <p>NVT might be seen as a CPC “loophole”.</p> <p>Engaging in NVT does not remove any of the requirements of Options 1 or 2 for the Initial Qualification.</p> <p>Engaging in NVT involves some extra administration and cost for trainee and employer.</p> <p>Administrative arrangement needed to establish NVT status.</p> <p>Possible confusion with EU CPC scheme.</p> <p>Trainees studying for a CPC in an NVT environment will be required to evidence their NVT status.</p>

CHAPTER 7. ACCELERATED INITIAL TRAINING

7.1. The Directive allows Member States to introduce an Accelerated Initial Training scheme. This is a variation to Option 1 of the Initial Qualification ie EU regulation of the training and a test, but with a smaller minimum training hours requirement. The scheme is linked to the Directive's rules concerning minimum driving ages - it would not be available to younger drivers in certain circumstances (*Annex H*), and cannot be linked with the NVT provision.

7.2. Trainees would have to undertake a training course that:

- has a minimum 140 hours duration (4 weeks)¹⁷
- covers all the subjects in the syllabus.
- had been approved by the Competent Authority.
- was delivered by a training centre that has been approved by the Competent Authority.
- used instructors who had been certified by the Competent Authority.
- included a minimum of 10 hours driving^{18 19}.
- whilst driving the trainee must be accompanied by a suitably qualified instructor.
- the training vehicle must meet the standards set for vehicles used for vocational driving licence acquisition tests.

7.3. Trainees would also have to attain the same standard as under the normal arrangements for the Initial Qualification, and pass an Option 1 test.

7.4. Organisations wishing to provide Accelerated Initial Training would be subject to the same arrangements as the training for Option 1 for the Initial Qualification.

Evaluation

7.5. The Accelerated Initial Training option appears to offer some attractions for a State that adopted Option 1 for the Initial Qualification - based on lower training costs linked to the reduction in the number of mandatory training hours. But there would be significant drawbacks. The other inflexibilities associated with regulated training under Option 1, such as the accompanying driver rule and the restrictions on the training vehicles used, would still apply. Also, the restrictions that would apply to holders of such CPCs obtained via Accelerated Initial Training could (for younger drivers in particular) severely affect their deployment by employers as they would be subject to restrictions in terms of the size of vehicle they could drive and the type of work they could undertake, creating a second-class of CPC-holder. Further, the Directive does not allow Accelerated Initial Training to be combined with an NVT provision.

7.6. There appear to be no attractions for introducing Accelerated Initial Training for a State that adopted Option 2 for the Initial Qualification.

¹⁷ Where the candidate already held a Driver CPC relating to the carriage of goods and was seeking to extend it to cover the carriage of passengers (or vice versa) the course need only be 35 hours long, including a minimum 2.5 hours of driving.

¹⁸ Member States could allow up to 4 out of the 10 hours to be undertaken on a "top-of-the-range" simulator.

¹⁹ The Directive does not specify a maximum amount of time driving

Government and stakeholder assessment of Accelerated Initial Training

7.7. Introducing an Accelerated Initial Training scheme would introduce unnecessary complexity and costs for a Member State that adopted Option 2 for the Initial Qualification. The Government is not aware of any evidence to justify an Initial Qualification route beyond that provided by Option 2 - in combination with a NVT course where desired. The costs associated with establishing and maintaining a regulatory framework for the Accelerated Initial Training scheme would be disproportionate. The Government, therefore, does not propose to introduce the Accelerated Initial Training.

7.8. The Agencies are unaware of any significant demand from stakeholders for Accelerated Initial Training. The fact that it cannot be combined with the NVT provision seems to be seen as a major drawback.

Summary: Accelerated Initial Training

Features	Potential benefits	Potential drawbacks
<p>Minimum 140 training hours rather than the 280 hours required by Option 1.</p>	<p>Savings in direct and indirect costs.</p> <p>The training will have to be validated by an Option 1 test before certification is awarded.</p>	<p>NVT provision not available.</p> <p>Retains many of the inflexibilities and costs associated with Option 1 for Initial Qualification.</p> <p>Creates second class (i.e. restricted) CPC-holders – inclusion issues and market inflexibilities.</p> <p>Sends the wrong message about higher and more professional standards for the industries.</p> <p>Adds complexity, with issues for transparency and enforcement, if Member State adopts Option 1 for the Initial Qualification.</p> <p>Pointless complication if Member State adopts Option 2 for the Initial Qualification.</p> <p>Complication and risk to the delivery of the Initial Qualification arrangements.</p>

CHAPTER 8. PERIODIC TRAINING

8.1. The Directive requires Periodic Training to be undertaken as part of the CPC scheme. The obligation for a driver to undertake Periodic Training arises:

- during the 5-year²⁰ period following the issue of a CPC after Initial Qualification, and within each successive 5 year period.
- within 5 years²¹ for those drivers who, when the CPC scheme was introduced, inherited Acquired Rights, and within each successive 5 year period.
- immediately, for drivers who have left the profession, and who wish to rejoin, and who do not otherwise have an exemption. (This would apply to a driver who had not kept up 5-yearly CPC renewal.)

8.2. Drivers who have completed Periodic Training for driving goods vehicles are exempt from a requirement to undertake periodic retraining for driving passenger-carrying vehicles (and vice versa).

8.3. Periodic training must be for a total of at least 35 hours every 5 years, in periods of at least 7 hours. Training does not have to be taken with one organisation, and if a driver moves during the 5-year period the training already undertaken counts towards the 35 hour requirement.

8.4. The Directive does not specify the extent to which this is theoretical or practical training, and says that it may be provided in part on “top-of-the-range” simulators.

8.5. The purpose of Periodic Training is skills maintenance and development. The content of training must be against the background of the CPC syllabus, with specific emphasis on road safety and economical driving.

8.6. Like all training which is specified under this Directive, Member States are obliged to quality-assure its provision.

Evaluation

8.7. To maintain and enhance the knowledge and skills of all professional drivers, Periodic Training will need to offer a variety of content suitable for differing needs, using methods to suit all types of content and learning style:

- learning about new regulations and procedures
- familiarisation with vehicle upgrades
- addressing driving issues linked to road safety and a fuel-efficient driving style.

8.8. The profile and subject matter of Periodic Training will evolve as the syllabus needs to encompass procedural, scientific and technological changes.

8.9. Periodic Training offers the opportunity for the road transport sectors to achieve significant economic benefits from fuel savings via schemes such as the Safe and Efficient Driver Training Programme SAFED²². Research evidence indicates that these savings have the potential to outweigh the costs of the Directive to the two industries.

²⁰ Member States may vary that period within a range of 3-7 years for the implementation period - to align with driving licence expiry dates or to help smooth the implementation of periodic training.

²¹ see note 20.

²² *Momenta* report for DfT on the *Safe and Efficient Driver Training Programme SAFED* Autumn 2005.

8.10. Administrative arrangements will be needed to record the Periodic Training taken, so that a driver will have evidence that the training has taken place. Possibilities include a paper driver logbook, a CD logbook, and an e-portfolio, or a smartcard.

Government and stakeholder assessment of Periodic Training

8.11. The Government's intention is to adopt a flexible approach, as far as is allowed by the Directive, towards the regulation of Periodic Training in order to encourage cost-effective solutions to meet the wide variety of particular requirements. To deliver the purposes of the Directive, this flexibility needs to include methods of delivery and the approval criteria for those who deliver Periodic Training, as well as content. The Agencies propose to engage further with stakeholders about Periodic Training.

8.12. Stakeholders have indicated that some employers already provide training similar in purpose to Periodic Training of at least the amount required by the Directive. They wish to see the refresher and developmental training arrangements which good companies have in place recognised and supported. They have suggested that the Agencies estimates of the compliance costs of introducing Periodic Training are too high - assuming the training that currently takes place is recognised for the purposes of counting the Periodic Training requirement of 35 hours every 5 years.

8.13. The main concerns expressed by stakeholders are that there should be as much flexibility as possible concerning the content of Periodic Training: how it is delivered, who delivers it, and the duration of the components, so that the training can meet the widely differing needs of drivers, learning styles, circumstances and company requirements.

8.14. The Agencies have received some comments from stakeholders that the introduction of a Periodic Training requirement will, as well as skills maintenance and enhancement, have a positive effect stabilising staff retention. Concerns have been expressed that currently better companies that invest in their staff are at a competitive disadvantage because they suffer from poaching by companies that do not.

CHAPTER 9. SUMMARY AND RECOMMENDATION

9.1. The table below, which is drawn from the RIA, outlines estimated annual costs and benefits associated with the Initial Qualification (distinguishing between the Options) and Periodic Training. Option 2 for the Initial Qualification is clearly the more cost-effective solution.

9.2. The Government is committed to transposing this Directive in a manner that maximises the opportunities for economic, social and environmental benefits, whilst avoiding unnecessary costs, regulation and process. The Government intends to use the improvements negotiated whilst this Directive was being discussed in draft, in particular:

- adopting Option 2 for the Initial Qualification.
- allowing for the NVT link where drivers and operators wish.
- developing modular tests that allow vocational driving licence acquisition and the Initial Qualification to be integrated.

Summary of estimated costs and benefits

	Estimated economic, environmental and social cost per annum		Estimated economic, environmental and social benefit per annum
	LGV	PCV	
Option 1²³ Initial Qualification – EU regulation of training hours plus test.	£246m	£70m	If 25% of accidents involving LGV/PCVs were prevented, the estimated benefit would be £147m pa³⁰ .
Accelerated Initial Training ²⁴	£84m	£8m	
Option 2²⁵ Initial qualification – EU regulation of test only.	£21m	£8m	If 25% of current deaths involving LGVs and PCVs were prevented, the estimated benefit would be £44m pa³¹
Additional cost of NVT ²⁶	£14m	£5m	
Option 1 with NVT²⁷ .	£260m	£75m	If higher standards save 5% fuel consumption, the estimated benefit in fuel savings for the road freight sector would be £385m pa³² . 5% fuel savings for the road passenger transport sector would be worth an estimated £38m pa³³
Option 2 with NVT²⁸ .	£35m	£13m	
Periodic training²⁹	£96m	£37m	

These figures are estimates based on information currently available. Figures will be revised following consultation and once a decision has been confirmed which Option UK will adopt for the Initial Qualification.

²³ LGV - 37,000 new drivers x 6 weeks training (additional to licence acquisition training), plus 6 weeks wages @ £350 (cost to employer and loss of wage for driver who cannot be employed until CPC obtained), approval of training @ £80,000 pa. PCV - 3,500 new drivers x 6 weeks training and 10,500 drivers x 4 weeks training, plus 4 or 6 weeks wages @ £350, and approval of training @ £40,000 pa: see paras. 4.22 - 4.24 of the RIA.

²⁴ LGV - 37,000 new drivers x 2 weeks extra training, plus wage cost for employer and loss of wage for driver until employed of £700. PCV 3,500 new drivers (25%) x 2 weeks training for those that do not undertake more than 2 weeks training for licence acquisition: see paras 4.27 - 4.28 of the RIA.

²⁵ costs of test, documentation, 2 days extra training, 2 days loss of wages: see para 4.40 of the RIA.

²⁶ assumes 25% participation rate in NVT for new drivers, ie 9,250 LGV drivers and 3,500 PCV drivers: see para 4.50 of the RIA.

²⁷ cost of the NVT plus cost of Option 1 Initial Qualification: see para 4.51 of the RIA.

²⁸ cost of the NVT plus cost of Option 2 Initial Qualification: see para 4.52 of the RIA.

²⁹ assumes basic daily cost of: LGV training of 1 days wage of £70 plus £150 trainer = £220 x 433,000, and PCV training of 1 days wage of £70 plus £150 trainer = £220 x 166,000: see paras 4.55-4.56 of the RIA.

³⁰ see para 4.4 of the RIA.

³¹ see para 4.4 of the RIA.

³² 5% of 11b litres x 70p: see paras. 4.5. and 4.6. of RIA.

³³ assumes 5% of 1.1b litres x 70p: see para 4.6. of the RIA.

CHAPTER 10. IMPLEMENTATION DATES

10.1. The Directive obliges Member States to have Regulations and administrative systems in place by September 2006 to implement whichever Initial Qualification arrangement it has chosen no later than:

- September 2008 for new drivers of passenger-carrying vehicles
- September 2009 for new drivers of goods vehicles

10.2. The Directive also obliges Member States to implement the CPC requirement (following Periodic Training) for Acquired Rights drivers no later than:

- September 2013 for drivers of passenger-carrying vehicles
- September 2014 for drivers of goods vehicles

though if a Member State elected to vary the 5-year period in order to assist with implementing the Directive those dates could be:

- September 2015 for drivers of passenger-carrying vehicles
- September 2016 for new drivers of goods vehicles

Evaluation

10.3. The Government proposes to adopt a “fit-for-purpose” approach to implementing the requirements of this Directive in order to maximise its benefits whilst minimising costs, including compliance costs. Nonetheless, the proposals in this Consultation Paper would involve significant developments to driving test and administrative systems, the development of learning support, and the environment for Periodic Training. These developments will involve operators and trainers, as well the Driver, Vehicle and Operator Group within DfT.

Government and stakeholder assessment of implementation dates

10.4. To help allow for suitable preparation for the new arrangements, the Government proposes to use the flexibility allowed for in the Directive to implement the Initial Qualification requirement.

10.5. The Government is considering what would constitute the most beneficial implementation dates for the Periodic Training requirement for those drivers with Acquired Rights in the context of driving licence renewal.

10.6. Stakeholders have indicated that they welcome the time allowed in the Directive in order to prepare sensible implementation solutions.

CHAPTER 11. REGULATION OF TRAINING PROVISION

11.1. Where the Directive requires training to be regulated, it also imposes an obligation on Member States to assure its standards. This means that a Member State is obliged to regulate Periodic Training arrangements according to the relevant provisions in section 5 of Annex 1 to the Directive. If a Member State chooses Option 1 for obtaining the Initial Qualification, it is obliged to regulate training for the Initial Qualification according to the provisions of section 5 of Annex 1 to the Directive.

11.2. Regulated training will be monitored to ensure compliance with the conditions of approval. Where the conditions of approval are not met, the Member State is able to suspend or withdraw the approval.

Evaluation

11.3. Although the Agencies would still be obliged to regulate the Periodic Training, much of the burden and prescription in these provisions would be avoided by the choice of Option 2 for the initial qualification. There would be domestic flexibility in respect of any standards assurance arrangements regarding those providing CPC Initial Training.

Government and stakeholder assessment

11.4. The Government proposes to adopt an approach to the regulation of Periodic Training which recognises that flexibility is essential if that training is to meet the purposes of the Directive and to meet the needs of individual drivers and operators. Stakeholders have indicated that this is in line with their wishes.

CHAPTER 12. EVIDENCING CPC STATUS

12.1. The Directive requires Member States to provide drivers with tangible evidence of CPC status. Member States may enter a Community code on the driving licence (for which there is a standard European Union model), or on a separate Driver Qualification Card (the prescribed model is set out in Annex II of the Directive) both of which are produced to an equivalent security standard. The Directive requires mutual recognition of CPC status by all Member States.

Evaluation

12.2. A draft Third EU Directive on driving licences proposes to impose a five yearly renewal period on vocational licences. Although that Directive has not yet been adopted, it is thought that the current draft is unlikely to change significantly. If a driver must renew the driving licence every five years, it would be cost-effective to update the CPC code on the licence on the same time cycle.

12.3. However, there will be some drivers holding non-UK driving licences who will be undertaking periodic training in UK and who will need to hold tangible evidence of CPC status. Provision will be needed so that these drivers could evidence their CPC status to employers and enforcement authorities.

Government and stakeholder assessment of Periodic Training

12.4. As an aid to simplicity and transparency, the Government proposes to adopt the insertion of a code on the driving licence as the primary means of evidencing CPC status. For those drivers holding non-UK driving licences undertaking periodic training in UK and recertifying CPC status, the Government proposes that CPC status will be evidenced by issuing a Driver Qualification Card.

12.5. The Agencies understand that stakeholders are content with this approach, which minimises issuing additional documents, but which ensures all drivers have tangible evidence of their CPC status.

CHAPTER 13. NEXT STEPS

13.1. In the discussions with stakeholders that have informed the drafting of this Consultation Paper, there have been five key messages given to the Agencies. Stakeholders are looking for the new Driver CPC rules to be implemented in ways that:

- minimise cost, including compliance cost.
- avoid administrative complexity and unnecessary regulation.
- allow flexible training arrangements.
- offer good availability of provision – both training and tests.
- minimise risk of uncertainty and delay in the implementation project.

13.2. The proposals in this Paper have been tested against those five criteria, and the Government considers that the proposed approach offers the prospect of obtaining the maximum benefit from the Driver CPC Directive in a cost-effective manner. The EU Commission has confirmed that it is content with the UK's proposed approach to this work.

13.3. The Agencies acknowledge the contributions made by the road freight and passenger transport industries in developing the proposals in this Paper. The Agency has invited them to participate in the implementation project, within a Stakeholder Group and their subject experts in Working Groups established to consider the detailed workstreams - such as test development for the Initial Qualification and the regulation of Periodic Training.

13.4. The Agencies have liaised with the Qualification and Curriculum Authority (QCA) and the Scottish Qualifications Authority (SQA). They are interested in, and support, the approach being proposed in the Paper, particularly the ideas concerning a modular approach to tests that provide both driving licences and CPCs, and the use of new types of screen-based test to assess vocational competence. They wish to modernise the way vocational qualifications are delivered, and have targets for using screen-based objective assessments for vocational qualifications. We shall involve QCA and SQA in our delivery project.

