



DRIVER & VEHICLE TESTING AGENCY

ENFORCEMENT STRATEGY

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ENFORCEMENT STRATEGY

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ENFORCEMENT STRATEGY – EXECUTIVE SUMMARY

Initial analysis and consultation in developing the strategy indicated a need for change. A recent review by the Vehicle Operator Services Agency (VOSA), views expressed by staff, management and the industry suggested a need to consider new methods of measuring performance and the potential to utilise new technology, including computerisation and equipment.

Industry representatives asked that action be focussed more directly on the illegal sector and expressed the view that compliance in Northern Ireland was probably lower than in the rest of the United Kingdom.

Comparison with other bodies

Comparison exercises indicated that, through the use of information technology and other modern equipment, other enforcement bodies had introduced considerable change in the past few years. VOSA in particular had made considerable progress in these areas and, because this had been undertaken in a manner that did not inconvenience legitimate operators, had gained the full support of industry representatives. VOSA and also other enforcement bodies including HM Customs & Excise, Police Service for Northern Ireland (PSNI), Environment & Heritage Service (EHS) have introduced intelligence-led targeted enforcement utilising a three-strand approach of overt and covert enforcement combined with education.

Measurement of performance

The main changes included in the proposed strategy include a revised means to monitor performance of the Agency's enforcement activity. At present performance is monitored through the use of targets for numbers of inspections of vehicles weighed, driver and vehicle documentation, including tachograph records checked and examination of vehicles for roadworthiness. It is proposed to introduce objectives to seek improvement in the level of compliance in these areas, for example to reduce the level of non-compliance in respect of overweight vehicles. Prior to setting targets for improvement, information is required on the present baseline levels of compliance across the range of activity.

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Overt, covert and educational approach

Accurately targeted enforcement, be it through inspection, in-depth investigation or education, will require expertise in obtaining and categorising intelligence, the development of a database of information on the transport fleet and modern equipment such as automatic number plate recognition equipment.

Taking change forward

Introducing the outlined changes will mean a considerable re-organisation of the Enforcement Section (the Section). In addition to the proposals outlined above there are a number of significant developments on the horizon for enforcement including the introduction of digital recording equipment, review of operator licensing, lorry road user charging, use of fixed penalties and the taxi review.

The change process will commence with a major survey to establish the current level of compliance. Using information from the survey, data from the test centres and from Great Britain (GB), targets will be set for future improvement. The Section will be reorganised to facilitate development of intelligence, support for change and new initiatives and to integrate education and publicity.

The means to target enforcement at the sector of the industry that is more likely to be non-compliant should mean that it is not necessary to stop and inspect as many vehicles. It is therefore proposed to reduce the targets for the numbers of inspections and reallocate the resources for intelligence, in-depth investigation and education activity.

Investigation undertaken in the development of this strategy identified a number of technology-based systems that could make the Section more effective and provide flexibility. These include geo-coding software, mobile brake testing and weighing equipment. While targeted enforcement can be introduced by means of a fairly basic system, the longer-term aim would be to have a sophisticated Information Technology (IT) system with real time information at the roadside and probably aligned to the digital tachograph solution.

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Investment in staff

The proposals outlined will mean change for enforcement staff. One feature of the consultation exercise was the high regard that the industry and other enforcement bodies have for the knowledge and expertise of enforcement officers. Nevertheless change will involve acquiring new knowledge and skills and this must be given the highest priority. Staff have been involved throughout the development of the strategy and implementation will commence with a workshop to discuss and develop the new procedures.

Future funding

The reduction in the number of roadside inspections will mean that the strategy can be introduced without additional expenditure for the first year. On the basis of information from the baseline survey, the need and cost of additional equipment, outcome of the reviews on, for example operator licensing, additional expenditure in future years may be required. If this is the case funding requirements will be supported by business cases.

Roadside enforcement is presently funded directly by the Department. There would be benefits to all by bringing enforcement within the trading fund, as was the longer-term aim when the Section came to the Agency. This should be considered as part of the Agency's future strategy.

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1. INTRODUCTION

Objectives

1.1. The primary objectives of the Driver & Vehicle Testing Agency's (DVTA) Enforcement Section (The Section) is to:

- improve road safety.
- enhance fair competition.
- reduce damage to the environment and the road and bridge network.
- protect the public.

Through the implementation and enforcement of government policies and legislative requirements relating to road transport.

1.2. It aims to achieve these objectives by undertaking a range of activities including checking vehicles, drivers and records both at the roadside and at operators' premises to ensure compliance with the relevant legislation.

1.3. Enforcement staff within the Agency are specifically authorised under the Road Traffic (Northern Ireland) Orders of 1981 and 1995 and the Transport Act 1967 to enable them to undertake their activities.

1.4 The Section enforces a wide range of legislative requirements relating to goods vehicles, buses and taxis. It also checks private cars and agricultural vehicles. The Section has a total budget of over £1.3m, and a staff complement of thirty-two. The headquarters, including the administrative support staff, taxi and Belfast goods vehicle enforcement teams are based at Corporation Street, Belfast. A goods vehicle enforcement team is based at Craigavon vehicle testing centre. The Section has fourteen dynamic axle weighbridge sites of which six are open to the public at all times to allow drivers to check the weight of their vehicles.

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Background

- 1.5 In May 2001 VOSA undertook a review of the Section. Recommendations from the review included the need to review the management structure to ensure an appropriate manager/staff ratio and adequate resources to achieve targets and targeting of enforcement activity to ensure maximum benefit in terms of vehicle compliance.
- 1.6 It was also recommended that an evidence-based approach should be adopted using information on, for example, vehicle accidents and/or best practice elsewhere. This, it was outlined, would assist strategic planning.
- 1.7 As a result of the review a successful business case for additional funding, based on the need to enforce European Directive requirements, was made to the Department for the Environment (DOE). Many of the other recommendations including those in respect of the management structure have been implemented. This strategy includes other recommendations from the VOSA review, for example the need to develop strategic planning and to improve the performance measurement processes.
- 1.8 DVTA reviewed its taxi enforcement strategy following concerns from the taxi industry and the Environment Committee of the Northern Ireland Assembly about the number of illegal taxis operating within the province. A full time Taxi Enforcement Team (TET) was formed in April 2003 resourced by a £20 levy on the Taxi Vehicle Licence fee and a Departmental Running Cost (DRC) allocation of £70k per annum. TET increased the emphasis on intelligence led targeted enforcement including the use of covert operations.

Mandates

- 1.9 The DOE is recognised by the European Union (EU) as the competent authority for Northern Ireland for a range of transport matters including driver and vehicle testing, operator and driver licensing, vehicle roadworthiness, construction and use requirements and drivers' hours and enforcement relating to these areas.

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1.10 A European Road Safety Action Programme published by the European Commission in 2003 (<http://europa.eu.int/scadplus/leg/en/lvb/l24257.htm>) sets out the key challenges to be met from an EU perspective in respect of road safety. The Agency's enforcement mandates are set out in Appendix 1.

Authority

1.11 The powers conferred on Enforcement Officers are wide and varied and emanate from a variety of legislative sources including domestic, national and EU legislation. All Enforcement Officers within DVTA are defined from a legislative perspective as Vehicle Examiners, Authorised Examiners or Authorised Persons.

1.12 Enforcement Officers undertaking enforcement duties and exercising authority bestowed on them by the Department must carry their Authorisation Cards at all times. If requested, Enforcement Officers must produce their Authorisation (Warrant) Card to any person they are dealing with.

Planning Context

1.13 Enforcement Section's role has changed considerably in the last 10 years. In addition to road safety and a reduction in damage to the road and bridge network there is now increasing focus on ensuring fair competition, enforcing social legislation, protecting the public and contributing to a cleaner environment.

1.14 In addition the legal framework and processes that are required as a result of the investigation of crime have changed considerably resulting in the necessity to comply with new methods of investigating crime and the management and presentation of evidence. Examples include the Criminal Procedures and Investigations Act 1996, the Human Rights Act 1998 and the Regulation of Investigatory Powers Regulations 2000. The increase in the list of items examined and the detail to which they are examined has greatly increased.

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2. APPROACH

Scoping Exercise

- 2.1 An initial scoping exercise involving senior management and enforcement staff was undertaken and highlighted a number of key issues to be addressed. A working team was developed and a series of meetings held with Section staff which highlighted a considerable degree of enthusiasm within the Section to become involved in the process. The issues which staff highlighted have been incorporated into the strategy. An initial project proposal was issued to management and staff in the Agency, DOE and Trade Union Side in August 2004 for comment.

Consultation

- 2.2 In developing this strategy consideration has been given to the views of both staff and management within DVTA, other Government Agencies, trade associations and individuals. Visits and meetings were held with the Department of Transport from the Republic of Ireland (ROI), VOSA in GB and other NI Enforcement Agencies. Key public and private stakeholders were invited to comment and a number of presentations and meetings were held.

Summary of discussions/consultation

- 2.3 Internal discussions and meetings with staff within DVTA raised the following issues:
- Better utilisation of information technology and modern technical equipment.
 - Adoption of best practice where relevant.
 - The need for new initiatives to be resourced.
 - More appropriate performance measures - volumetric targets not sufficient.
 - Need to be aware of efficiency.
 - Outstanding staffing issues relating to payments and allowances should be addressed.
- 2.4 Meetings with the industry including the Road Haulage Association, Freight Transport Association, Owner Drivers' Association, and Taxi Associations identified a broad range of issues including:
- A broad recognition of the knowledge and expertise of the enforcement staff.

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- Resource should be more specifically targeted against known illegal operators.
- A perception that the enforcement in NI was not as stringent as that in GB and other EU countries.
- A perception that NI operators were less compliant than operators within GB.
- A view that enforcement within NI needs to modernise, adopt a more flexible approach e.g. intelligence based targeted approach.
- The need to utilise available information both internally and externally, modern equipment and IT.
- Particular areas of concerns identified included drivers' hours being exceeded, the illegal use of fast agricultural vehicles and foreign operators not receiving the same amount of enforcement as national operators.
- The need to address consignor liability.

2.5 Meetings with VOSA identified a number of recent changes that have been or are in the process of being introduced:

- The use of information from random baseline surveys undertaken at the roadside and data from testing in test centres to determine strategy.
- Availability of relevant information/data at roadside inspections.
- Intelligence led enforcement based on operator risk score.
- Purpose built vehicles with on-board equipment including Automatic Number Plate Recognition (ANPR) systems.
- Trialling of mobile weigh pads, mobile brake testers and weigh in motion systems.
- The use of additional powers including impounding, fixed penalties and prohibition for drivers' hours offences.
- Educational visits and publicity play a significant role in enforcement.

2.6 A summary of the key issues noted during our meetings with other enforcement agencies including Police Service of Northern Ireland (PSNI), Environmental Health Service (EHS), Customs & Excise (C & E), Road Transport Licensing Division (RTLTD), Department for Transport (ROI) and the Gardai included:

- A three strand approach (overt, covert and education).
- Use of sanctions such as impounding assets, as a precursor to prosecution.

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- Increased use of publicity including tradeshows, leaflets, publication of successful cases.
- Willingness to undertake joint operations and share intelligence, equipment and best practice.
- National intelligence model of scoring intelligence.
- Increased use of field intelligence officers.

3 NEW INITIATIVES

A number of new initiatives have been considered that will have a direct impact on roadside enforcement.

3.1 *European Union Road Safety Action Programme:*

- Commission proposal for a EU Directive (Com (2003) 628-2003/0255 (COD)) Article 7 (c): requirement to draw up a coherent enforcement strategy and to ensure best practice within enforcement and ensure the most up to date methods of investigation, modern technology and relevant training is provided as required by Article 12.
- Best practice publications on loading of vehicles.
- Digital tachographs: electronic storage and analysis of drivers' hours' records.
- Proposal to increase the level of enforcement for drivers' hours.
- Working time directive for drivers' hours with lower working limits.

3.2 *Fixed penalties/deposits:* This initiative is being led within GB by VOSA. The thrust of the fixed penalty part of the scheme is to empower VOSA enforcement officers to issue fixed penalties at the roadside similar to the fixed penalty ticket scheme operated by police forces. This will reduce the burden on court time, reduce expensive prosecutions and enable offences that are not currently prosecuted to be dealt with by means of a fixed penalty. The deposit element of the scheme will enable VOSA examiners to take financial deposits, primarily from foreign operators who are detected committing offences that would warrant a national operator to be prosecuted. This will act as a form of surety to require the defendant to return to court or risk losing the deposit. This scheme is at an advanced stage of implementation within GB.

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- 3.3 *Lorry Road User Charging:*** This initiative is a Government proposed HM Revenue & Customs led scheme to charge operators for distance travelled on roads based on the type /size of vehicle, day of the week and time of day. This scheme may have implications for both enforcement and operations (Testing) sections within DVTA.
- 3.4 *Criminal Justice Inspectorate:*** This Inspectorate is a form of Non-Departmental Government Body that is not accountable or answerable to Government. It was formed by Government under the auspices of the Good Friday Agreement to increase public confidence with the Northern Ireland Criminal Justice System. The Inspectorate will undertake periodic inspections of agencies involved in the criminal justice process to ensure adherence to best practice for the investigation of crime and compliance with the regulatory framework for investigations including European Convention for Human Rights, Regulation of Investigatory Powers Act and the Criminal Procedures and Investigation Act.
- 3.5 *Goods Vehicle Operator Licensing Review:*** The objective of this initiative is to bring the regulation of operators of goods vehicles within NI into line with GB. This involves:
- Extending the licensing scheme to include own account operators.
 - Introducing environmental considerations into licensing approvals.
 - Introducing public enquires for objections to the grant of operator licenses.
 - The mandatory requirement for keeping proper maintenance records of the licensed fleet.
 - The impounding and potential disposal of unlicensed vehicles.
 - The prohibition of national drivers detected committing drivers' hours offences.
- 3.6 *Taxi Review:*** The Department of Environment has recently issued consultation papers on the regulation of the taxi industry within NI. The proposals contained within the consultation paper include:
- The licensing of taxi operators.

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- The licensing/registration of taxi operator depots.
- Increased regulation of the industry.
- Proposals to bring the regulation of the industry into line with the provisions of the Disability Discrimination Act.
- Increased enforcement powers.
- The separation of the licensing and testing elements of the current scheme.

4 ANALYSIS OF INFORMATION

4.1 Analysis of information from inspections carried out at the roadside and in the DVTA test halls was compared with similar work carried out in GB by VOSA. It should be noted that while the information is useful for comparison purposes it might not always be like-for-like data. In some cases the information from NI has been specifically compared with that from the Northwestern region in GB, an area that has similar issues to NI. The source of the statistical data used in these comparisons was:

- Enforcement Section Operational Statistics 2004/2005.
- DVTA Management Information Report Data 2003/2004.
- VOSA Annual Effectiveness Report 2003/2004.

Vehicle Weight Prohibitions

4.2 Table 1 sets out the number and percentage of vehicles prohibited after being found to be overweight. The illustration indicates that NI has a higher prohibition rate than GB nationally. However the prohibition rates are broadly similar to the North West region of GB. It also indicates that DVTA weighs a significantly higher percentage of vehicles than VOSA. However, detection rates are also significantly higher. This could be attributed to several factors including: more effective targeting of areas within NI that have a high incidence of overweight vehicles, the greater number of departmental dynamic axle weighbridge locations and the geographical location of some of these key sites, the ability of DVTA staff to operate without the restrictions of PSNI support and more non-compliance with weight regulations. The statistics within the table reflect the actual prohibitions issued within each region. However, the criteria for issuing prohibitions within GB are set at different levels from NI.

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GB, NI, North Western prohibitions for overweight vehicles

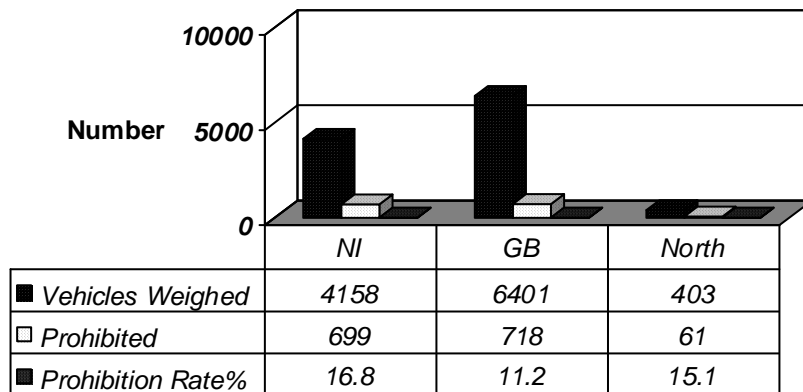


Table 1

Roadworthiness Prohibitions

- 4.3 Table 2 sets out the number of prohibitions issued in respect of vehicle defects. The illustration indicates that there are significantly fewer prohibitions issued for vehicle defects within NI than in GB. This may be due to the fact that VOSA operate a strict policy contained within the “Categorisation of Defects” manual. This manual sets out an agreed policy where prohibition notices should be issued. In addition VOSA measure performance through a “Performance Gain” measurement system. Staff issue prohibitions in accordance with the “Categorisation of Defects” policy. A higher number of points is regarded as better performance. DVTA staff address all defects encountered. If a defect is not serious and can be remedied at the roadside prior to a vehicle continuing on its journey then a prohibition will not necessarily be issued, e.g. replacing a side marker bulb.

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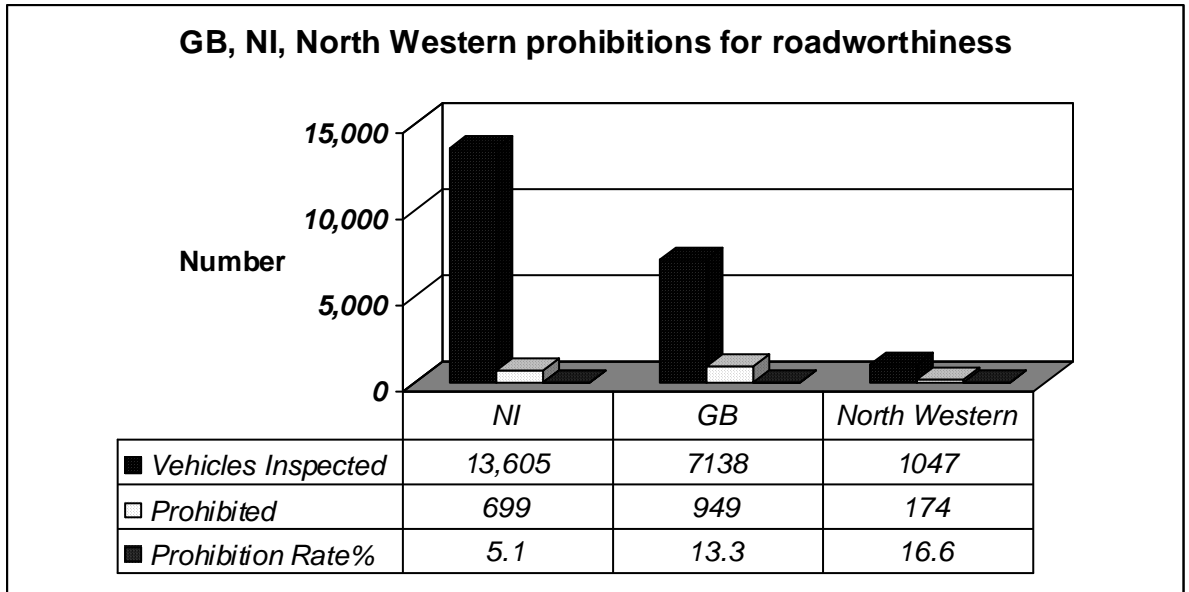


Table 2

Drivers' Hours and Tachograph Offences

4.4 Table 3 sets out the breakdown of prosecution cases as a ratio between the numbers of vehicles assessed for drivers' hours records. It illustrates that NI is prosecuting considerably fewer drivers' hours cases than in GB. There are several factors that may contribute to this trend e.g. there may be a greater focus on weighing vehicles within NI and fewer DVTA members of staff trained on drivers' hours requirements.

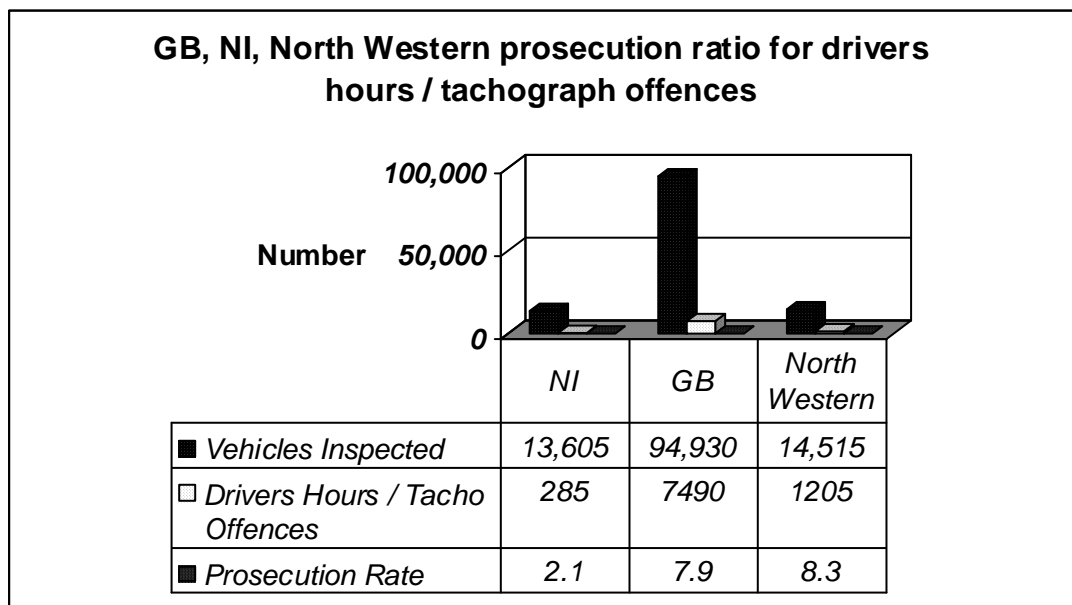


Table 3

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Annual Test Fail Rates

4.5 Tables 4, 5, 6, 7 and 8 illustrate a comparison between VOSA and DVTA failure rates during annual roadworthiness testing for each key category of vehicle. These comparisons highlight that DVTA has a considerably higher fail rate than VOSA, except in relation to light goods vehicles where the rates are relatively similar. However, there are a number of factors that need to be taken into consideration when assessing these statistics:

- The equipment utilised for annual roadworthiness testing within NI is modern, and may result in a more thorough test.
- VOSA has adopted an intelligence-led targeted and educational approach to compliance/enforcement. This, coupled with a more robust approach to operator licensing and suspension/revocation, may have an impact on the level of fail rates for annual roadworthiness testing.
- VOSA enforcement staff have immediate access to testing and intelligence information at the roadside which enables them to target their resources more effectively.

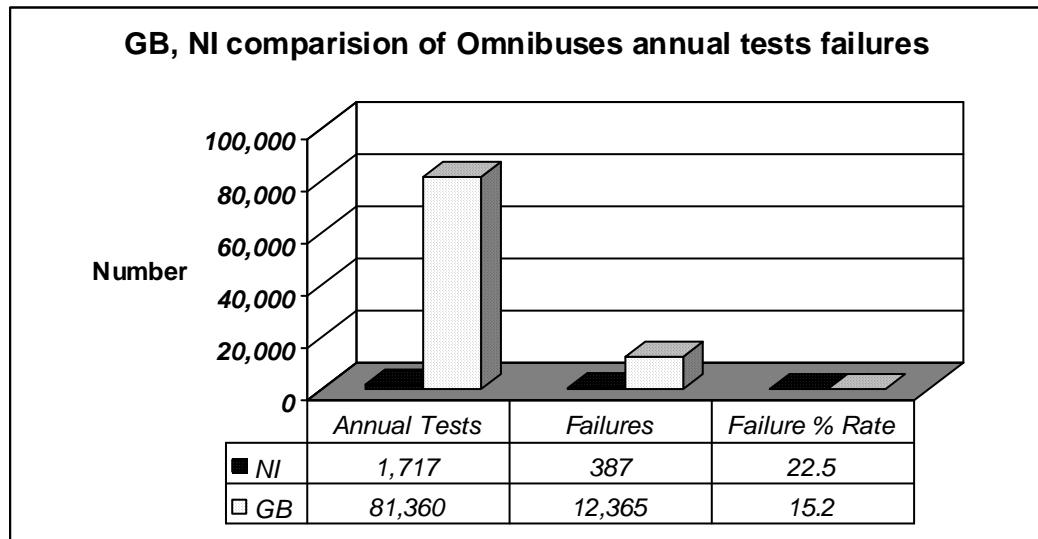


Table 4

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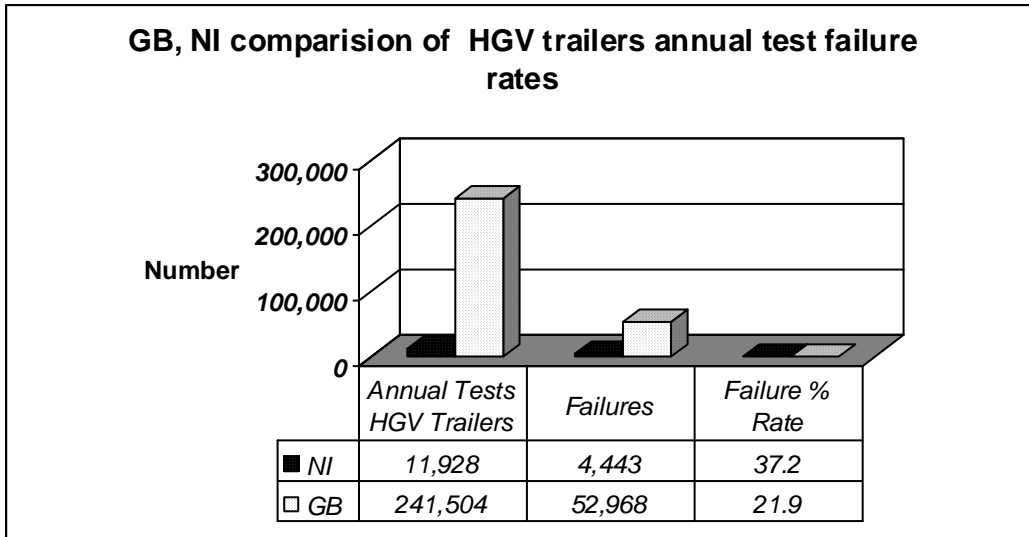


Table 5

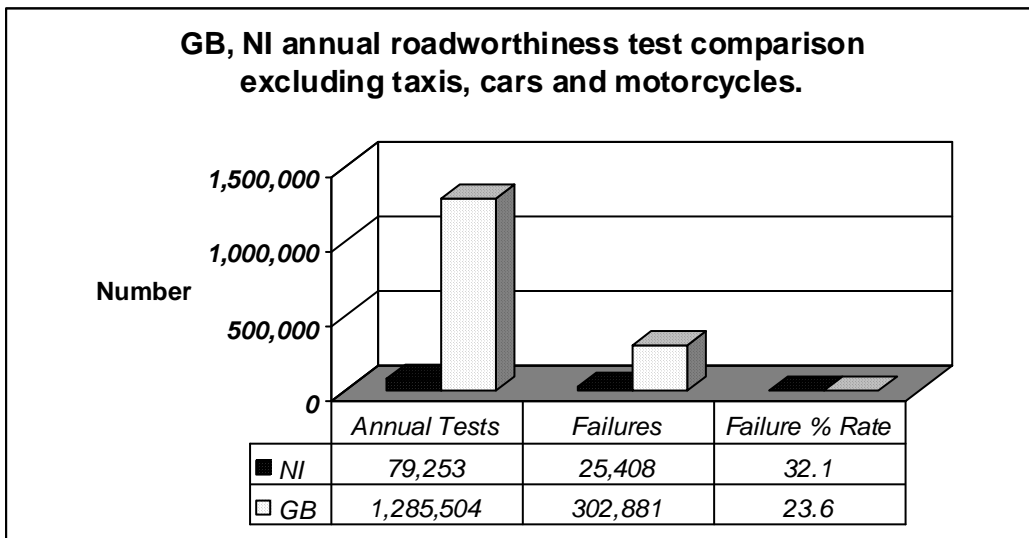


Table 6

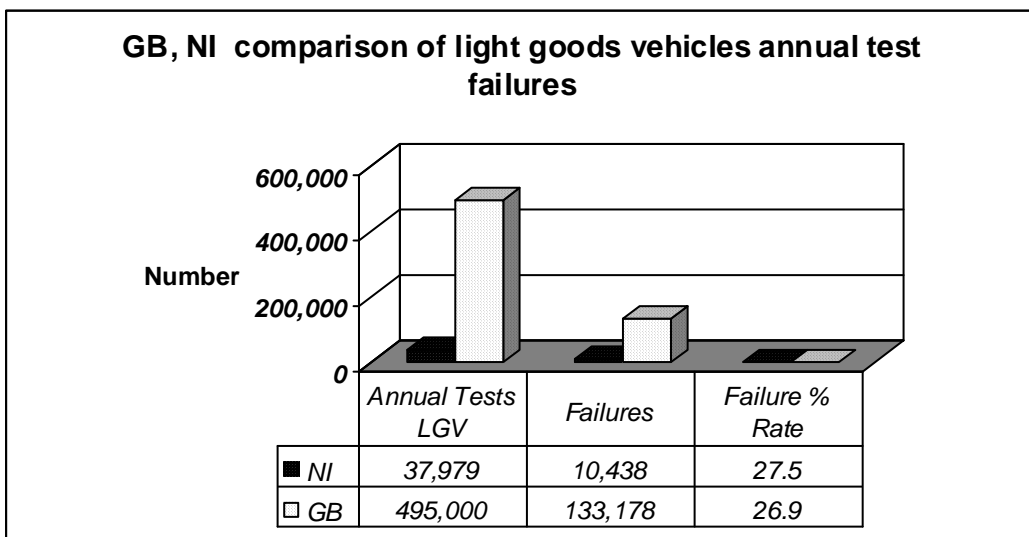


Table 7

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Table 8 sets out the percentage of vehicles failed within VOSA for each of the main testable items excluding headlamp beam testing. No comparable statistics are available for DVTA.

Table 8

5. MISSION, VISION AND HIGH LEVEL AIMS

Mission

- 5.1 In considering the future role of roadside enforcement within the Agency, it has been concluded that the existing remit should be broadened to reflect needs of key stakeholders including Agency Management, DOE and the transport industry. It is clear from consultation that future strategy should be directed towards increasing compliance; the methods used to achieve this should include targeted enforcement and education, inspection and prosecution should be used as appropriate. The following mission statement reflects this wider role:

“To improve road safety, reduce damage to the environment and assist fair competition by increasing compliance within the transport industry through a programme of education, inspection and prosecution where necessary.”

Vision

- 5.2 The Agency’s vision for enforcement is that:
- Compliance will be the cornerstone of the transport industry.
 - DVTA will be regarded as the best example of enforcement practice within the UK and Europe.
 - The Agency will employ the best enforcement methods, technology, training and personnel.

Aims

- 5.3 A lot of work needs to be undertaken to accurately establish the existing levels of compliance within the transport industry within NI. In restructuring the organisation and work methods, initial aims would be to:

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- Match the average of GB levels of compliance within two years.
- Match the average of the top third of GB levels of compliance within three years.

6 STRATEGIC THEMES

6.1 The strategic themes listed below cover a range of issues that were identified during consultations and discussions with key stakeholders. Development in these areas will enable the Agency to achieve its mission, vision, aims and objectives.

- Output-based, transparent measures of performance.
- Intelligence led and targeted approach.
- Compliance through inspection, information, guidance and assistance.
- Utilisation of modern technology.
- Working in partnership.
- Highly skilled and well-supported workforce.
- Prepared for new initiatives.

7 KEY OBJECTIVES

The following paragraphs set out the key objectives to deliver the strategy. A high level plan will outline all the work involved and will cover a period of up to three years. A more detailed plan will reflect the work to be undertaken during 2005-06 and a review of the strategy will be carried out in twelve months' time to determine a programme of work for 2006-07.

7.1 Objective 1: Performance Measures

Current Position: The performance measures are volumetric targets based on the number of vehicle/driver records inspected and operations undertaken. It is agreed that these measures and targets alone have shortcomings in that they are not premised on improving compliance within the transport industry and do not reflect what is actually being achieved. The Agency is, however, mandated to

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undertake assessment of drivers' hours records in accordance with Council Directive 88/599/EEC which stipulates the number of drivers' tachograph charts to be checked.

Proposed Approach: Initial work will involve determining a baseline level of compliance of roadworthiness across NI in respect of goods and passenger carrying vehicles. On the basis of information from the baseline survey, pass/fail rates for vehicles from the test centres, and undertaking comparisons with regions in Great Britain and historical data from inspections, targets will be set to improve the levels of compliance across the range of activity.

Tasks:

- Undertake a baseline survey of compliance within the transport sector.
- Introduce transparent measure of performance/activity levels by 1st August 2005.
- Reduce the targets for numbers of overt inspections.
- Introduce targets to demonstrate economy.

7.2 Objective 2: Introduce intelligence- led targeted approach

Current position: Targets for the numbers of vehicles to be inspected are based on what has been undertaken in previous years with little change from year to year. The programme of inspections is primarily based on the number of inspections required by the Section, area and officer. At times, however, when either a complaint has been received, or there is a problem with regard to a particular operator or area, a more targeted approach is adopted.

The Section does not have a dedicated Intelligence Officer/ Section, nor is there a structured method of gathering, manipulating and disseminating information or intelligence.

Proposed approach: To review how the Section manages its activities with a view to introducing an intelligence- led targeted approach to enforcement.

Tasks:

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- Develop a basic intelligence management records system that can be utilised by staff both at the roadside and the office by 1st April 2005. In due course consideration will be given to a sophisticated central database with real time data at the roadside.
- Analyse intelligence and data sources and develop an intelligence management framework with closer links to other Agencies.
- Combine intelligence management with operational planning.

7.3 Objective 3: Compliance through information, guidance, assessment and action

Current Position: The industry is informed of new legislative provisions through a consultation process prior to the legislation being implemented. However, this is seldom followed up with seminars or briefings to the industry on the impact of the new provisions on their business. If any subsequent breaches detected fall within the prosecution criteria, court proceedings are instigated.

Proposed approach: The introduction of a more pro-active educational and advice role. This will contribute to the Section achieving its objectives by ensuring that the industry is made aware of key requirements, appreciates the implications of these and how it may affect their business.

Tasks:

- Develop a pro-active approach to advising the industry of new initiatives.
- Adopt an educational approach to enforcement.
- Work in partnership with the industry to co-ordinate and utilise sources of educational advice and present a consistent approach.
- Develop and maintain a comprehensive Internet site.

7.4 Objective 4: Utilisation of Modern Technology

Current Position: In addition to mechanical inspections and weighing of vehicles Enforcement Officers undertake assessment of tachograph records, maintenance records and duty sheets. In undertaking these tasks, officers

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employ the use of official vehicles, MOT2 testing equipment, speed limiter testers and tachograph analysers.

Proposed Approach: A business needs analysis will be undertaken to determine what equipment is necessary, available, and at what cost to enable the section to meet its objectives, taking into account potential utilisation of testing equipment within vehicle test centres.

Tasks:

- Introduce a basic system for targeted enforcement based on intelligence and automatic number plate recognition equipment.
- Research the marketplace for the provision of portable mobile testing equipment.
- Review the utilisation of IT systems at the roadside and within the administration support section with an objective of providing a system that enhances operational effectiveness by having live access to required information.

7.5 Objective 5: Working in partnership

Current position: The Section meets with key stakeholders on a regular basis. There are no formal partnership agreements either with public or private stakeholders to ensure that the industry is kept informed of current initiatives, enforcement action or pending developments.

Proposed approach: Develop closer working partnerships with industry representatives and other key stakeholders through formal and informal agreements. Introduction of closer working relationships between Enforcement Section and the rest of the Agency, the Department and DVLNI could also contribute to a more effective service and increased efficiency.

Tasks:

- Develop partnership agreements with the Road Haulage Association, Freight Transport Association and other key industry associations.
- Develop formal arrangements for reviewing and sharing intelligence.

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- Develop joint compliance strategy with DVLNI and the Department and fully integrate enforcement into DVTA.
- Develop informal arrangements internally and with the Department for the development of new policy.
- Explore funding arrangements.

7.6 Objective 6: Highly skilled and well supported staff

Current Position: Best practice within the Section has traditionally been developed through experience and internal and external training. Limited time is available to review and consider best practice in respect of the investigation of crime and operational activities within other enforcement organisations.

Proposed approach: To ensure that the Section makes effective and efficient use of available resources it is considered essential that the Section adopts best practice from other Enforcement Agencies including VOSA, other European countries and worldwide. The European Commission will issue guidelines on best practice in enforcement and has proposed that member states establish joint training programmes on best practice at least once per year. Best practice must also reflect the Government's "Enforcement Concordant" which sets out the principles of good enforcement undertaken by central and local Government. All processes and procedures will comply with ISO standards.

Tasks:

- Assess best practice and benchmark enforcement policies, procedures and operational protocols against other leading enforcement agencies.
- Develop a comprehensive business related training programme for staff to aid delivery of service.
- Undertake an exercise to identify/develop an appropriate organisational culture.

7.7 Objective 7: Prepare for new initiatives and legislative requirements

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Current Position: The Section is effectively unable to manage the volume of new legislative and operational initiatives being developed at local, national and European level. The operational team manages all new initiatives or legislative provisions resulting in resources being stretched and the development of new initiatives restricted. Initiatives including the Roadworthiness AUTOFORE group within Comité International de L'Inspection Technique Automobile (CITA) and participation with the Euro-Contrôle Route and European Enforcement Harmonisation programme of European enforcement agencies would be limited with the existing structure and resources.

Proposed approach: The Section is structured to manage its operational activities and it is staffed accordingly. This has been benchmarked against the Vehicle Operator Services Agency in GB. However, if this strategy is to be developed and deliver the business results necessary to have the desired impact, resources need to be freed up to assess and manage the introduction of any new initiatives or legislative provisions.

Tasks:

- Monitor the developments in legislation, technology and best practice and plan for their implementation.
- Develop closer relationships with the core functions of DOE, DfT and other enforcement agencies.
- Establish a Section structure that will enable the business to meet its objectives.
- Establish membership within AUTOFORE and review participation within the Euro-Contrôle-Route and European Transport Harmonisation programme.

8. BALANCED SCORECARD

The enforcement strategy objectives have been developed in line with a balanced scorecard format so that they adequately address key strategic stakeholder needs, the service user, resources, operational excellence and organisational learning and growth and align with the Agency's strategic business objectives.

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Table 10 sets out how each of the strategic themes/key objectives aligns within the balanced scorecard format.

Strategic	Service User	Resources Finance	Operational Excellence	Learning & Growth
Performance Measures to reduce non compliance	Educational visits.	New targets to demonstrate economy	Baseline surveys	Monitor new developments in legislation, technology & best practice
	Website.	Explore funding arrangements	Basic Intelligence system	Review training requirements
	Joint leaflets & media events.		Reduced programme of roadside inspections	Undertake exercise to identify and develop organisational culture
	Joint compliance strategy with Dept & DVLNI		Intelligence sharing	
			Informal arrangements for developing policy	
			Introduce IT system for targeted enforcement using intelligence and ANPR	
			ISO quality approved procedures and processes	
			Assess IT for medium and long term enforcement needs	

Table 10

9. STAFFING AND PERFORMANCE/ACTIVITY LEVELS

The first year of the rollout will be revenue neutral and the Section will remain within its existing baseline of Departmental Running Costs (DRC) resource and staffing complement of 34. (Including 2 staff from the compliance section).

To facilitate the implementation of the strategy and to prioritise resources the organisational structure has been reviewed.

The Policy and Strategy Unit and the Intelligence & Special Investigations Units will be fully staffed from the outset enabling increased emphasis to be placed on the key elements of the strategy. Redeployment of staff from the two operational goods teams based in Craigavon and Belfast, to allow this, can be

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facilitated through the reduction in the inspection programme. The revised structure in Appendix 2 reflects these changes.

To ensure that, where possible, appropriate and meaningful comparisons could be drawn it was agreed to benchmark staffing levels and performance against selected regions within VOSA that were comparable with Northern Ireland in respect of vehicle fleet size, geographical size and economy. Data was sourced from VOSA in respect of vehicle fleet size, number of enforcement staff and operational activity levels within Wales, North Eastern and North Western regions of England. Suitable adjustments were necessary to pro-rata the staffing ratio and fleet ratios to reflect the regional variations.

The results of this assessment are set out in Table 11 below.

From this data and the revised Enforcement Section staffing structure it was concluded that the activity levels needed to be reduced to reflect the change of emphasis from high volume vehicle checks to intelligence-led targeted enforcement.

Region	Fleet Size	Operational Staffing Levels (04/05)	Staff & Fleet Ratio (04/05)	Roadside Vehicle Checks (04/05)	Staff & Check Ratio (04/05)	Proposed DVTA activity level (05/06)	Revised Operational Staffing Levels (05/06)	Staff & Check Ratio due to reduced activity levels (05/06)
NI	20400	19	1073	25000	1315	12000	12	1000
Wales	27316	31	875	6600	212	/	/	/
NW	72613	68	1067	13732	201	/	/	/
NE	79346	56	1416	15103	270	/	/	/

The staff/check ratio is still relatively high in comparison to the other VOSA GB regions. However, this must be weighted against factors including - the strategy and key tasks have not been fully implemented and DVTA staff are not required to carry out the same tasks associated with operator licensing (maintenance assessments, public appeals and own account operator premises assessments).

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10 IMPLEMENTATION OF THE STRATEGY

The strategy will be implemented in three stages over a period of 3 years. It is anticipated that work will commence on all the objectives within stage 1. Each objective and associated tasks will be set out on a timeline to be developed.

At the end of each stage a formal review will be undertaken to assess progress in respect of each objective and associated tasks. This review will also include an assessment of the continued relevance of the objectives.

The implementation of the strategy will be revenue neutral for the first year. Manpower resources to undertake the initial implementation phase of the strategy will be sourced from within the Section through a restructuring of the

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Section. This will enable a business case to be developed for full implementation of the strategy with relevant resources identified and justified within the business case.

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Appendix 1
Enforcement Mandates

	<i>Subject</i>	<i>Key Requirement</i>	<i>Activity</i>	<i>Source</i>	<i>Date</i>	<i>Articles</i>	<i>Text</i>
Legal	Passengers Services	Fair Competition	Roadside Enforcement	EU Regulation 12/98	1998	Article 9, 10 & 11	Conditions laid down that non-resident operators may operate national road transport operations within Member States
				EU Regulation 684/92	1992	Articles 3, 7 & 19	Requires Member States to regulate and adopt regulations to apply this regulation including any necessary measures
				EU Regulation 684/92	1992	Articles 18 & 19	Requirement on Member States to adopt measures for the introduction of checks for compliance.
				EU Regulation 11/98	1998	Article 1	Require to carry out checks and deal with infringements
	Goods	Fair Competition	Roadside Enforcement	EU Regulation 3118/93/EC	1993	Article 7 & 8	Requirement to ensure that provisions should be adopted to ensure that Member States are able to assess and manage the market.
				EU Regulation 881/92	1992	Article 11	Requirement on Member States to regulate this requirement and report infringements to relevant Member States
	Drivers Hours	Fair Competition, Road Safety & Social Legislation	Roadside Enforcement & premises visits	EU Regulation 88/599	1988	Art 2 to 7 inclusive	Requirement on Member States to check a minimum no of drivers hours records.
				Commission proposal	2003		Proposal to enhance the number of checks carried under EC/88/599 from 1% to 3% and eventually 10%.
	Working Time	Fair Competition, Road Safety & Social Legislation	Roadside Enforcement & premises visits	EU Directive 2002/15/EC Road Transport Directive	2002	Articles 4, 5, 7, 9, & 11	Requirement to enforce directives requirements.
				EU Directive 2000/34/EC Horizontal Amending Directive	2000	Article 18 (And all)	Requirement to enforce directives requirements.
	Recording Equipment	Fair Competition, Road Safety & Social Legislation	Roadside Enforcement & premises visits	EU Regulation 3820/85	1985	Article 1, 17 & 18	Requirement on member states to introduce a means of control and penalties etc.
				EU Regulation 3821	1985	Articles 1	Requirement for the fitment and checking of installation of Tachographs
	Roadworthiness	Road Safety & Fair competition	Roadside Enforcement & premises visits	EU Directive 2000/30	2000	Articles 10, 11 & 12	Members required to assess vehicles at the roadside to ensure compliance with minimum standards.

Operational	Operator Licensing	Road Safety & Fair competition	Premises suitability assessments Operator interviews under formal caution	ENFORCEMENT STRATEGY			
			No legal mandate	N/A	N/A		
	Taxi Enforcement	Road Safety, Fair competition & protection of the public	Roadside Enforcement	No legal mandate however, Dept is recognised as agency responsible for the regulation of the Taxi industry as it undertakes licensing, testing and enforcement.	N/A	N/A	
	Vehicle Weights	Road Safety, Fair competition & reduction of damage to the road & bridge Network	Roadside Enforcement	No legal mandate however, it falls within the Dept responsibility to ensure fair competition within the industry and it's in the interests of Government to reduce damage to the roads & bridge network.	N/A	N/A	
	Vehicle Emissions	Protection of the Environment & public	Roadside Enforcement	No direct legal mandate to undertake	N/A	N/A	
	Driver Licensing	Protection of the Public & Road Safety	Roadside Enforcement	No direct legal mandate to undertake	N/A	N/A	
	Insurance	Protection of the Public & Fair Competition	Roadside Enforcement	No direct legal mandate to undertake	N/A	N/A	
	Service Inspections	Road Safety, Fair competition & protection of the public	Operator visits	No legal mandate (Recommended by NI Coroner)	N/A	N/A	

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Appendix 2

Proposed structure

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