



Driver & Vehicle
Standards
Agency

Modernising driver training

interim response to consultation



Safety, standards, service.

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Modernising driver training: reform of the regulatory framework for Approved Driving Instructors

Options we consulted on

Option No.1

Introduce a vocational qualification to replace the current ADI qualifying tests (including reform of the trainee licence scheme).

Option No.2

Improve the existing ADI qualification tests (including reform of the trainee licence scheme).

Option No.3

Make no changes other than to reform the trainee licence scheme.

Other issues on which we sought views

1. Civil sanctions
2. Online booking process for standards checks
3. Discrete payment for standards check
4. Changes to standard check grading structure
5. Preferred standards check grading structure
6. Improved ADI information
7. Lapsed registration
8. Removal from Register at instructors request

Introduction

1. On 27 June 2013, we published a consultation paper: 'Modernising driver training: reform of the regulatory framework for Approved Driving Instructors.' The consultation closed on 8 August 2013. This paper:
 - provides an interim response to the consultation exercise
 - sets out our preferred options on how we intend to progress
 - identifies where we wish to take further views from the industry
2. Professional driving instructors have been regulated since the 1960s to help make sure that people receive a minimum standard of training when they pay for professional instruction. Regulation was put in place by creating a register (the Register) of Approved Driving Instructors (ADIs).
3. The Driver and Vehicle Standards Agency (DVSA), an agency formed from the merger of the DSA and VOSA), is the regulatory body and the Register is managed by the Registrar on behalf of the Secretary of State. The regulatory framework also covers the qualification process that people must pass to enter the Register. Only those on the Register, or potential driving instructors (PDI) who have been granted a trainee licence by the Registrar, can give in-car driving instruction for money or reward.
4. The DVSA wants to ensure that a modern and fair regulatory framework is in place that:
 - minimises the cost of regulatory compliance
 - can help existing ADIs to obtain the competences needed to deliver effective training, as set out in the DVSA National standard for driving and rider training
 - will make sure that those entering the industry in the future develop the same competences
5. The consultation paper invited comments on proposed changes to the way in which people qualify to become an ADI. The options were:
 - introducing a vocational qualification to replace the existing DVSA administered 3 part testing regime - this would see regulatory responsibility for the qualification process move from DVSA to the Office of Qualification and Exams Regulations (Ofqual). However, the authority to admit an individual to the register, in effect to issue a licence to practice, would remain with the Registrar
 - reforming the existing DVSA administered 3 part testing regime
 - reforming the trainee licence scheme under which those training to be ADIs can provide unsupervised on-road instruction before they've successfully completed their qualification process

6. The aims of the proposals set out in the consultation were to:
- make sure the ADI qualification process is more closely based on the DVSA National Standards
 - improve completion rates and reduce the amount of time and money that's currently wasted by many of those who start to train to be ADIs
 - make sure those training to be ADIs can benefit through supervised on-road experience
 - make sure learner drivers are fully aware of whether the person training them is a trainee or qualified and at what grade
7. The consultation also asked for views on the following possible changes to the operation of the ADI Register and the powers of the Registrar:
- the Registrar being able to issue a financial penalty for regulatory non-compliance (civil sanctions)
 - changes to the process by which 'standards checks'¹ are booked
 - changes to the ADI registration fee structure
 - changes to the ADI grading structure
 - changes to the re-registration process for ADIs whose registration has lapsed for more than 12 months
 - allowing an ADI to request voluntary removal from the register
 - extending consumer information about ADIs
8. The consultation was conducted online. To raise awareness of the consultation we:
- publicised it on the government website and in trade magazines run by national ADI associations etc
 - issued a press notice
 - sent email alerts to those driving instructors who had signed up to receive them
 - conducted an online web chat
 - participated in a podcast for ADIs
9. The closing date for responding was 8 August 2013. We received 1,679 valid responses. Those responding included ADIs, instructor trainers, ADI representative bodies, road safety organisations and members of the public. Ministers would like to thank everyone who contributed to this consultation.

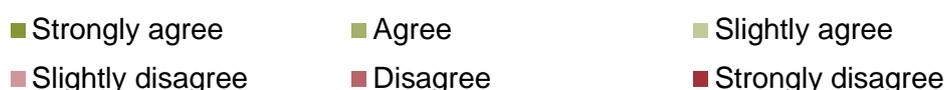
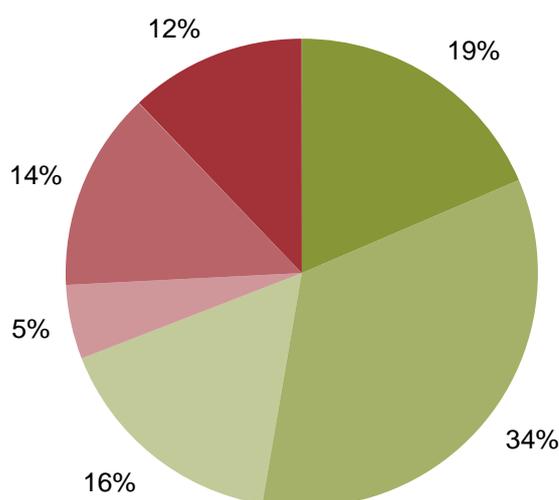
¹ The process by which ADIs are subject to a periodic check of their fitness to deliver training.

Summary of consultation decisions

10. Following the responses received, and in some cases following further consultation with the industry's then National Association Steering Group, we have already implemented a new, simpler grading structure for ADIs from 7 April 2014 to coincide with the introduction of the standards check. We have also decided to:
 - take steps to help instructors to publish and publicise their grade
 - explore the options for replacing the existing test of instructional ability (ADI part 3) with one that uses the same criteria and marking framework as the new standards check
 - continue to explore the possibilities of introducing a vocational qualification in the future while looking at ways some of the concerns raised could be addressed;
 - further discuss with the industry how we can best reform the trainee licence without undermining the change to the ADI part 3 exam
 - progress an online booking service for standards checks
 - consult separately about amending the fee structure and fees charged to fund the Registrar's functions
 - amend legislation to allow an ADI to request voluntary removal of their name from the Register
11. We also intend to provide the option for an ADI to undergo a standards check to renew a lapsed registration but want to further discuss the practical implications of this with the ADI national associations.
12. Having taken further advice, we won't be pursuing civil sanctions for the time being.
13. Some of the measures mentioned in paragraph 10, above, will require changes to legislation and we'll look to do this at the earliest opportunity to bring those changes about. We'll publish a post-consultation Impact Assessment alongside amending legislation.

Summary of responses

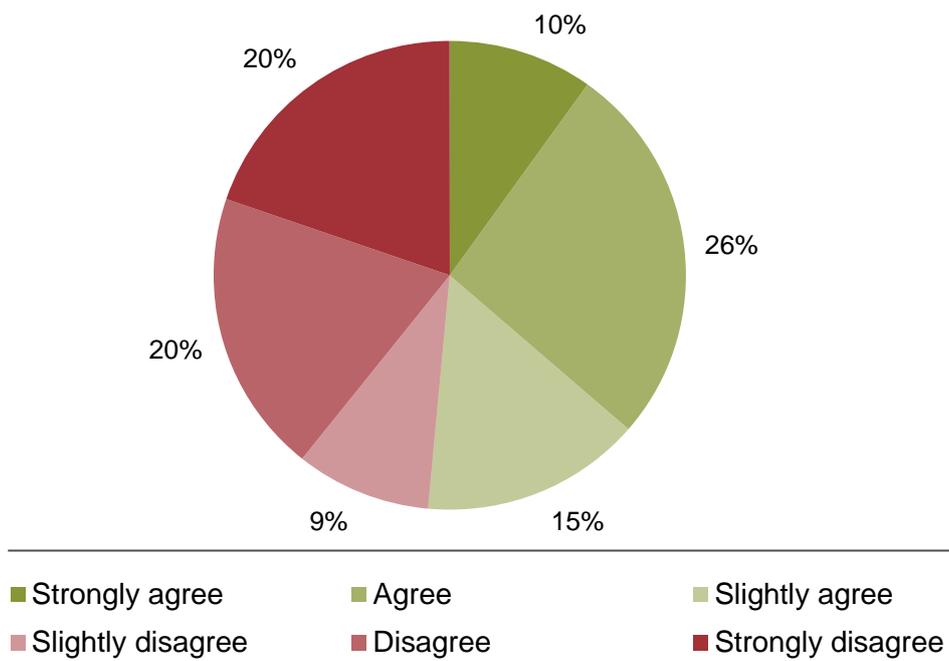
Option 1: Introduce a vocational qualification to replace the current qualifying tests



14. 1,562 respondents commented on this option. Out of this total, 1079 (69%) indicated that they slightly agreed, agreed or strongly agreed with the introduction of a vocational qualification to replace the current qualifying test process.
15. There were 420 written responses to the question. The most mentioned comments were:
 - a vocational qualification would raise the standard of instructors (30)
 - a nationally recognised qualification would improve the image of the driver instruction industry (15)
 - gaining some form of qualification, even if a candidate did not eventually becoming an instructor, was a positive step forward (23).
 - the current trainee licence system was not fit for purpose and must be reformed (25)
16. 41 respondents said that they believed the current system was perfectly adequate and didn't need changing.

17. Some concerns were raised, including by some of those who were generally in support of the option. These included:
- that huge costs would be imposed on sole traders and micro businesses (23)
 - that there would be increased costs of instructor training for those wishing to become an ADI (23)
 - the negative impact on road safety of changing the relationship between training and testing (22)
 - that standards of instruction would be lowered (49), linked to a concern that there would be a flood of new ADIs coming into the market
18. A number of respondents also said that they didn't feel they had enough information to make a final judgement, or made statements which suggested that we need to explain our proposals more clearly.

The use of suitably qualified and experienced external verifiers



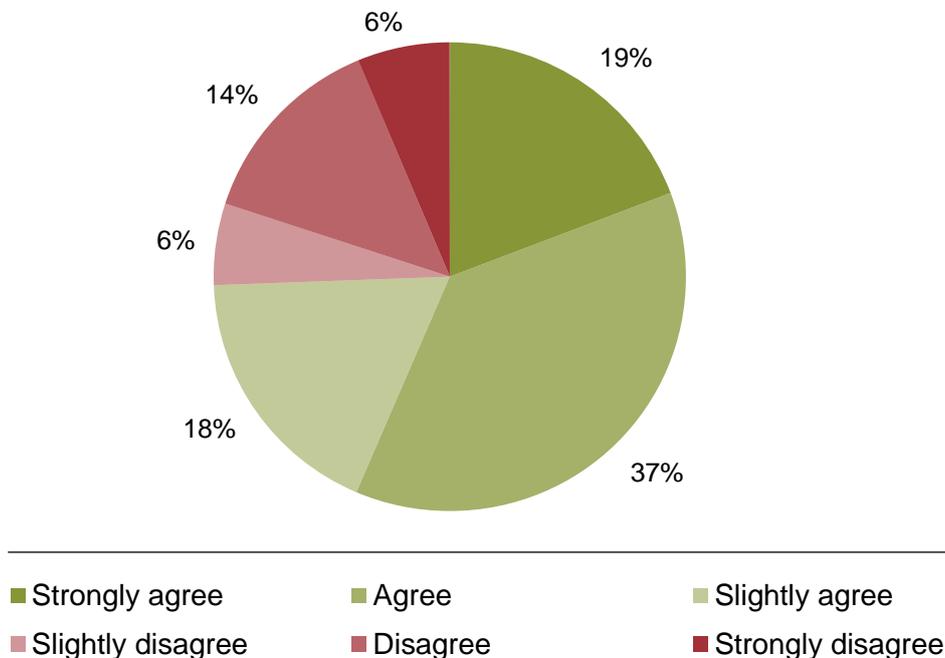
19. 1,556 respondents commented on the proposal that suitably experienced and qualified staff from outside the DVSA would be used to undertake the external verifier² role in a vocational qualification. Of these, 791 (51%) slightly agreed, agreed or strongly agreed with the proposal.

² External verifiers, also known as external quality assurance staff, are usually employed by awarding organisations to undertake quality assurance visits. They must be appropriately qualified and have no financial connection to the organisations they audit.

20. 755 respondents (49%) disagreed with the proposal, the most mentioned comments were:

- only DVSA staff would have the necessary knowledge and experience to carry out this role (55)
- that staff recruited from outside the industry would not have the experience necessary to undertake the role (35)
- divorcing ADI testing from DVSA was unacceptable because it would result in lower standards (15)
- concerns that commercial pressures on non DVSA providers would lead to corruption and lowering of training and assessment standards (21)

Option 2: Improving the existing ADI qualification route



21. 1,564 respondents commented on this option. Of these, 1,164 (74%) slightly agreed, agreed or strongly agreed with this option.

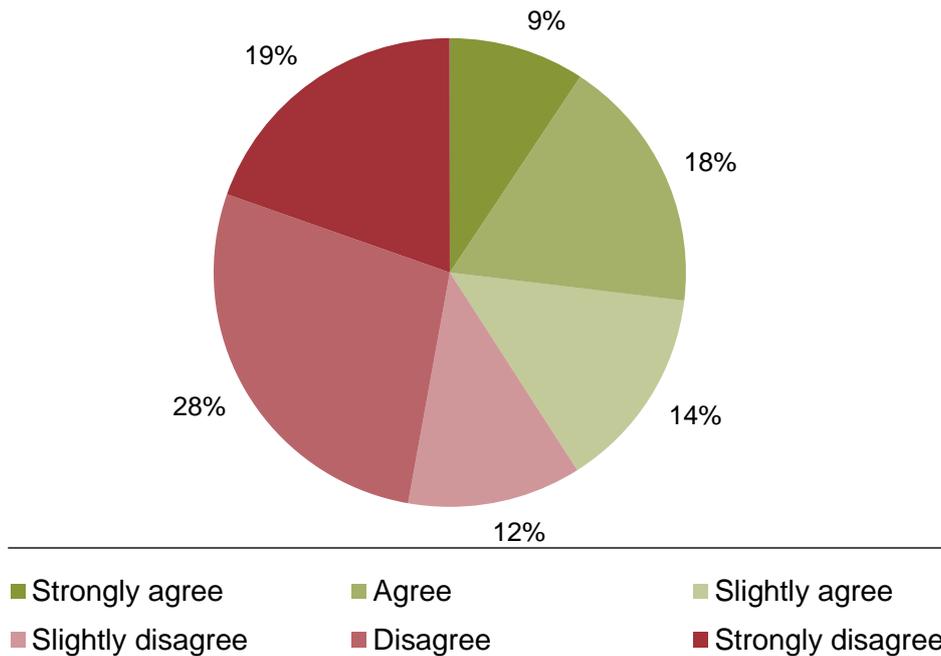
22. There were 323 written responses. Opinions expressed in support of the option included:

- the current system was basically sound but the tests should be updated(27)
- the current trainee licence system must be, or would benefit from being, reformed (69)
- the proposed trainee licence system was unworkable (15)
- trainees should be allowed to teach 'real' fee paying pupils in some form (21)

23. Of those who disagreed with this option the most mentioned reasons were:

- the current system was outdated and a new approach was required (17)
- the current system did not match up with the published national standards (7)

Option 3: Make no changes other than to reform the trainee licence scheme



24. 1,558 respondents commented on this option. 59% of those who responded were opposed to this option.

25. There were 254 written responses. Of these 24 believed that the trainee licence system should be left as it is, while a substantial majority believed that some change was necessary.

26. The main views were that:

- the current trainee licence system was not fit for purpose and must be reformed (26)
- the existing tests were not suitable as a modern qualification process and should be updated (14)

27. Of those who agreed with this proposal the two main themes were:
- the present form of the trainee licence was useful and should be retained (14)
 - the current qualification arrangements were perfectly adequate and didn't require any changes (12)

Discussion

28. The responses to option 1 show support for the introduction of a vocational qualification. Those in favour felt that a nationally recognised qualification would improve the image of the driver instruction industry and raise the standard of instructors. We note that there's a degree of concern about the way in which a vocational qualification would operate and be quality assured. Some of those opposed to this option raised some issues about separating training from testing, and were concerned about fraud risks if non-DVSA staff carried out the external verifier role.
29. There were also high levels of support for the alternative approach (in option 2) of enhancing the current DVSA delivered examination process. Although some respondents, including some of the ADI national associations, were only supportive of such changes in the short-term or if the vocational qualification wasn't introduced. There was general agreement that the option of reforming only the trainee licence scheme wasn't the way forward.

Decisions on the ADI qualification process

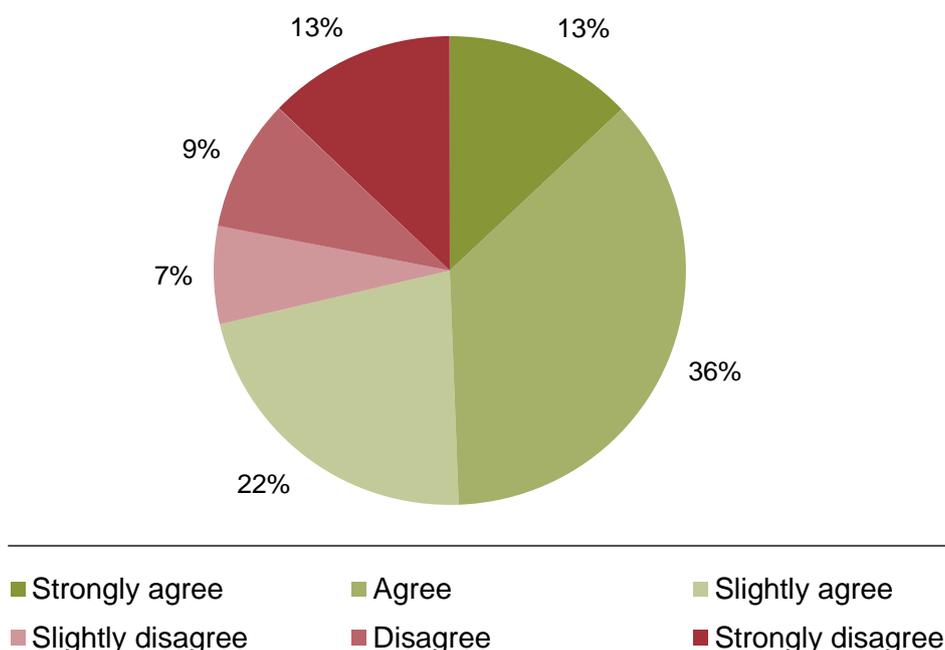
30. We have decided to explore the options for enhancement of the DVSA exam route for the present and are going to continue to examine the VQ options for the future, whilst looking at ways that some of the concerns expressed by respondents on the VQ can be allayed.
31. We have also decided not to enhance both the current ADI part 2 and part 3 assessments within the DVSA route, as proposed in the consultation paper but instead focus only on the part 3 assessment. Although updating the part 2 exam would deliver some benefits we have decided it is more cost effective to build upon the work, including training of examiners, already done to introduce the new test of continued instructional ability (the standards check) in April 2014. Aligning the ADI part 3 pre-qualification instructional ability test with the post-registration standards check would both help future ADIs and require them to demonstrate a broader range of competence than is needed for the existing assessment, which is based on pre-set tests and conducted by the examiner role playing a pupil. Therefore, we have decided to explore the possibilities of replacing the existing test of instructional ability (ADI part 3) with one that uses the same criteria and marking framework as the new standards check.

32. On the back of this, we want to further explore with the industry how best to reform the trainee licence scheme. One option we are examining in relation to reforming the part 3 DVSA assessment is requiring a trainee instructor to present for the new instructional ability test with a pupil. Therefore, we must examine our reform proposals for trainee licences in light of any decisions made regarding the requirements for the new instructional ability test to ensure they are compatible. But we must also ensure that consumers are better protected and fully understand that they are receiving instruction from a trainee. Therefore, we also want to discuss what further steps can be taken by DVSA and those in the industry itself to achieve this.

Other matters

33. The consultation also sought views on a number of issues as set out in paragraphs below.

Civil sanctions

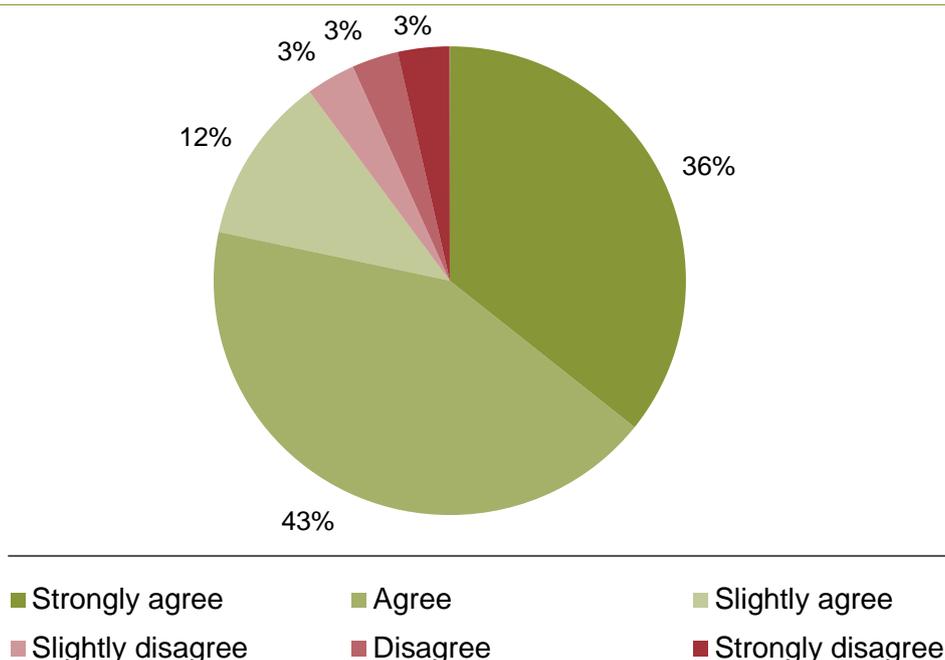


34. 1,015 respondents to this question (71%) slightly agreed, agreed or strongly agreed with the principle of a financial penalty for regulatory non-compliance. Of those who agreed, many had felt that instructors who complied with regulatory requirements would have nothing to fear. Those who disagreed had said that such sanctions were too draconian and expressed concern that the primary aim was to raise income for the DVSA.

Decisions on civil sanctions

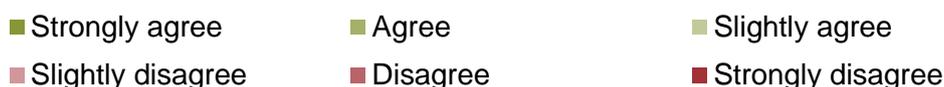
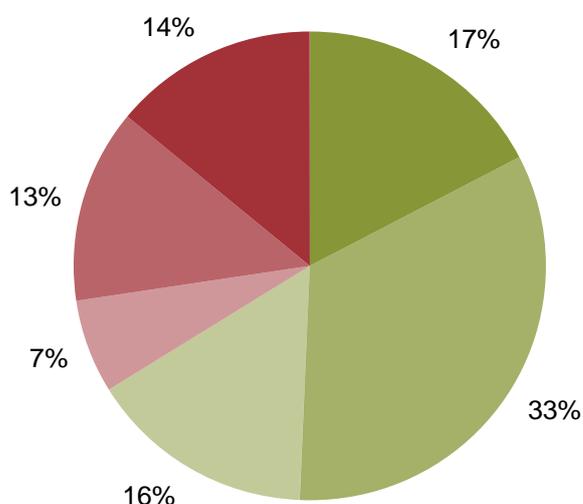
35. We've noted the in-principle support for implementing this proposal. However, we want to further consider how such a system could work effectively for an industry which is largely made up of micro businesses and sole traders. We won't be proceeding with this proposal at this stage.

Online booking system for standards checks



36. The vast majority of respondents 1,298 (91%) slightly agreed, agreed or strongly agreed with the proposal to introduce an online booking facility for the standards check. Of those who had reservations the main theme was that an alternative to online booking should be retained, because the system could crash and not all respondents had access to the internet or were computer literate.

Discrete standards check fee



37. Of the respondents to this question 954 (66%) slightly agreed, agreed or strongly agreed with the principle of an ADI paying a separate fee for each standards check saying that it would make it easier to budget for separate payments. However, many of those who agreed with this proposal only did so on the basis that the overall cost for registration didn't rise beyond the current levels.
38. Similarly those who disagreed expressed concerns that:
- even if the registration fee was reduced the cost of a separate check test would end up rising until the overall amount paid by ADIs would increase
 - standards check failures may increase if retake fees represented an additional revenue stream for the DVSA

Decisions on the booking of standard checks and the ADI fee structure

39. Taking into account the level of support, we've decided to go ahead with an online booking system and will look to restructure the ADI fees from the date that it's introduced.
40. At the moment all ADIs will continue to pay the same £300 registration fee no matter how many standards checks they undergo in a four year registration period. We note concerns about possible increases in the overall cost that an ADI pays for registration.

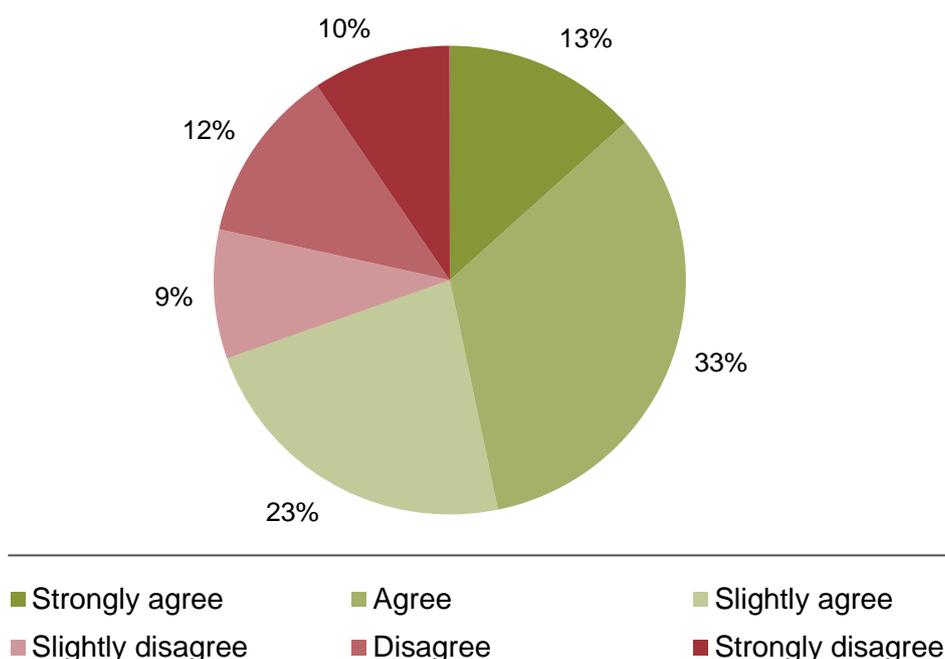
The introduction of an online booking system will help to increase the efficiency of the standards check booking process and, therefore, reduce the overall delivery cost to DVSA. We'll also make sure that our existing contact system is kept to help those customers who may have difficulty in using the digital channels.

41. We aim to consult later in 2014 on a revised ADI registration fee structure that would see separate fees for:

- ADI registration
- the standards check
- a fit and proper check ahead of renewal

42. An update will be provided on the introduction of the online booking system after this consultation.

Changes to the ADI grading structure



43. Of the respondents to this question 999 (69%) slightly agreed, agreed or strongly agreed that some changes should be made. However from the comments submitted there was no clear agreement on what the changes should be. Some respondents thought that the numbering of the grades should be revised; others suggested that descriptors should be used. Some were in favour of a simple 'pass/fail' marking, whilst other respondents thought that the grading system should be scrapped altogether.

Decision on the ADI grading structure

44. Until recently ADIs were graded 1 to 6 with 6 being the highest. Those graded 1 to 3 were assessed as not meeting the minimum standards to remain on the Register. Since the consultation, DVSA has further discussed changes to the ADI grading structure with the then National Association Steering Group.
45. The following new grading structure was introduced on 7 April 2014 to coincide with the introduction of the new standards check:

| Score on standards check | Description | Grade |
|--------------------------|--|---------|
| 0 to 30 | Unsatisfactory performance | Fail |
| 31 to 42 | Sufficient competence demonstrated to permit or retain entry on the Register of Approved Driving Instructors | Grade B |
| 43 to 51 | A high overall standard of instruction demonstrated | Grade A |

46. The new structure will help to encourage a rise in standards and help learners and parents understand that instructors are graded based on their level of instructional ability.

General information on ADIs

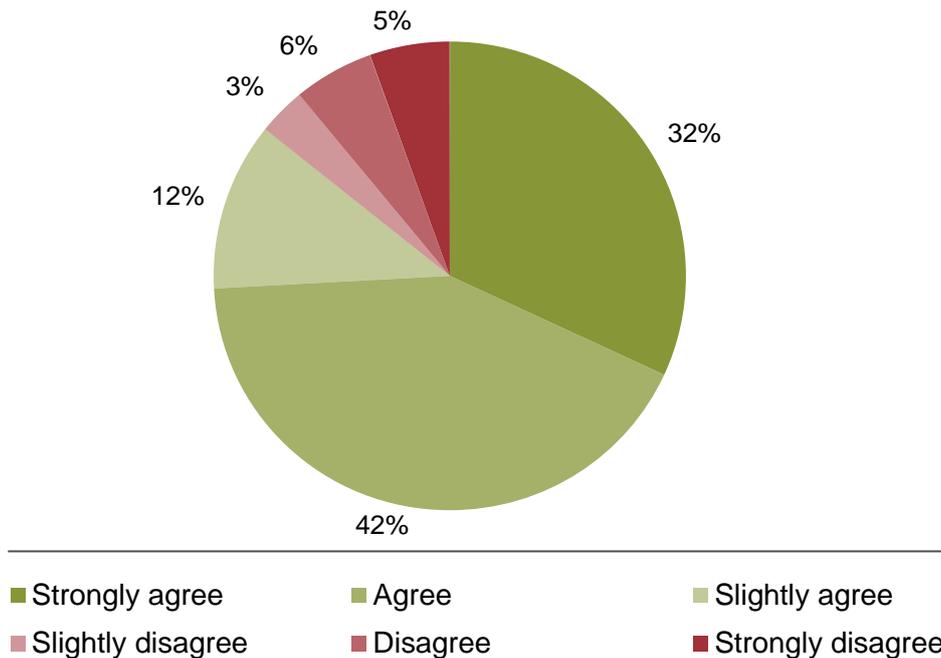
47. We asked for suggestions about the types of information on ADIs that we could make publicly available to help learners, and parents make informed choices about their instructor. 1,133 responses were received; there was no general agreement. Some respondents thought that the grade and pass rate of the instructor should be published; others believed that qualifications and experience were more important. A number of respondents believed that pass rates and grades shouldn't be made available or that only the contact details of the instructor should be revealed.

Decision on information about ADIs

48. We want instructors to be more open about their competence and grading. As part of this we'll explore possible changes to the DVSA online 'Find your nearest' driving instructor to allow instructors to voluntarily show their grade. We are also discussing an additional

DVSA rating with the ADI National Associations. This would see top grade instructors display this in their vehicle alongside the ADI certificate. This will recognise and help promote the higher level of competence that they've worked hard to achieve.

Changing the law so that instructors could take a standards check to remain on the register when their registration has lapsed for more than 12 months

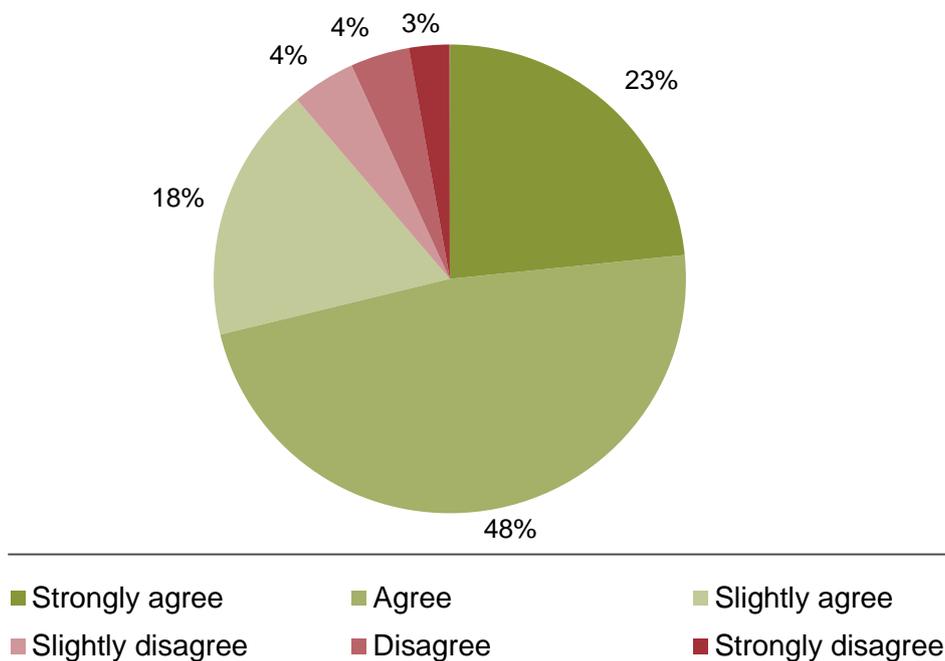


49. 1,203 (86%) of respondents to this question slightly agreed, agreed or strongly agreed that an instructor whose registration had lapsed for more than 12 months should be allowed to take a standards check rather than having to re-qualify. Some of those who commented expressed concern that this time period shouldn't be open ended, for example more than five years.

Decision on lapsed registration

50. Taking this support into account, we plan to take steps to implement this change. We note concerns that a time limit should be applied - we would like to discuss this further with the ADI National Associations and will make further announcements in due course.

Removing an instructor from the Register at their request



51. 1,223 (89%) of respondents to this topic slightly agreed, agreed or strongly agreed that the Registrar should be able to remove an ADI from the Register if the instructor requested it.

Decision on voluntary removal from the register

52. Taking this support into account, we'll take steps to amend the legislation so that the Registrar can remove an instructor from the register at their request.

Comments on the impact assessment

53. We were also keen to gather evidence to contribute to the impact assessment that accompanied the consultation. 68% of those who responded thought that the costs, benefits and assumptions set out in the impact assessment were accurate. However no further usable evidence has emerged as a result of the consultation and many of the written comments left by respondents were generally negative, especially those about a government body accurately estimating costs.
54. Some were concerned that assumptions made by DVSA were based on inaccurate data, meaning that the whole impact assessment was flawed.
55. The models and assumptions used in the impact assessment were based on feedback from stakeholders wherever possible. They were also subject to extensive scrutiny by

economists and by a variety of committees to make sure that the industry isn't burdened unnecessarily.

56. We will publish a post-consultation impact assessment in due course.

Consultation principles

57. 1,085 respondents to this question (86%) thought that the document met the consultation principles as set out in Annex B of the consultation paper. No one commented on this question.

Format of consultation paper

58. There were 368 responses to this question; no single theme emerged from the comments made. Some respondents thought that the consultation period wasn't long enough for such an important issue and DVSA should try to make sure that a minimum of 12 weeks be given for responses to any consultation. Comments were also made that it would have been helpful if the questions were linked to the relevant sections of the consultation paper. Other respondents thought that the paper was biased in favour of Option 1.

Disclosure of information

59. As part of the consultation, DVSA made a commitment that the comments on consultation questions would be made available - unless the respondents made clear that they shouldn't be published.
60. 729 of the respondents asked for their response to be treated as confidential. DVSA won't publish names or other contact details of any of the people or organisations who responded to the consultation paper. An anonymised copy of comments made on the consultation questions, has been posted on GOV.UK alongside this response to consultation report at www.gov.uk/government/consultations/modernising-driver-training.
61. This interim response to consultation summarises all comments and doesn't identify specific respondents. The statistical analysis includes replies from all respondents who indicated the strength of their support for each proposal.

Further updates and announcements

62. We'll communicate further updates and announcements about this interim response to consultation report via email alerts and by publishing them on GOV.UK at www.gov.uk/government/consultations/modernising-driver-training.

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