



Driving
Standards
Agency

Review of language support provided for driving test candidates

A consultation paper seeking views on removing the language support to some driving test candidates.

Table of contents

Section	Page
Foreword	4
Executive summary	4
Background	5
Options for change	6
Consultation questions	7
Application within the United Kingdom	8
Impact Assessment	9
What will happen next	9
How to respond	9
Freedom of information	10
Question and answer brief	12
Consultation principles	13

Glossary

Abbreviation	Definition
DSA	Driving Standards Agency
DPA	Data Protection Act 1998
EHRC	Equality and Human Rights Commission
FOIA	Freedom of Information Act 2000
IA	Impact Assessment

Foreword

1. This consultation paper sets out proposals to remove or reduce the language support given to non-English speaking candidates taking theory and practical driving tests. It seeks views on whether foreign language voiceovers and interpreters should continue to be provided or whether the statutory driving tests should be conducted only in the National Languages (English and, in Wales, English and Welsh).
2. For a detailed analysis of the costs and benefits arising from the proposals, along with the reasons for change please see the Impact Assessment.

Executive summary

3. The proposals in this consultation paper would make a change to the way that some driving tests are delivered. If they were implemented, the language support for those taking theory and practical tests in a language other than English or Welsh would be withdrawn.

4. This would involve removing translating-voiceovers in non-national languages from theory tests and the facility to have an interpreter present at theory and practical tests. There will be no change in arrangements for special needs candidates, including the service provided on the theory test by British Sign Language interpreters, or for those with dyslexia.

5. The reasons for adopting these proposals would be to:

- improve road safety – there is concern about the ability of non-English or Welsh speakers to understand road signs and other advice to drivers
- enhance social cohesion – to encourage integration in society by learning the national language
- reduce fraud – to address the problem of an interpreter attending for test with a learner driver and communicating advice beyond a strict translation of the theory test questions or the instructions given by the examiner
- reduce costs – there will be a small saving to the Driving Standards Agency (DSA) from not paying a fee to the theory test service provider for the annual update of voiceovers

6. There are 3 options for change. Our preferred approach is option 1, which is for the removal of all voiceovers and translation services in non-national languages. The other 2 options would allow the retention of some elements of support. Consideration is also given to the option of making no change.

7. Views are also invited on the period of notice that should precede the changes. DSA is concerned, too, that any change does not encourage unlicensed driving by those who may have difficulties learning the national language. Comments on how this issue might be addressed would be welcomed.

8. In developing the proposals set out in this review, DSA has engaged with the Equality and Human Rights Commission. These proposals apply only to driving tests conducted in England, Scotland and Wales.

Background

9. Driving tests in Great Britain are carried out by DSA, which is an executive agency within the Department for Transport.

10. The driving test is split into 2 parts - a theory test followed by a practical, on-road test. The theory test, which is computer-based comprising multiple-choice questions and an assessment of hazard perception, must be passed before the practical on-road test can be attempted.

11. The purpose of the driving test is to assess candidates' knowledge and driving competence, not their language skills. There is no legal requirement for a driving test candidate to be proficient in English or Welsh but neither is there a requirement for tests to be delivered in non-national languages.

12. DSA has, however, made provision for candidates whose first language is not English (or Welsh) to be assisted in taking their driving tests. Currently, DSA makes available - for car and motorcycle theory test candidates - pre-recorded voiceovers in 19 different foreign languages that translate the questions and answer options. Similar voiceovers are also available in English and Welsh for candidates with dyslexia or other reading difficulties.

13. There are no voiceover facilities (other than English and Welsh) for the theory tests taken by learner lorry and bus drivers or for those taking the Initial Qualification theory test for the Driver Certificate of Professional Competence or the Approved Driving Instructor theory test.

14. The practice of providing voiceovers for car and motorcycle tests has grown as an administrative arrangement since delivery of the theory test was computerised in 2000. The number of available languages has gradually increased, in response to demand.

15. We also allow the use of interpreters at theory and practical tests taken by car, motorcycle, lorry and bus candidates. For the theory test, interpreters are normally provided in situations where a voiceover is not available in a candidate's native language, or where the candidate speaks a dialect that would make understanding of a voiceover difficult.

16. In order to maintain some quality control and assurance of the integrity of the test, interpreters for the theory test must be approved by DSA, be of working age and cannot be a family member or the candidate's driving instructor. At the practical test, fewer restrictions apply - an interpreter must be over 14 years of age, and can be a qualified interpreter, the candidate's driving instructor, or a friend or family member. .

17. In 2011/12, the following volumes of theory tests were delivered with language assistance:

Total number of theory tests conducted	Of which interpreter was present	Voiceovers		
		Total	English/Welsh	Other languages
1.5 million	2,262 (0.1% of total tests)	258,314 (15% of total tests)	152,202	106,112

18. In 2011/2012, of the 1.57 million practical car driving tests, around 35,000 were conducted with an interpreter present.

19. These were the total number of tests conducted which include re-tests. A more realistic estimate of the numbers who will be affected are those who requested a voiceover or interpreter. In 2011/12, 57,361 theory test candidates requested voiceovers, 1690 theory test candidates requested interpreters and 19,555 practical test candidates requested interpreters.

The case for change

20. We consider that road safety is compromised if drivers are unable to understand road signs and other driving related instructions. Requiring candidates to take their driving tests in the national language would give assurance of their ability to comply with such instructions.

21. Also, the government wishes to encourage social cohesion, which it is considered can be enhanced if all citizens can understand the national language.

22. Furthermore, DSA is aware that the use of interpreters at both theory and practical tests gives rise to the potential for fraud – interpreters telling candidates the correct answer to test questions or offering guidance during the practical test. Since mid 2009, nine individuals have been removed from the list of approved interpreters, and 861 test pass revocations have been completed. The measures we have in place to police this, such as reviewing recordings of translation from theory test centres, are expensive and time-consuming. The average cost to the Agency based upon 13 recent investigations is around £94,500 per annum.

23. There are also small potential savings for the public sector. DSA currently pays a fee for the annual update of theory test voiceovers when the question banks are refreshed.

Options for change

24. The options for making changes to the level of foreign language support currently allowed are:

Option 1 - Remove voiceovers and interpreters

25. Under this option, there would be no voiceovers available in non-national languages for theory tests. Interpreters would not be available for theory or practical tests. All candidates would be required to understand the national language.

Option 2 - Remove voiceovers on the theory test but retain the use of interpreters on all tests

26. Under this option, it would no longer be possible for a candidate to take a theory test with a voiceover in non-national language. But it would be possible to attend for a theory or practical test, accompanied by an interpreter.

Option 3 – Remove interpreters on both tests but retain the use of voiceovers for the theory test

27. Under this option, candidates would no longer be able to use the services of a interpreter on theory or practical tests. But there would still be voiceovers available in non-national languages on theory tests.

Option 4 - Do Nothing

28. Under this option, we would maintain the current level of service.

29. An Impact Assessment that looks at the detailed effects of each new option is attached to this consultation paper.

Consultation questions

Question 1 - Do you agree that we should allow theory and practical driving tests to be taken only in English and Welsh and remove voiceovers and interpreters from those tests?

Question 2 – Do you agree that we should remove voiceovers but allow interpreters on all theory and practical tests?

Question 3 - Do you agree that we should remove interpreters from all tests but allow voiceovers on theory tests?

Question 4 – Do you agree that we should make no change?

Related items on which we would welcome views

30. In addition to those specific proposals, there are related issues on which we should welcome views. These concern implementation arrangements and any consequential effects of change. In particular, we would be interested in views on the period of notice that should be given before a change is made, and how to address the possibility of an increase in unlicensed driving.

Period of notice

31. We wish to give enough notice of any changes made so that anyone who might be affected and is currently learning to drive or has a test appointment booked does not have to delay taking their test. From research evidence we know that, on average, learners take between six and nine months to pass their test from first starting to learn to drive.

32. We wish to set a period of notice which will be fair on both existing learner drivers and those entering the process. But we do not wish to add undue delay in addressing the issues identified in this paper. It is therefore proposed that a period of six months notice of any change would be given. This would allow those who have already achieved a level of driving competence to be able to continue with their tuition and take the test in the language with which they are familiar. Anyone starting to learn to drive would have at least six months in which they could also learn the national language.

Question 5 – Do you agree that six months from the announcement of a decision following this consultation would be a reasonable period of notice for implementation of the changes?

Unlicensed driving

33. The removal of language support for test candidates might encourage unlicensed driving by those who do not understand English choosing to risk driving without a licence rather than to learn the national language.

34. We would, of course, strongly discourage anyone from driving without the correct licence. But we wish to explore whether there are steps that can be taken to dissuade those who may be tempted to drive unlicensed in the first place.

35. As part of this consultation, we would welcome suggestions for how best to facilitate compliance with the law. We will take into account suggestions when we evaluate the views of consultees.

Question 6 - Do you have suggestions on how we could limit an increase in unlicensed driving which could arise from the changes?

Application within United Kingdom

36. The responsibility for delivering driving tests in Scotland and Wales remains with the Secretary of State for Transport.

37. Driving tests are delivered separately in Northern Ireland.

Initial impact assessment

38. The Initial Impact Assessment analyses the costs and benefits of each of the proposals in this paper in more detail. It looks at the possible combination of each element in a revised arrangement for test delivery.

39. We have made assumptions in the Impact Assessment about the numbers taking training, the costs and the length of time which an individual will spend on undertaking training. We would welcome views on these estimates so that we can take them into account in any revisions to the Impact Assessment.

Question 7 – Do you have any comments about the assumptions made in the Impact Assessment?

Question 8 – Do you have any overall comments on the Impact Assessment?

Exemption from Regulation for Micro-Businesses and Start-Ups

40. The Government announced in the March 2011 Budget that it would introduce a moratorium exempting micro and start-up businesses from new domestic regulation for three years from 1 April 2011. The provision of language support is not a regulatory issue. As such, it will not be covered by this moratorium. However, changes will be made in accordance with Government requirements on consultation and assessment of the effects of the proposals.

What will happen next

41. We will use the responses received to this consultation exercise to inform Ministers of the views of stakeholders. A report based on the responses will be produced and posted on the DSA website: <https://www.gov.uk/government/organisations/driving-standards-agency>

42. Once Ministers have considered the report they will make a decision as to the level of foreign language support that will/will not be provided.

43. We will contact everyone who sends us comments to tell them when the Response to Consultation Report is available.

How to respond

44. Please let us know your views on the proposals by answering the questions in consultation paper online at the following web address:
https://consultation.dft.gov.uk/dsa/language_support/

45. If you experience technical difficulties in completing this consultation online, please e-mail us at: consultations@dsa.gsi.gov.uk or contact us on (0115) 936 6098.

46. The Consultation period will last for 8 weeks from 5 February to 2 April.

47. Responses must be completed no later than 2 April although earlier completion would help us. **Please note that we are unable to consider any comments provided anonymously.**

48. If you are replying on behalf of an organisation, it would be helpful if you could tell us 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.

Freedom of information

49. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

50. If you want information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

51. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your computer will not, of itself, be regarded as binding on the Department.

52. The Department will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Crown copyright

© Crown copyright 2013

Copyright in the typographical arrangement rests with the Crown.

This publication, excluding logos, may be reproduced free of charge in any format or medium for non-commercial research, private study or for internal circulation within an organisation. This is subject to it being reproduced accurately and not used in a misleading context. The material must be acknowledged as Crown copyright and you must give the title of the source document/publication.

For any other use of this material, you must comply with the terms of an Open Government Licence. These can be found at: nationalarchives.gov.uk/doc/open-government-licence/ or by e-mail psi@nationalarchives.gsi.gov.uk

Question and answer brief

What are the current arrangements for test delivery?

The driving test is taken in two parts. A learner driver must pass a computer-based theory test, comprising multiple-choice questions and an assessment of hazard perception. The candidate will then need to pass the traditional, on-road, practical test.

What is the language support that is currently available for candidates?

For a number of years, DSA has provided multiple-language, pre-recorded voiceovers for candidates taking the theory test for learner riders and drivers. DSA also permits the use of interpreters at theory and practical tests.

What does the law say?

This practice has grown as an administrative arrangement. The legislation that underpins driving test requirements - which is based on European legislation - concerns safe and competent driving, not language skills. Whilst there is no legal requirement for a driving test candidate to be proficient in English or Welsh, neither is there a requirement for tests to be delivered in non-national languages.

What is being reviewed?

Ministers are keen to review the provision of language support. This includes both voiceovers for theory tests in non-national languages and interpreters for theory and practical tests.

Why is this being reviewed?

The issue is being considered as a result of concerns about social cohesion, road safety, fraud and the need to make savings.

What is the issue concerning social cohesion?

The government is keen to encourage those new to Great Britain to take advantage of employment opportunities that are available and to take a full part in society. Integration into society can be assisted by individuals possessing linguistic skills – those who are able to speak English or, in Wales, Welsh - the national language - are more likely to be able to obtain employment and take part in wider activities within society. This will be supported by withdrawal of language support. It is expected that such a development will offer a specific incentive for learner drivers who do not speak English or Welsh to obtain training and learn the language.

What about road safety?

There is concern that drivers passing the test by use of voiceovers or interpreters may not be sufficiently competent in English or Welsh to read traffic signs and other information while driving, which may have road safety implications. Such drivers may not be able to react to emergency road signs, or take action where there is specific information given, to be able to take the driving tests. It is expected that, by requiring new drivers to be sufficiently proficient in the national language, these situations could be reduced.

And fraud?

There has been a problem for some years concerning those who wish to avoid taking the driving test and will engage in unlawful activity to obtain a full licence. As a part of this, our experience is that the presence of interpreters has created an opportunity for cheating at the theory test. In such cases, the person employed as a interpreter will offer assistance, beyond a straight translation of the question and answer options, to the candidate who is sitting the test. DSA closely monitors and takes action where it considers that this has taken place. Where it is proven that cheating has occurred, the theory test pass certificate will be revoked and action taken against the individual. Since mid 2009, 9 individuals have been removed from the list of approved interpreters, and 861 test pass revocations have been completed. The measures we have in place to police this, such as reviewing recordings of translation from theory test centres, are expensive and time-consuming. The average cost to the Agency based upon 13 recent investigations amounts to some £94,500.

There are fewer opportunities for intervention by interpreters during practical tests. Driving Examiners are skilled at identifying whether commentary beyond what is required is being given by the interpreter. However, there is anecdotal evidence that the interpreter may be able to prompt candidates when repeating directions, or provide answers during interpretation of the 'show me tell me' questions (where a candidate is asked to demonstrate, or explain, a driving-related action).

And savings?

There is the potential to realise small savings by the change to theory tests. At present, there is an annual charge to DSA for updating the voiceovers. Ceasing to provide voiceovers in languages other than English and Welsh would reduce the payment.

Consultation principles

The Civil Service Reform Plan commits the Government to improving policy making and implementation with a greater focus on robust evidence, transparency and engaging with key groups earlier in the process.

As a result the Government is improving the way it consults by adopting a more proportionate and targeted approach, so that the type and scale of engagement is proportional to the potential impacts of the proposal. The emphasis is on understanding the effects of a proposal and focusing on real engagement with key groups rather than following a set process.

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before;
- departments will need to give more thought to how they engage with and consult with those who are affected;
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

More detail is at the Cabinet Office website. It can be accessed by the following link:

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>