

The questions relate to not being able to claim a refund on an HGV theory or practical test fees if the student is too unwell to test.

1) When was the policy not to issue refunds made?

Regulation 36 of the Motor Vehicles (Driving Licences) Regulations 1999 [as amended] states that candidates must give three clear working days notice to cancel a driving test without losing their fee. On 6 April 2011, in line with the coalition government's efficiency agenda, we decided to enforce strictly this piece of legislation. There was no policy change.

2) When was the policy implemented?

We enforced the piece of legislation referred to above on 1 June 2011.

3) Who (if anyone) was consulted on this change?

We did not consult on this matter as there hadn't been a regulatory change.

4) Between 1st June 2010 and 1st June 2011 how much money did DSA refund to students broken down by category of test who were unable to attend their test as a result of being sick?

In the table below, you can find the number of refunds made and the amount refunded in theory test fees between 1 June 2010 and 1 July 2011 as a result of the candidate being unable to attend their theory test due to sickness. This information is split by category of test and is based on information captured on our theory test provider's systems where the reason for non-attendance is 'medical reason'.

Category of test	Number of refunds made	Amount refunded
Car/motorcycle	133	£4,123
Bus, coach or lorry Driver CPC case studies	9	£270
Bus, coach or lorry multiple choice test	9	£315
Bus, coach or lorry hazard perception test	6	£90
Approved driving instructor part one	4	£360

Our corporate correspondence team hold information on practical test refunds due to candidate sickness. This information is captured in a waiver log.

In the table below, you can find the number of refunds made and the amount refunded in practical test fees between 1 June 2010 and 1 June 2011 as a result of the candidate being unable to attend their practical test due to sickness. This information is split by category of test and is based on that held in our waiver log.

Practical test category	Number of refunds made	Amount refunded
Motorcycle module one	8	£124

Motorcycle module two	19	£1,425
Approved driving instructor part two	2	£222
Approved driving instructor part three	3	£333
Car	685*	£42,470*
LGV	21	£2,415
LGV Driver Certificate of Professional Competence	3	£173
Bus	1	£115
Bus Driver Certificate of Professional Competence	1	£55
Private Hire Taxi	5	£390

The amount refunded for the car practical test is based on the standard weekday car practical test fee. Therefore, this is a minimum amount we would have refunded to car practical test candidates as a result of being unable to attend their car practical test due to sickness.

To compile information on the exact amount we refunded to car practical test candidates between 1 June 2010 and 1 June 2011 who were unable to attend their test due to sickness would involve us manually reviewing the record of each car practical test candidate on our testing and registration system (TARS). We would need to review each candidate's record to determine whether the candidate was due to attend a car practical test or an extended car practical and whether it was a weekday or weekday evening/weekend test and the amount refunded. Only on review would we be able to confirm the amount refunded in test fee to car practical test candidates.

This information is exempt from release under section 12 (1) (cost of compliance exceeds appropriate limit) of the FoIA. A full breakdown of this exemption can be found at Annex B.

The appropriate limit, as prescribed by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, is £600 for Central Government and £450 for other public authorities, with staff costs calculated at a rate of £25 per hour. When calculating whether the appropriate limit is exceeded, authorities can take account of the costs of determining whether the information is held, locating and retrieving the information, and extracting the information from other documents. They cannot take account of the costs involved with considering whether information is exempt under the Act.

We have estimated that it would take three minutes to review one candidate's record on our TARS to determine the amount we refunded them with as a result of them being unable to attend their car practical test due to sickness. Therefore to check the record of all 685 candidates to find out the exact amount refunded would take 34.25 hours, which would exceed the 24 working hour limit prescribed.

Please note that we have been able to determine the exact amount we refunded to candidates who were due to take their practical test in the other categories of test but were unable to attend due to sickness. This is due to the low number of refunds issued to candidates in categories of test other than the car practical test. We manually reviewed the records of those candidates to determine the amount we refunded (i.e. whether the

refund was for a weekday test or weekday evening/weekend test). This information is included in the above table.

5) Does this policy (non refund due to sickness) apply to all car, bike, bus and lorry tests or just vocational tests?

The policy applies to all categories of driving test.

6) How were stakeholders (car, bike etc. trainer bookers) informed of the new policy?

7) How were vocational (HGV and PCV) trainers informed of the policy change?

8) Why was this policy introduced?

We informed stakeholders of the decision to enforce the piece of legislation referred to above through the following methods:

- email sent to approved driving instructor associations
- article in Despatch
- article for Rosemary Thew's columns was sent to MSA Newslink, The ADI Federation News Update newsletter, Delivering Information Developing Understanding (DIDU), Approved Driving Instructor National Joint Council newsletter, Driving Instructor Magazine and ADI News.

The vocational industry would have had the chance to pick the article up in Despatch.

You can find the Despatch article on page six of the May 2011 edition on line at http://webarchive.nationalarchives.gov.uk/20110509101621/http://www.dft.gov.uk/dsa/category_cat_782-.html?cat=782. This information is, therefore, exempt from release under section 21 (information accessible by other means) of the Freedom of Information Act. A full breakdown of this exemption can be found at Annex C.

At Annex D, you can find a copy of the information that we sent to ADI associations as well as that sent to ADI bodies for them to consider including in Rosemary Thew's columns of their newsletters. I also attach information we hold on our Knowledge Management System and that held by our corporate correspondence team when dealing with customer queries about this matter.

The information found in Despatch and at Annex D explains why we are to enforce strictly the piece of legislation referred to above.

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