



Vehicle & Operator Services Agency

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**BY E-MAIL**

Our ref: **F0003634**

Date: 13<sup>th</sup> October 2011

Dear

## **FREEDOM OF INFORMATION ACT 2000**

I refer to your e-mail of 3<sup>rd</sup> October 2011. We have dealt with this request under the terms of the Freedom of Information Act 2000.

You have asked for information in relation to the application, of the Regulators Compliance Code has been applied to VOSA's enforcement policies and functions, and training and advice given to VOSA's staff relating to this. I have taken each point you have raised, and our response is given below.

- (a) How has the Regulators Compliance Code been applied to VOSA's enforcement functions?**
- (b) How has the Regulators Compliance Code been applied to VOSA's enforcement policies?**

VOSA ensures that its policies follow the principals of good regulation, are proportionate and fair, and meet the obligations of the Regulators Compliance Code. We provide detailed operating instructions to our enforcement officers, and publish our guidance documents and our Enforcement Sanctions Policy.

VOSA meets the specific obligations detailed in the Regulators Compliance Code as follows:

### **Economic progress**

We seek to promote and encourage the positive economic benefits of compliance with EC and domestic regulations.

## **Risk assessment**

Our enforcement activities are risk-based, led by information such as previous compliance history, industry risk factors and intelligence information. We actively target those that pose the greatest risk to road safety and use targeting tools such as an Operator Compliance Risk Scoring (OCRS), ANPR and Weigh in Motion Sensors (WIMS) as well as intelligence information scoring matrix to inform us of where our resources are best utilised.

## **Advice and guidance**

VOSA provides information and guidance material which is both published in hard copy and available on BusinessLink ([www.businesslink.gov.uk](http://www.businesslink.gov.uk)). We place a lot of emphasis on educating drivers and operators and encourage them to comply with regulatory requirements. We use sanction options in a proportionate manner and in line with our published Enforcement Sanctions Policy. We regularly work in partnership with industry stakeholders in endeavouring to provide clear and concise guidance.

## **Inspections and other visits**

VOSA ensures that visits and inspections are justified and are carried out on the assessment of risk to road safety. Priorities are focused on those that have the highest risk factors or history of non compliance, or where there is relevant intelligence information that requires action. Visits are also carried out for educative reasons, particularly where the operation is a new licence holder.

## **Compliance and enforcement actions**

We have implemented policies which take a consistent, proportionate and fair approach to enforcement and sanctioning aiming to change behaviour and deter future non-compliance. We are transparent when developing our policies, regularly consulting with industry and publishing guidance and our enforcement sanctions policy on the government's BusinessLink website. Our sanctions policy allows for a range of enforcement actions relevant to the circumstances and severity of the non compliance occurring.

## **Accountability**

VOSA are an accountable government enforcement agency with robust internal accountability and audit processes in place. We have published appeal and complaints procedures against our enforcement actions. We regularly consult with our stakeholders in developing and reviewing our policies. We carry out post implementation reviews following the introduction of new initiatives.

**(c) What training has been provided to enforcement officers in relation to the Statutory Instrument and Regulators Compliance Code?**

**(d) What advice has been provided in relation to the Statutory Instrument and Regulators Compliance Code?**

The obligations of the compliance code are integrated throughout VOSA's operating instructions and policy guidance. The principles of the code have always been fundamental to our approach, are embedded in our instructions and general training

packages, and we therefore see no requirement to provide any further specific or separate training or advice.

If you have any queries about this letter, please contact us, quoting reference **F0003634**.

If you are unhappy with the response provided, you may ask for an internal review. To request an internal review, please write to:

VOSA Corporate Office,  
Berkeley House,  
Croydon Street,  
Bristol,  
BS5 0DA

or email [vosa.corporateoffice@vosa.gsi.gov.uk](mailto:vosa.corporateoffice@vosa.gsi.gov.uk)

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:

The Information Commissioner's Office  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

Yours sincerely

VOSA Information Access