



Vehicle & Operator Services Agency

From: **Information Access**
inform@vosa.gsi.gov.uk

Information Access Team
Berkeley House
Croydon Street
Bristol
BS5 0DA

Tel: 0300 123 9000
Fax: 0117 954 2546

BY EMAIL

Your ref:
Our ref: **F0004882**

Date: 16th April 2013

Dear

FREEDOM OF INFORMATION ACT 2000

I refer to your email of 30th March 2013. We have dealt with this under the terms of the Freedom of Information Act 2000.

You asked for information in relation to a “planned clamp-down” by the Vehicle and Operator Services Agency (VOSA) on insecure loads on curtain-sided vehicles. I have dealt with the points you raised in the same order as your e-mail for ease of reference.

1 - When does the clampdown start? VOSA has always been involved with load security. However we have become more proactive in the last 6-12 months. We have now trained the vast majority of our Vehicle Examiners over the past few months in respect of load security and they are now dealing with these issues. training.

2 - How is the driver to be dealt with regarding an insecure load? VOSA is using a risk matrix to assess the load security and what the appropriate action should be, based on the nature of the load and the method of security. This matrix can be viewed in VOSA’s Enforcement Sanction Policy which directs examiners to advise and educate in some instance, but if it is considered that the vehicle presents an immediate likelihood of causing harm due to their load security or stability a prohibition and GFPD should be issued to the driver. The Enforcement Sanctions Policy can be found by clicking on the following link

<https://www.gov.uk/government/publications/enforcement-sanctions-policy>

3 - Will the operator held responsible for the drivers insecure load? Where a prohibition and GFPD are issued, Examiners are instructed to report the matter for

further investigation which would, in most instances, result in an operator visit to discuss the findings at the roadside and decide on any further action if required.

4 - Will Agencies other than VOSA (eg police etc.) be assisting in this clampdown? The Health and Safety Executive (HSE) are responsible for all Health and Safety matters, which includes load security. Police would also be involved at the roadside, however I am not aware of any specific joint operations with other Enforcement Agencies in respect of load security or related areas but enforcement teams across the organisation regularly work with other agencies, and as such, joint operations may well happen.

If you are unhappy with the response provided, you may ask for an internal review. To request an internal review, please write within two calendar months from the date of this letter to:

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

or email 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). 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

The Vehicle and Operator Services Agency (VOSA) publishes responses to requests made under the Freedom of Information Act 2000 which may be of wider interest in a disclosure log on our website. This runs from 1st January 2012, and can be found by clicking on the following link

<http://www.dft.gov.uk/vosa/contactus/freedomofinformationdisclosures/freedomofinformationdisclosures.htm>. Disclosures made before this date (from 2005 onwards) have been archived, but can still be accessed by clicking on the following link

<http://webarchive.nationalarchives.gov.uk/20121205171206/http://www.dft.gov.uk/vosa/contactus/freedomofinformationdisclosures/freedomofinformationdisclosures.htm>.

If you have any queries about this letter, please contact us, quoting reference **F0004882**.

Yours sincerely

VOSA Information Access Team