



SERVICE LEVEL AGREEMENT

between

THE VEHICLE AND OPERATOR SERVICES AGENCY (VOSA)

and

**Operators and Providers of goods vehicles, trailers and passenger carrying vehicles,
represented by**

THE FREIGHT TRANSPORT ASSOCIATION (FTA)

THE ROAD HAULAGE ASSOCIATION (RHA)

THE CONFEDERATION OF PASSENGER TRANSPORT (CPT)

THE BRITISH VEHICLE AND RENTAL ASSOCIATION (BVRLA)

THE RETAIL MOTOR INDUSTRY FEDERATION (RMIF)

in respect of

ENFORCEMENT

In accordance with the Memorandum of Agreement between the Parties, this Agreement sets out an understanding between VOSA, and the Trade Associations, Operators, and Owners of goods vehicles, trailers and passenger carrying vehicles in respect of the levels of service they can expect, during compliance and enforcement inspections at the roadside and/or at company premises. The Agreement also covers the standards and behaviours which the Trade Associations will encourage their members to adopt when their vehicles, drivers or records are inspected by VOSA staff.

The Agreement covers the following aspects:

1. General Principles
2. Communication
3. Targeting, Sanctions and Delays
4. Information and interpretation

Performance against commitments made in this Agreement will be measured and reviewed regularly by all Parties, with an annual summary which will be produced in December of each year. The Parties will agree to revise the terms of this Agreement based on experience.

Each of the following areas has three measurements of success - one for each Party to work on in the immediate future for immediate action which will lead to success in the third which is a joint longer term goal:

- VOSA performance
- Trade Association/Operator/Owner performance
- Joint Aspirations

1. GENERAL PRINCIPLES

All Parties will work together to achieve a high standard of roadworthiness and road safety that will deliver benefits for the road transport industry and the general public. Operators and vehicle owners are committed to having systems in place to ensure safe operation, and as a minimum, compliance with all aspects of drivers' hours and tachograph regulations as well as driver daily checks and defect reporting. VOSA will target non-compliant operators using the Operator Compliance Risk Score (OCRS - details on OCRS can be found on the Transport Office and VOSA websites) to ensure that compliant operators and their passengers are not inconvenienced or delayed unnecessarily. However all Parties agree that operators with a good compliance history will be subject to occasional checks.

Measures of Success

- VOSA will ensure that its standards and working practices for the conduct of roadside and other checks are clear and are available to operators, vehicle owners and drivers
- Trade Associations will encourage their members to operate within the regulations and will work to promote better understanding of the requirements (including ensuring drivers understand their responsibilities)
- All Parties will mutually support relevant campaigns eg those directed at reducing the number of Killed and Seriously Injured (KSI); reducing carbon footprint and improving the traffic flow on the strategic road network by reducing incidents through effective enforcement and education

2. COMMUNICATIONS

In addition to the communications detailed in the MOA, all Parties accept that there is a need for specific and timely communications, and that all have responsibilities to ensure that information gets to those people who need it and will be able to act upon the information received.

Measures of Success

VOSA will

- Continue to improve VOSA's services in line with its customer requirements
- VOSA will establish a system to notify operators, Trade Associations and vehicle owners of changes in policy and/or application of standards at least three months before they take effect. The notice period may be waived where it can be demonstrated that this would seriously jeopardise road safety
- Continuously improve the provision of data to operators through
 - o Increased provision and use of OCRS and Test History data
 - o On-line access to test results

Trade Associations will

- Respond to requests for input/information/participation in VOSA trials, surveys and consultation exercises
- Accept a role in owning and communicating processes/initiatives/decisions when they are agreed (eg outcomes from Stanmore meetings etc)
- Use all appropriate communications channels to promote information and advice to support safe operation

Joint Aspiration

- To develop and publish a jointly owned full suite of guides and information which will encourage and enable operators to operate safely and efficiently, and will help to ensure compliance with Regulations and Standards.

3. TARGETING, SANCTIONS AND DELAYS

Enforcement checks can cause disruption to vehicle schedules and VOSA is committed to minimising the time taken to carry out such checks. VOSA will also clear prohibitions within the stated timeframes. Trade Associations will work with VOSA to assist operators to understand the roadside check process and will consider how they can help members appreciate the purpose of roadside inspections, and the powers under which VOSA operates.

VOSA will

- Ensure up to date data will be available to enforcement staff at all times and will be used to efficiently target vehicles for checks
- Plan targeting to ensure the following service levels can be achieved
- Inspection on all vehicles will begin as swiftly as possible, and no longer than 15 minutes, after the vehicle has been stopped, with due consideration being given to certain vehicles eg. those carrying passengers or livestock
- Where no defects or infringements are found all vehicles will be released within 30 minutes of being stopped
- Where roadside inspections are carried out on vehicles carrying passengers the VOSA examiner will explain the purpose of the check to passengers in a sensitive way. The standards set in the Code of Practice for Enforcement Checks on "In Service" Passenger Carrying Vehicles will be met. ([Code of Practise](#))
- Where inspections are carried out at operators' premises VOSA examiners will make themselves known to the local representative and adhere to all local health and safety requirements. Where the premises are unsuitable operators will be asked to present their vehicles for inspection at a GVTS within a specified time limit
- Aim to conduct all overloading prohibition clearance examinations within 24 hours of the request being received
- Conduct roadworthiness prohibition clearance inspections within 3 working days from the date requested
- Aim to remove prohibitions on site where there is no reason not to do so
- Where immediate prohibitions have been issued, VOSA may permit minor repairs to be carried out at the roadside subject to conditions set out in VOSA operating instructions manual (details can be found on the Transport Office and VOSA websites)
- Continue to develop and refine OCRS to take account of new operators or those who have rectified problems but have not had further encounters to reduce score
- Issue all appropriate paperwork/documentation on completion of the check
- Where driver records and other documents are removed from operators' premises VOSA examiners will issue a receipt and provide contact details that would enable the driver or operator to make further enquiries

- VOSA will return records and documents to the operator and delete copies of electronic data within three months unless prosecution or other action is to be taken, in which case the operator will be kept informed of progress. In any case operators will normally be informed of the outcome within six months

Trade Associations will

- Encourage operators and vehicle owners to assist the enforcement effort by notifying changes to vehicles on licences as soon as possible, so that records of satisfactory and other inspections can be allocated swiftly to the appropriate operator/owner
- Encourage their members to work within the Guide to Maintaining Roadworthiness and other joint [publications](#)
- Work with VOSA to ensure their members are aware of the documents which will/will not be issued at the roadside
- Provide local support where a replacement PCV is required for the onward transit of passengers from a prohibited vehicle (eg arrangement of alternative carriers)

Joint Aspirations

- A reduction in the proportion of compliant vehicles checked
- Reduction in overall fleet risk score
- Work to improve standards and systems in use to manage compliance

4. INTERPRETATION AND INFORMATION

INTERPRETATION

Consistency in interpretation of legislation and dissemination of information is fundamental to creating a compliance culture. All Parties are committed to working together and with DfT to establish a clear and coherent interpretation of relevant legislation, taking into account Governmental commitments to minimise the regulatory burden on industry.

The on-going partnership in the development and publication of relevant guidance is a key part of this, as is the commitment of all Parties to make best use of their joint and individual communication channels.

VOSA will

- Provide trained staff to carry out all enforcement duties to the prescribed standards. Consistency will be validated by the national quality assurance team
- Use their channels of communication to provide up-to-date information to operators, owners and drivers
- Ensure all staff receive adequate initial and regular refresher training
- Monitor the application of interpretation and standards and investigate the causes of any inconsistencies found
- As far as possible, provide operators, owners and drivers with helpful information and advice during roadside checks and visits to operators' premises. This will be particularly relevant for new operators, and VOSA will aim to conduct an Advisory visit within six months of the operator commencing operations

Trade Associations will

- Where an interpretation has been agreed with VOSA, support and publicise the agreed position
- Determine all the facts of a case/complaint and ensure that their members have followed agreed processes for local resolution before escalating through VOSA nationally

- Encourage operators to recognise the necessity for roadside checks and visits to their premises and advise them that their staff should co-operate and provide records, copies of electronic data, documents and information requested by examiners

Joint Aspiration

- Greater mutual understanding and agreement on the interpretation of enforcement policy and a recognition of where the position of operators/owners and VOSA are likely to vary, addressing this to DfT jointly where appropriate

INFORMATION

The provision of good quality information is crucial to improving on the road compliance of both vehicles and drivers.

Measures of Success

VOSA will

- Continue to develop its provision of data to operators (OCRS and Test history)
- Publish quarterly statistics of key information (eg prohibition rates; top 10 prohibitable defects Nationally and Locally)
- Publication of Operating Instructions on www.TransportOffice.gov.uk
- Make electronic data available in a format that can be easily downloaded eg Excel by March 2008
- Provide Trade Associations with up to date details of primary contacts responsible for resolving disputes or complaints and will instigate general procedures to;
 - o Respond to telephone enquiries immediately where possible, but in any event within three working days of the enquiry
 - o Respond to written queries within five working days of receipt. Where further investigations is required VOSA will advise timescale for full response

Trade Associations

- Will work with members to identify and address areas where they can take positive action to reduce the number of defects or infringements found at roadside or other checks

Joint Aspiration

- Joint action plan for improving vehicle and driver standards by end September 2008





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