



Traffic Commissioners' Service Level Agreement

**Office of the Traffic Commissioner and
VOSA Licensing Application Services**

Section 1

1.1 Description of Service Provision

1.1.1 The scope of the services provided by the Office of the Traffic Commissioner (OTC) and VOSA (Vehicle & Operator Services Agency) Licensing Application Services are:

- Providing general and administrative office (including secretarial) support for the Traffic Commissioners;
- Processing of new operator licensing applications under delegated authority;
- Processing of variations to operator licences under delegated authority;
- Maintenance of existing licences under delegated authority;
- Processing of bus registrations under delegated authority;
- Processing cases received from the Regional Intelligence Unit (RIU) and Bus Compliance Officers (BCO);
- Preparing submissions to Traffic Commissioners on regulatory issues or non-delegated licensing and bus registration matters;
- Public Inquiry support, including issue of call-up and decision letters and provision of a brief to the Traffic Commissioner;
- Provision of case papers to Appellant bodies;
- The issue of Section 9 statements and Section 43 certificates;
- In-house revocations;
- Processing applications for the return of impounded vehicles;
- Support for considering the suitability/fitness of applicants for vocational driving licences and the continuation of such licences when referred on behalf of the Secretary of State;
- Supporting training events, conferences and seminars at which Traffic Commissioners are involved.

1.2 Key Milestones

1.2.1 April 2008 - Introduction of new Service Level Agreements (SLA) to replace the previous versions of the SLAs covering the Office of the Traffic Commissioner and VOSA Licensing Application Services

1.3 Standards

1.3.1 VOSA will ensure that work carried out by staff supporting Traffic Commissioners complies with Senior Traffic Commissioner (STC) Practice Directions, Guidance Notes and the delegated authority contained therein; and all relevant legislation. It will be open to scrutiny and will be subject to fully recorded quality assurance checks. This will include monthly audit checks by Team Leaders and quarterly checks by Senior Team Leaders (STL) plus independent VOSA Quality Assurance checks as detailed in 1.4.1. The Senior Traffic Commissioner, or one of his nominated TCs may also make random checks and provide feedback.

1.4 Service Effectiveness Reviews

1.4.1 VOSA conducted an audit of applications processed by VOSA Application Services licensing process in March/April 2007, independent of the processing teams to assess the level of compliance with STC Guidance, delegations and legislation in accordance with the Licensing Independent Audit Schedule. Results were provided to STC and Head of Licensing. Thereafter independent audits will take place and be reported upon every 12 months.

1.5 Deliverables

1.5.1 Performance Reports through CORVU (Management Information System) and manual checks as required, to support the external/internal service levels as defined in 2.3 - 2.6.

1.6 Other Documents

- 1.6.1** VOSA will ensure that staff have ready access to up-to-date application user manuals and operating instructions required to fully carry out delivery of service to the Traffic Commissioners. A copy of these documents will be provided to Traffic Commissioners. There will be standardised case submissions to ensure consistency.

1.7 IT Hardware

- 1.7.1** VOSA will ensure that staff are suitably equipped with the computer equipment required to fully carry out delivery of service to the Traffic Commissioners.

1.8 IT Software

- 1.8.1** VOSA will ensure that staff are suitably equipped with the computer applications required to fully carry out delivery of service to the Traffic Commissioners.

1.9 Points of contact for Traffic Commissioners

- 1.9.1** The OTC office manager will be the local point of contact for the Traffic Commissioners. The Head of OTC is the contact point for OTC issues that can not be resolved to the satisfaction of the Traffic Commissioner.
- 1.9.2** The OTC office manager will hold monthly meetings (where requested) with the Traffic Commissioner to review the overall quality of the work produced by the OTC including the provision of secretarial support.
- 1.9.3** The Head of OTC will meet quarterly with the Senior Traffic Commissioner and six-monthly with individual Traffic Commissioners to review performance and the relevance of the SLA.
- 1.9.4** VOSA Application Services will ensure that there are dedicated Senior Team Leaders (STL) in the processing unit as contact points for Traffic Commissioners. STLs, Team Leaders (TL) and caseworkers will be available by phone or video conference on a regular basis to discuss cases as and when required. STLs /TLs will visit TCs in their offices as and when necessary to discuss any serious issues. If licensing issues can not be resolved by the STL the Head of Application Services or his / her deputies is the contact point for escalation.
- 1.9.5** The Head of Application Services and / or his / her deputies will meet the individual Traffic Commissioners at intervals agreed by individual Commissioners.

1.10 Delegations

- 1.10.1** VOSA Application Services will ensure that before being recommended for delegated authority, the member of staff will have undergone a two week training course followed by a period of monitoring (six month approx) accompanied by an experience log demonstrating their progress. At the end of the period they will have to complete and pass a formal written assessment before "qualification".
- 1.10.2** Traffic Commissioners will award delegation to individuals by name and not withhold delegation unreasonably from "qualified" staff.
- 1.10.3** Newly appointed TCs will accept delegations as agreed by their colleagues on a temporary basis and confirm their acceptance of individuals after a period of six months if satisfied with the performance of these individuals.
- 1.10.4** Withdrawal of delegation can be instigated on reasonable grounds by a TC (or recommended by an STL) if the standard of work falls below an acceptable level. In these instances, the member of staff would be retrained and undergo an agreed minimum period, depending on individual circumstances, before being recommended again.

1.10.5 VOSA Licensing will maintain an accurate register of delegations which sets out the name, date and extent of delegation, this will be kept up to date by the deputies for the Head of Application Services as required. The delegations document will be made available to Traffic Commissioners on request. The independent VOSA Quality Assurance checks as set out in 1.3 and 1.4 will provide a full breakdown on levels of compliance. This will be communicated to Traffic Commissioners via the STC.

1.11 Recruitment and Training

1.11.1 VOSA will ensure that Traffic Commissioners are kept informed and updated on any recruitment exercises affecting their own OTC, particularly for the personal secretary, team leader and senior team leader posts.

1.11.2 VOSA will ensure that the Head of OTC sits on any recruitment board for Senior Team Leaders or Team Leaders in the OTC and that he/she will consult the Traffic Commissioner prior to any appointment and will take their views into account.

Section 2

2. VOSA Business Services and Service Levels

2.1 Introduction

2.1.1 This section defines the responsibility and commitment between the Office of the Traffic Commissioner and VOSA Application Services and the Traffic Commissioners for the delivery of services between the parties.

2.2 Business Service Descriptions and Service Levels between Application Services and Traffic Commissioners

2.2.1 The Business Service Description and Service Levels are set out in the annexes attached to this document. The services described are not subject to any charge from any party.

2.2.2 The services provided by the Office of the Traffic Commissioner are attached to this document at Annex A. A copy of the exception report used for public inquiry cases is attached at Annex B. A list of cases which are to be exempt from the service levels are included at Annex C.

2.2.3 The services provided by VOSA Licensing are attached to this document at Annex D. A copy of the exception report used for licensing submissions is attached at Annex E. A list of cases which are to be exempt from measure 2.5.1 is included at Annex F.

2.2.4 VOSA will, as part of normal activity, review the Business Services to identify areas for improvement in how the Business Service is delivered and implement those improvements if they are within the sole control of VOSA or advise the Traffic Commissioners where involvement from the Traffic Commissioners is required to develop or implement any change.

2.2.5 It is recognised that not all secretariat services described in Memorandum of Agreement (Annex G) will be required by all Traffic Commissioners.

Future variations

2.2.6 Revision of this SLA can take place at any time with the mutual agreement of the Senior Traffic Commissioner and VOSA. Formal consideration of the SLA should take place every six months from April 2008.

Interpretations

The expressions set out in this agreement shall, for the purpose of this agreement, have the meanings ascribed thereto:

"Completion" means the completion of all actions relating to a defined process, to the agreed quality criteria.

"Agreement Review" means the periodic review of the agreement by the Traffic Commissioners and VOSA.

"Legislation" means the Goods Vehicles (Licensing of Operators) Act 1995; the Public Passenger Vehicles Act 1981; the Transport Act 2000; Transport (Scotland) Act 2001; the Public Service Vehicle (Registration of Local Services) (Scotland) Regulations 2001; the Civic Government (Scotland) Act 1982 and associated Acts and Regulations.

"Application Services" means the VOSA staff supporting Traffic Commissioners in processing all applications for new operator licences or variations/changes to existing licences.

"Office of the Traffic Commissioner" means the staff in the Public Inquiry (PI) team and any secretarial support.

"Operator" means a person or business that operates a goods vehicle or vehicles with a maximum gross weight over 3500 kilograms or operating a public service vehicle.

"Traffic Commissioner" (TC) includes Deputy Traffic Commissioner.

"Turnaround" means the time taken to process the actions relating to a defined process.

"Serious concerns" for the purpose of this agreement relates to items identified in the Public Inquiry exception report and the Licensing Exception Report at Annex B and E to this agreement. It will be for the Traffic Commissioners to decide on what form and to whom feedback will be given.

2.3 EXTERNAL SERVICE STANDARDS

External Service Standards	Service Description	Measures	Target Service Level	Measured &/or reported
Applications relating to Impounded Vehicles				
2.3.1 Application for return of an Impounded vehicle without a hearing	Turnaround by OTC and the TC on applications. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by the OTC of an application until the notification to the applicant of the determination.	Overall Turnaround time	15 working days 85%	Yes (Manual)
2.3.2 Application for return of an Impounded vehicle with a hearing	Turnaround by OTC and the TC on applications. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by the OTC of an application until the notification to the applicant of the determination.	Overall Turnaround time	25 working days 85%	Yes (Manual)

2.4 INTERNAL SERVICE STANDARDS

Internal Service Standards	Service Description	Measures	Target Service Level	Measured &/or reported
Public Inquiry cases, Impoundings; Appeals to Transport Tribunal				
2.4.1 Where TC makes a decision for a Public Inquiry OTC will list for PI, prepare and despatch a call-up letter.	Turnaround by OTC. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by OTC of the TC's decision to the despatch of an accurate and complete call-up letter to TC & operator.	Turnaround time	25 working days prior to date of PI 95%	Yes (Manual) Business plan measure
2.4.2 OTC will deliver PI brief to TC and applicant/operator.	Turnaround by OTC. In this instance "turnaround" is defined as the number of working days prior to the date of the Public Inquiry.	Turnaround time	5 working days prior to date of PI 90%	Yes (Manual) Business plan measure
2.4.3 Where the OTC receives a written request for an adjournment of a PI from an operator, or where a PI has to be postponed for any other reason.	Turnaround by OTC. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by OTC of the written request for an adjournment or the requirement for postponement arises to submission to TC.	Turnaround time	1 working day 95%	Yes (Manual)

<p>2.4.4 OTC will despatch decision letters following PI</p>	<p>Turnaround by OTC. In this instance "turnaround" is defined as the number of working days after the date of the Public Inquiry for decisions relayed at the inquiry or the number of working days after the date the TC's written decision is received for dispatch by the OTC</p>	<p>Turnaround time</p>	<p>5 working days for cases where an oral decision is given, 2 working days for dispatch of a written decision. 95%</p>	<p>Yes (Manual check on OLBS) Business plan measure</p>
<p>2.4.5 Where a TC decision in relation to an operator results in a Transport Tribunal (TT) appeal, OTC (as appropriate) will provide appeal bundles for Transport Tribunal</p>	<p>Turnaround by OTC (as appropriate). In this instance "Turnaround" is defined by the deadline date provided by Transport Tribunal.</p>	<p>Turnaround time</p>	<p>1 working day 95%</p>	<p>Yes (From TT diary/ schedule) Business plan measure (linked to measures 2.4.6 and 2.6.5)</p>
<p>2.4.6 Where a TC decision in relation to an impounding results in a Transport Tribunal appeal, OTC will provide appeal bundles for Transport Tribunal</p>	<p>Turnaround by OTC. In this instance "Turnaround" is defined by the deadline date provided by Transport Tribunal.</p>	<p>Turnaround time</p>	<p>Deadline date set by TT 90%</p>	<p>Yes (From TT diary/ schedule) Business plan measure (linked to measure 2.4.5 and 2.6.5)</p>
<p>2.4.7 OTC to complete a public inquiry or impounding case from call-up to decision letter accurately and completely, adhering to the Traffic Commissioner's instructions and with no serious concerns raised by the Traffic Commissioner</p>	<p>Accurate and complete is defined as a case that has been prepared in accordance with Traffic Commissioner instructions with no omissions or shortfalls identified on the PI Exception Report as attached to this document at Annex One.</p>	<p>Quality audit through TC exception reports.</p>	<p>90% of casework will be accurate and complete to the TC's satisfaction with no serious concerns raised.</p>	<p>Yes - Measures will be reported on through the Corporate Scorecard and monthly performance reports</p>

Driver Hearing decisions; Appeals to Magistrates/Sheriffs Courts

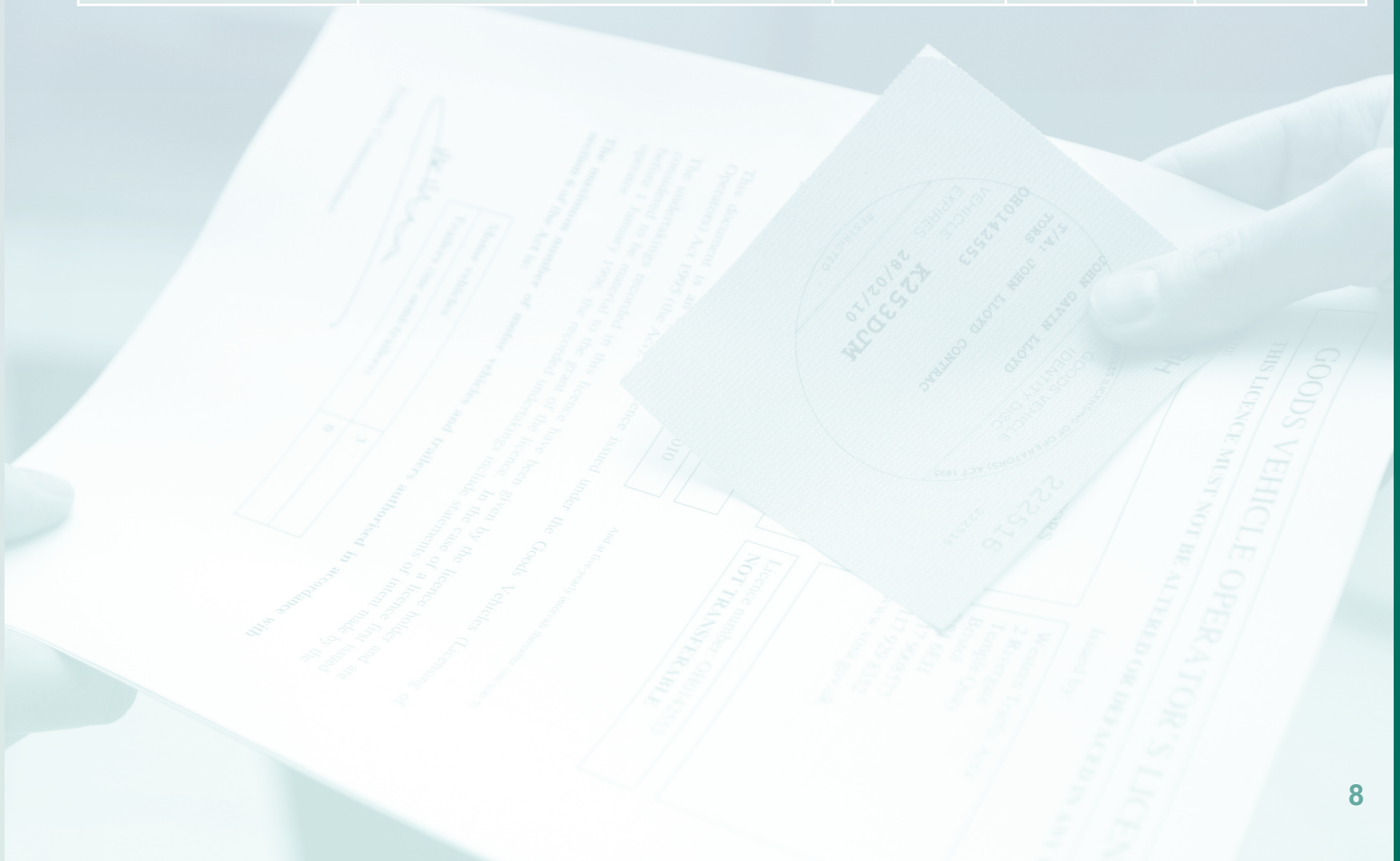
<p>2.4.8 Where TC makes a decision for a Driver Hearing, OTC will list for Hearing, prepare and despatch a call-up letter, prepare a brief for the TC and hold the hearing.</p>	<p>Turnaround by OTC. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by OTC of the case on the Driver Conduct diary or referral from the RIU.</p> <p>Note: If a driver is called to a hearing with an operator the SLA at 2.4.1 applies</p>	<p>Turnaround time</p>	<p>8 weeks 95%</p>	<p>Yes (Manual)</p>
<p>2.4.9 OTC will despatch decision letters following Driver Hearings</p>	<p>Turnaround by OTC. In this instance "turnaround" is defined as the number of working days after the date of the driver's hearing Inquiry for decisions relayed at the inquiry or the number of working days after the date the TC's written decision is received for dispatch by the OTC.</p>	<p>Turnaround time</p>	<p>5 working days. 95%</p>	<p>Yes (Manual) Business plan measure</p>
<p>2.4.10 Where a TC decision in relation to a driver results in an appeal to the Magistrates/Sheriffs Court, OTC will arrange for a solicitor to represent Traffic Commissioner</p>	<p>Turnaround by OTC. In this instance "Turnaround" is defined as the number of working days from notification of appeal.</p>	<p>Turnaround time</p>	<p>5 working days 95%</p>	<p>Yes (Manual)</p>
<p>2.4.11 Where a TC decision in relation to a driver results in an appeal to the Magistrates/Sheriffs Court, OTC will provide appeal bundle for solicitor representing Traffic Commissioner</p>	<p>Turnaround by OTC. In this instance "Turnaround" is defined as the number of working days before the date of appeal or before the date of appeal where less than 10 days notice is given.</p>	<p>Turnaround time</p>	<p>10 working days (or before the date of appeal where less than 10 days notice is given) 95%</p>	<p>Yes (Manual)</p>
<p>2.4.12 OTC to complete a driver conduct case from call-up to decision letter accurately and completely, adhering to the Traffic Commissioner's instructions and with no serious concerns raised by the Traffic Commissioner</p>	<p>Accurate and complete is defined as a case that has been prepared in accordance with Traffic Commissioner instructions with no omissions or shortfalls identified on the Driver Conduct Exception Report as attached to this document at Annex Two.</p>	<p>Quality audit through TC exception reports.</p>	<p>90% of casework will be accurate and complete to the TC's satisfaction with no serious concerns raised.</p>	<p>Yes (Manual)</p>

Cases received from the RIU, BCO or Central Licensing Unit

<p>2.4.13 OTC and TC process (except PI Cases)</p>	<p>Turnaround by the OTC and TC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC until the completion of the action resulting from the Traffic Commissioner's decision, eg. Issue a warning.</p>	<p>Turnaround time</p>	<p>2 weeks 95%</p>	<p>Yes (Manual) Business plan measure</p>
<p>2.4.14 OTC and TC process: PI Cases and In-Chambers decision</p>	<p>Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the casework until the TC has conducted a Public Inquiry or made an In-Chambers decision. In-chamber licence revocation.</p>	<p>Turnaround time</p>	<p>12 weeks 95%</p>	<p>Yes (Manual)</p>
<p>2.4.15 Notification of Action</p>	<p>Notification by the OTC to Licensing, the RIU and BCO of Traffic Commissioner's decision.</p>	<p>Turnaround time</p>	<p>5 working days 95%</p>	<p>Yes (Manual)</p>

Cases received from other sources

<p>2.4.16 Section 9 statements & Section 43 certificates</p>	<p>Turnaround by OTC. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by OTC of the request for a statement to the completion and despatch of an accurate statement.</p>	<p>Turnaround time</p>	<p>5 working days or earlier if urgently required by a prosecutor or the police 95%</p>	<p>Yes (Manual) Business plan measure</p>
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**Office of the Traffic Commissioner
Public Inquiry Exception Report**

(To be used in conjunction with the PI Case evaluation sheet)

Operator name: _____ Operator number: _____

Date of public inquiry: _____ Traffic Commissioner: _____

Please indicate below the unsatisfactory aspect of the case

Unsatisfactory aspect	
Relevant legislation omitted from call-up letter	
Failure to notify all parties of PI or correct date / venue	
Relevant and significant information omitted from call up letter that has, or could have, resulted in a different decision being reached by the TC, or the unnecessary adjournment of the case, or the embarrassment of the TC at the hearing	
Failure to update OLBS with PI details or letters	
Failure to publish the PI or decision in A&D or N&P	
Failure to conduct an appropriate risk assessment of a PI case thereby putting staff, operators or witnesses at risk	
Failure to include all significant information on the TC brief, eg previous history, relevant additional information eg new applications, etc	
Unnecessary cancellation of PI due to office errors, eg a failure to send the call up letter on time, failure to book outside accommodation, wrong date in call up letter, etc	
Failure to provide the operator with all relevant information available to the TC prior to the inquiry	
Failure to bring an adjournment request to the notice of the TC as soon as possible from receipt	
Failure to notify all parties of an adjournment or decision of PI	
Failure of clerk to attend PI on time	
Wrongful disclosure of information to third parties, eg financial details	
Inaccurate decision being issued to any party following PI	
Failure to ensure that all follow up work requested at the inquiry by the TC is carried out	

Alternatively if the work was carried out in an exemplary manner please tick here

Comments:

Sign:

Date:

Cases to be excluded from public inquiry measures

The general principle is that where service standards are not met due to an improved service being provided to an operator, driver or Traffic Commissioner they should be regarded as a pass for the purpose of the SLAs.

A general list of exemptions or clarifications are;

- 1) Where a hearing is listed, at the request of the Traffic Commissioner or operator / driver, for a date within the usual 30 working day timeframe for the preparation of call-up letters. These instances may affect the issuing of call-up letters or, for particularly short notice cases, the preparation of Traffic Commissioner briefs.
- 2) Where a hearing is listed within the 12 week standard but is adjourned at the operators or Traffic Commissioners' request and cannot be rescheduled within the 12 week standard.
- 3) Where a hearing cannot be heard within the 12 week standard due to the unavailability of parties to the hearing eg, Traffic Commissioner, witness, operator, driver, transport manager. This exclusion would also apply for hearings into the return of an impounded vehicle.
- 4) Where a hearing cannot be heard within the 12 week standard due to on-going investigations into either that operator / driver or one that is linked or where the TC is considering further evidence, eg TT judgements, linked operator decisions.
- 5) The inability to serve a call-up letter due to awaiting evidence from other areas of VOSA. This would occur when a hearing has been called but sufficient evidence to serve upon the operator has not been received in the OTC. In these cases full justification has to be provided by the OTC as to why the call-up could not be served and what steps they had taken to obtain the evidence. Only if the Head of OTC (or an officer to whom he has granted authority to) agrees that the matter was outside of OTC control and that the delay in serving a letter was fully justified would this exclusion come into force. The date that sufficient evidence was received in the OTC will replace the original date of receipt of hearing notification in these cases.
- 6) In cases where a decision letter is not served at the request of the Traffic Commissioner. An example of these cases would include decisions where the TC has requested a transcript of the hearing where their decision was given to be included in a letter. The target date in these cases is to be derived from the date where the OTC was in a position to serve a decision letter in line with the TCs request.
- 7) In cases where a written decision is made, the target date is derived from the date that the TC finalised his/her decision and was content that it could be served following any proof-reading undertaken by the OTC.
- 8) The target date for the serving of warning letters is derived from the date when all information is available to a reasonable extent for the warning letter to be sent. This does not include cases where the OTC is required to write to the operator / driver requesting information that is not necessary to prevent the issuing of the warning letter.
- 9) Warning letters that require guidance or referral to the TC can be excluded if the TC is unavailable for more than seven working days of the ten day target for the issuing of the letter.
- 10) The target date for Section 9 / Section 43 statements is derived from the time that all the information that is required for VOSA to process a statement to the standard required for evidence is received within the OTC. Should further information be sought from the requestor it must be done so within two working days of the original request being received. Only if the OTC comply with this requirement can the target date be set from the date the full information is received.

It is the responsibility of the relevant OTC to keep records detailing any of the cases listed above and these would be subject to random internal audits from the Head of OTC (or any person to whom he has delegated authority to) or by any Traffic Commissioner.

2.5 EXTERNAL SERVICE STANDARDS

External Service Standards	Service Description	Measures	Target Service Level	Measured & reported
New / Major Variation Operator Licence Applications				
2.5.1 Unopposed Applications	Turnaround by VOSA of an unopposed Operator Licence application. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by VOSA Licensing Application Services of an application from the Operator until the notification to the operator of the determination.	Turnaround time	9 weeks 85%	Yes Business plan measure

2.6 INTERNAL SERVICE STANDARDS

Internal Service Standards	Service Description	Measures	Target Service Level	Measured & reported
New/ Major Variation Operator Licence Applications; Non-application related cases; Bus registration applications; Dishonoured cheques/late fees; Appeals to Transport Tribunal/ Magistrates/Sheriffs Courts				

<p>2.6.1 VOSA Application Services to complete background check and make electronic submission to TC for all unopposed cases falling outside delegated authority, eg, where there are concerns over financial standing, repute/past history, professional competence etc.</p>	<p>Accurate and complete is defined as a submission that contains all relevant information in accordance with the agreed exception schedule defining serious concerns.</p>	<p>Quality audit through Traffic Commissioner feedback, TL / STL audits validated by annual Level 7 audit</p>	<p>90% of all submissions will be accurate and complete to the Traffic Commissioner's satisfaction with no serious concerns raised</p>	<p>Yes (Manual) Business plan measure</p>
<p>2.6.2 VOSA Application Services to complete background check and make electronic submission to TC for all opposed cases falling outside delegated authority where there are environmental or road safety concerns.</p>	<p>Accurate and complete is defined as a submission that contains all relevant information in accordance with the agreed exception schedule defining serious concerns.</p>	<p>Quality audit through Traffic Commissioner feedback, TL / STL audits validated by annual Level 7 audit</p>	<p>90% of all submissions will be accurate and complete to the Traffic Commissioner's satisfaction with no serious concerns raised</p>	<p>Yes (Manual) Business plan measure</p>
<p>2.6.3 VOSA Application Services complete background check and make an electronic submission to TC for all Bus Registration cases falling outside delegated authority.</p>	<p>Accurate and complete is defined as a submission that contains all relevant information in accordance with the agreed exception schedule defining serious concerns.</p>	<p>Quality audit through Traffic Commissioner feedback, TL / STL audits validated by annual Level 7 audit</p>	<p>90% of all submissions will be accurate and complete to the Traffic Commissioner's satisfaction with no serious concerns raised</p>	<p>Yes (manual) Business plan measure</p>
<p>2.6.4 VOSA Application Services to make submission to TC on Late fees/dishonoured cheques</p>	<p>Turnaround by VOSA. In this instance "Turnaround" is defined as the elapsed time taken upon receipt by VOSA Application Services of the late fee/dishonoured cheque until the date the electronic submission is made to the TC.</p>	<p>Turnaround time</p>	<p>10 working days 85%</p>	<p>Yes (Manual) Business plan measure</p>

<p>2.6.5 Where a TC decision results in a Transport Tribunal appeal, VOSA Application Services will provide appeal bundles to the TC for approval before sending them to the Tribunal.</p>	<p>Turnaround by VOSA. In this instance "Turnaround" is defined by the deadline date provided by the Transport Tribunal</p>	<p>Turnaround time</p>	<p>Documents to be sent to the Transport Tribunal (TT) by the deadline date set by them</p> <p>90%</p>	<p>Yes</p> <p>(From TT diary / schedule)</p> <p>Business plan measure</p> <p>(linked to measures 2.4.5 and 2.4.6)</p>
<p>2.6.6 VOSA Application Services and OTC will aspire to provide the relevant information to the Traffic Commissioner to allow opposed applications or those requiring public inquiries / in-chambers to be determined within 26 weeks of the date of receipt of the application.</p>	<p>Turnaround by VOSA. In this instance "Turnaround" is defined as the elapsed time taken upon receipt of an application which is opposed or requires public inquiry or in-chambers action to the determination of the application by the Traffic Commissioner.</p>	<p>Turnaround time</p>	<p>26 weeks</p> <p>85%</p>	<p>Yes</p>
<p>2.6.7 New/ Major Variation Operator Licence Applications and Bus registration applications will be processed and determined in accordance with STC Guidance and legislation.</p>	<p>"In accordance" means without a significant failure to adhere to STC Guidance and legislation in relation to delegated authority, fitness or repute, financial standing, professional competence and environmental issues.</p>	<p>TL/STL and independent audit</p>	<p>90% of all applications to be processed and determined in accordance with STC Guidance and legislation.</p>	<p>Yes - Through STL quarterly audits and validated by the annual Level 7 audits</p>

**Centralised Licensing Team
Case Exception Report**

(To be used in conjunction with the PI Case evaluation sheet)

Operator name: _____ Operator number: _____

Date of public inquiry: _____ Traffic Commissioner: _____

Please indicate below the unsatisfactory aspect of the case
Comments:

Unsatisfactory aspect	
Relevant legislation omitted from submission	
Incorrect legislation detailed in submission	
Failure to highlight inadequate finance in submission (inc where licences are held)	
Failure to identify or explain relevant links or information within the submission in respect of financial standing, professional competence, good repute or fitness	
Failure to identify licences held by the applicant in other areas which affect their financial standing or financial resources	
Interim applications not brought to the attention of the Traffic Commissioner	
Out of time or unacceptable adverts not brought to the Traffic Commissioners attention	
Failure to detail the status of the RIU check eg completed or extant	
Transport Manager issues / suitability not addressed in the submission	
Failure to highlight issues regarding the invalidity of reps / objections to enable the Traffic Commissioner to rule on validity	
TL / STL recommendation falls below standard reasonably expected, i.e. Recommendation is not supported by evidence	

Alternatively if the work was conducted in an exemplary manner please tick here	
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Sign: _____

Date: _____

Relevant legislation omitted from submission -

Submission does not include legislation under which the TC could make a determination under or which an operator may be called to PI under.

Incorrect legislation detailed in submission -

Submission contains legislation that is not relevant to the case or contains application related legislation instead of regulatory legislation or vice versa. Wrong sections of the legislation stated which the TC cannot consider when determining the case.

Failure to highlight inadequate finance in submission (inc where licences are held) -

Fail to bring inadequate finance to the TCs attention including taking into account all licences held by the licence holder.

Failure to identify or explain relevant links or information within the submission in respect of financial standing, professional competence, good repute or fitness -

Failure to detail any relevant information or links which are currently known about an operator or for which the standard searches of the Operator Licensing Business System would identify.

Where information or links are identified a failure to explain their significance in such a manner that the TC needs to return the submission for the information to be provided.

Interim applications not brought to the attention of the Traffic Commissioner -

A failure to highlight in the submission any outstanding requests for an interim licence that the TC needs to consider.

Out of time or unacceptable adverts not brought to the Traffic Commissioners attention -

A failure to highlight in the submission information regarding the validity of the advert whether accepted under delegated authority or which the TC should rule upon.

Failure to detail the status of the RIU check eg completed or extant -

Submission does not advise the Traffic Commissioner of the result of the RIU check or that the check is currently outstanding.

Transport Manager issues / suitability not addressed in the submission -

Submission does not include in sufficient detail any information or links regarding the Transport Manager (TM) that could materially affect the TC's decision, eg TM on a previously revoked licence, TM currently on other licences etc.

Failure to highlight issues regarding the invalidity of reps / objections to enable the Traffic Commissioner to rule on validity -

Submission does not highlight information regarding the validity of reps / objectors that is necessary for an informed decision on the progression of the case to be made.

TL / STL recommendation falls below standard reasonably expected, i.e. Recommendation is not supported by evidence -

Recommendation does not reasonably reflect the issues raised in the submission in that it recommends granting the application where there are significant outstanding regulatory concerns or where it recommends a public inquiry for no apparent reason.

Applications to be excluded from measure 2.5.1

As a general rule all applications that are processed outside of the nine week service standard will be regarded as a failure unless there are reasons for the delay which are outside of VOSA control or which provide an improved service to the Traffic Commissioners or operators.

These cases are described as the following;

- 1) Applications where a satisfactory Maintenance Inspection has been returned by Operations Directorate over six weeks from the date of request due to either, the unavailability of the operator, the requirement for a second visit to be arranged, or the inability of the Vehicle Examiner to make initial contact with the operator. Cases where a Maintenance Inspection is returned late for reasons within the control of VOSA will be regarded as a failure. The licensing team will be responsible for establishing the reasons behind any late return of a Maintenance Inspection with the relevant RIU.
- 2) Applications where a MIG is returned marked as unsatisfactory and extra time is needed by VOSA staff in the Area, RIU or OTC to ensure that due consideration is given over the suitability of the application.
- 3) All applications that are to be heard at public inquiry.
- 4) All applications that are opposed on environmental grounds.
- 5) Applications where changes to the original application have been made at the applicant's request that require the details to be re-published.
- 6) An application where the applicant has specifically requested extra time in which to provide information that directly leads to the application exceeding the nine week service standard.
- 7) Applications which require a submission to be made to the Traffic Commissioner on the grounds of incomplete or inadequate financial matters.
- 8) Cases where a Traffic Commissioner has specifically requested that an interim licence be granted in abeyance of the full grant of the application.
- 9) An application where a Traffic Commissioner has made an exceptional request for additional information or allows the applicant extra time to provide required evidence.

Memorandum of Agreement Secretarial Services

Purpose

1. The Memorandum sets out what is expected of VOSA in the provision of the secretarial support VOSA provide to the Traffic Commissioners in the following areas:
 - The physical presence of secretarial support.
 - Agreed national core duties of the post holder.
 - Local line management of the post holder.

VOSA responsibilities

2. To ensure that secretarial support is available as required by the Traffic Commissioner.

Core Duties

3. The production of documents.
4. The management of documents.
5. Communication on behalf of the Traffic Commissioner.
6. A telephony service.
7. Meeting and diary management.
8. Travel and accommodation arrangements.
9. The provision of refreshments.
10. Ad hoc support to the Assistant to the Senior Traffic Commissioner, other Traffic Commissioners and personal secretaries.

Line Management

11. The Senior Team Leader will be the reporting officer for the personal secretary and the first point of contact for the Traffic Commissioner.

**Memorandum of Agreement
Scottish Taxi Farescale Appeals and Parking Adjudicators**

Taxi Farescale Appeals				
Internal Service Standards	Service Description	Measures	Target Service Level	Measured & reported
2.8.1 On receipt of an appeal, OTC will advise Traffic Commissioner of receipt and of issues raised.	Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the appeal to the notification being passed to the Traffic Commissioner.	Turnaround time	1 working day 95%	Yes (Manual)
2.8.2 On receipt of an appeal OTC will contact the Council appealed against to confirm the date of its decision and advise that an appeal has been received and that a statement may/will be required from the Council.	Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the appeal to the contact being made with the relevant Council.	Turnaround time	2 working days 95%	Yes (Manual)
2.8.3 OTC will write to the appellant to establish if the appeal is supported by other taxi operators and give the appellant 7 days to submit the relevant information).	Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the appeal to the despatch of the letter to the appellant.	Turnaround time	14 working days 95%	Yes (Manual)
2.8.4 OTC will upon receipt of information from appellant (see 2.8.3) refer to the Traffic Commissioner who will decide if the appeal is to be heard or if further information is required.	Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the information from the appellant to the information being referred to the Traffic Commissioner.	Turnaround time	1 working day 95%	Yes (Manual)

2.8.5 Where TC makes a decision for a hearing, OTC will arrange suitable date for hearing and liaise with relevant Council to provide suitable accommodation.	Turnaround by the OTC. "Turnaround" is defined as the elapsed time taken from receipt by the OTC of the Traffic Commissioners decision to hold a hearing to arrangements for the hearing being completed.	Turnaround time	2 working days 95%	Yes (Manual)
2.8.6 Where TC makes a decision for a hearing OTC will prepare and despatch an invitation letter to appellant(s) and Council.	Turnaround by OTC. In this instance "turnaround" is defined as the number of days prior to the date of the hearing that an accurate and complete invitation letter is despatched.	Turnaround time	14 days prior to date of hearing 100%	Yes (Manual)
2.8.7 Where TC makes a decision for a hearing OTC will advertise hearing in local press.	Turnaround by OTC. In this instance "turnaround" is defined as the number of days prior to the date of the hearing that the hearing is advertised in the local press.	Turnaround time	7 days prior to date of hearing 100%	Yes (Manual)
2.8.8 OTC will deliver hearing brief to TC	Turnaround by OTC. In this instance "turnaround" is defined as the number of days prior to the date of the hearing	Turnaround time	7 days prior to date of hearing 95%	Yes (Manual)
2.8.9 OTC will despatch decision letters following the TC signing the decision.	Turnaround by OTC. In this instance "turnaround" is defined as the number of working days after the date of the hearing	Turnaround time	2 working days. 95%	Yes (Manual)

Support Of The Function Of Parking Adjudicators In Scotland

2.9.1	OTC to provide staff to administer the Scottish Parking Appeals Service (SPAS)		As and when required	
2.9.2	OTC staff will arrange to purchase items of stationery, legislation documents, attribute photocopying and outgoing postage costs where appropriate (as and when required)		As and when required	
2.9.3	Relevant invoices are processed for payment and split appropriately amongst the relevant councils ()	Turnaround time	Within 30 days from receipt of the original invoice 100%	Yes (Manual)

2.9.4	Ensure that VOSA Finance sends out appropriate invoices to each Council based on appropriate spending and staff costs for the end of each quarter - Financial Year		Within 4 weeks from the end of each quarter 100%	Yes (Manual)
2.9.5	Traffic Commissioner's Personal Secretary maintains appointment of parking adjudicator files and task list re dates for re-appointment		As and when required	
2.9.6	All administrative arrangements to support the Traffic Commissioner in the appointment of Parking Adjudicators process as vacancies arise (likely every 5-7 years)		As and when required	





Vehicle & Operator Services Agency

Traffic Commissioners' Service Level Agreement

Licensing Application Services / Office of the Traffic Commissioner

Philip Brown
Senior Traffic Commissioner

Stephen Tetlow
Chief Executive, VOSA

Date: 18/8/08.



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