

Report of Joint NASP/DVSA meeting – 13th September 2021

In attendance:

NASP: Representatives from the three ADI associations that make up NASP, those being ADINJC, DIA and MSA GB and the minute secretary.

DVSA:

Loveday Ryder, CEO

Peter Hearn, Director of Operations, North

Mark Magee, Head of Driver Policy

Adam Poulson, Senior External Affairs Manager

Gordon Witherspoon, Deputy Chief Driving Examiner

Jacqui Turland, ADI Registrar

Laura Great Rex, Head of Enforcement Relationship Management

John Sheridan, Product Manager - Driver Training

Rhiannon Clancy, Head of External Communications

Marian Kitson, Director of Enforcement

Mike Warner, Senior External Affairs Manager

In September NASP met with the above representatives from key DVSA operational and policy areas to discuss main issues within the industry at this busy period. NASP is the only ADI stakeholder group to have such meetings and regular dialogue with DVSA and is considered by the regulator to be the key consultative stakeholder for the driver training industry.

Agenda items were raised by both NASP and DVSA.

Standards Check Prioritisation:

DVSA were surprised that NASP issued a statement to its members a few days before, the statement had prompted the CEO, Loveday Ryder and Peter Hearn to join the meeting. NASP were asked to explain the statement as DVSA wanted to understand what had prompted it and this led to a lengthy discussion.

NASP explained it had been prompted by confusion because whilst original explanations in other meetings with DVSA had been focussed on positive wording there was a long delay before communications came out and they were not what we had expected. We were not informed as to what the 4 indicators were that would prompt standards check and they didn't appear fair to ADIs from comments we had been receiving as NASP. As an example, if the 5 driver faults were an average of all ADIs as DVSA stated in its communications, then it didn't take into account the number of ADIs on the register who don't bring up candidates for test. NASP, as per the statement do not feel that this is a 'normal' time, pass rates seem to be lower than usual due to Covid and the previous 12 months were not a fair representation of people's performance. NASP consider good ADIs still need to be monitored as do newly qualified ADIs, good pass rates are one indication of the standard of teaching but not the only one. It is questionable why we have grades if this system is adopted. NASP pointed out that ADIs feel they are being blamed for poor pass rates when we all know there are many reasons that a candidate can fail a test however sound the training has been. NASP are also concerned that ADIs may "cherry pick" the easier learners and train to solely pass the test, not to meet a lifetime of safe driving. NASP explained that ADIs are currently very busy but are confused, upset and angry. Our understanding previously was that the priority would be to bring down the backlog of tests, not to continue with this level of SC's.

DVSA explained that ADI standards are important to the whole recovery, and that they wanted to help ADIs make every test count. The focus has been on Part 2s and 3s because people are time limited, but SCs are now being carried out. This is a tool to help DVSA prioritise and should also be used to identify and support good ADIs, not just a tool to target poorer standards. They said that the Agency needs to understand what good ADIs do differently, this tool would help them do that. They would also be carrying out qualitative research. SCs would have more focus, not more numbers and the tool will help deliver SCs to those who will benefit, DVSA can only carry out so many in a year and they must have some way of prioritising them as they can't see everybody. Standards are key and integral for DVSA. It was emphasised that DVSA is not blaming ADIs for pass rates: 19,000 ADIs are delivering great pass rates, however the standard of average and physical faults is very high with other ADIs. Pass rates are the outcome, standards focus on the input, not output. This is an opportunity to support the people that need help. DVSA said that within all DTC areas the split is similar, with some high performing and some at the low end and that demographics can contribute to the outcome, but are not everything, high standards don't happen by accident, it's down to teaching standards.

NASP agreed that we respect the principle, but it could only be a fix in a toolkit, and DVSA should be making bigger fixes. Most people in the industry would argue that qualification process is insufficient, and that standards are much higher in other professions with CPD. NASP felt that the engagement call and SC provided no real mandate for further training, and that a holistic approach was needed, so there is more cohesiveness. NASP still consider if DVSA are only using data from the last 12 months and there is no account being taken of some ADIs allowing some pupils to take tests early because of the intransigence of the government on theory tests, and the lengthy waiting lists. Would it not be fairer to use 2/3 years data for each ADI, this would help to take account of the thousands who are sitting tests to get one before their theory expires?

DVSA said there is an opportunity to discuss this in the engagement call and that they understand the pressure for some learners to get to the test. There is an opportunity to re-set the public's view of the ADI industry and that they recognise some people want to pass their test as quickly and cheaply as possible. DVSA stated they may have to adjust the triggers to allow more driving faults in the future, as currently fewer driving faults are being committed because of shorter tests. NASP agreed that the triggers do need to be reviewed and adjusted and the industry needed to hear how the triggers had been decided on in the next DVSA communications.

All newly qualified ADIs would still get a SC within 6-12 months, these will be a priority. No more SCs were being conducted than normal, the previous average of 1,000 a month is not being reached, with only around 200 a month currently. This would help to prioritise where DVSA need most to put their resources and that they were still calling people with 4 parameters that haven't been seen for 4 years. They are prioritising those with high parameters because the data suggests those are the ones whose standard of instruction causes most concern.

NASP explained they felt this type of information should have been included in the original comms, but instead people were left with fear, nervousness and worries. The intention to keep the triggers under review had not come across in the comms and that DVSA need to say it's not perfect, they welcome consultation and feedback, that hasn't come out in public or in meetings, and reassurance is needed for trainers. DVSA confirmed they would use this system now but will take on feedback and consider changes. As time goes on DVSA will continue to understand and monitor the data, DVSA will adjust if required. NASP still consider this would be better described as a pilot scheme.

DVSA said they are not just focusing on ADI instruction standards but will also be conducting research with parents and learners to help them understand about test readiness and what it takes to be a safe and responsible driver.

DVSA agreed that reassurance messages need to be correct in the short term and they are committed to getting more information out and recognised this was part of the issue. The registrar will be writing out to ADIs to address their concerns and support them and help to explain why the choices and decisions have been taken. It's planned to record a video talking through the service and providing information. Webinars may also be offered, and work is starting on this. In the longer term DVSA would be campaigning for learner commitment to being better prepared. They would look at promoting the role of the learner, ADI, and parent with the emphasis on the candidate being ready to drive on their own, and what this means. This is a holistic approach, not focussing on ADIs alone but on a lifetime of safe driving.

NASP feel that ORDIT trainers should be a key target audience and ADIs could be handed over information following an SC, but they need to be well briefed on key areas – what DVSA is seeing and what they need to do to get on top of issues. Where do they need to target training to raise standards? DVSA replied they would be data driven and use the evidence, that it may not be the best data, there are queries around it, but it will be fair and consistent, and they will use the same evidence for all. The data will be used to drive decisions and give strategic direction. It's not about the test but safe driving and driving independently.

The CEO said she was concerned to hear that ADIs feel that DVSA are blaming them and said they had tried hard to get the narrative right to reach out and feel we are all in it together. They had tried to make sure it was about support and to focus limited resources in areas that are most needed. They are not trying to blame ADIs, and they want to get that message out. It is about prioritising resources, not the burden of extra checking. She apologised for not seeing how it would be interpreted.

NASP suggested that the next comms need to be really strong and give a good explanation and good elevator pitch. They also pointed out that the term enforcement officer did not put DVSA in the light that they wanted to be seen. This was discussed further. DVSA saying that the enforcement officers are ADI examiners, there to support and help the industry do the best work they can do. Enable is the key principle and enforcement officers have a pride in their directorate and their work making Britain's roads safer.

Mandatory certificates on test were one of the FAQs from NASP members recently. NASP believe it would be preferable to work on this new system first before going out for consultation later concerning certificates. It all needs to run and gather evidence and data and then an industry consultation on mandatory displaying.

Vocational Testing Consultation:

It was agreed to mainly discuss the B+E section due to time available on this meeting. DVSA confirmed that discussions had taken place with the Secretary of State for Transport, and it had been a government decision to proceed with the changes. The issues of shortages across Europe had instigated a need for change to happen quickly. The decision had been made across government to proceed with the proposals, including B+E test removal. However, DVSA see a need for training and will continue to promote training. DVSA stressed that the decisions after the consultations were due to the situation with lorry drivers being seen as a national emergency. NASP pointed out the consultation finished on Tuesday, the comms came out on Friday and the national press were already saying what was happening by the Wednesday and Thursday of that week. Completing the consultation online was difficult because the questions were obviously aimed at businesses, and were not easy for associations and stakeholders to fill in. There were no boxes for comments and there was a word number allowance, in the past stakeholders had been able to fill in the consultations and send to a separate address.

The CEO said that the response to consultation was quick due to the urgent need to address lorry driver shortages. She confirmed she had received many emails from trainers with businesses that had been impacted by the decisions to stop B+E tests and she empathised with them. She said this is a national crisis

and had been a cross government decision and promised to see what could be done from a road safety point of view to try and make it better. NASP asked about any plans for a certificate of competence by trainers.

DVSA also responded that they had needed to signpost to a quick response. This was unique, the usual system hadn't been used. The stakeholder engagement consultation is currently being prepared so future consultations will allow for more comprehensive replies from stakeholders.

NASP asked about the effect on small businesses, saying that there are hundreds of small businesses now out of business and asked whether there will be any compensation? DVSA knows how many ADIs only conduct B+E training and that information had gone into the decision-making process. There has been no discussion about compensation to date. An impact assessment has yet to be published which will include the impact on small businesses. The CEO said DVSA will work at pace with the industry to come up with an accreditation scheme. She said that although the need for a formal test is not there, they recognised that training is important, and that people need to go to a trainer to get it correct. The road safety industry will be involved to come up with an accreditation to encourage and incentivise going to the right trainer before going out on the road.

Service Recovery Update:

DVSA said this is still a major focus with an emphasis of ramping up driving tests following daily media articles. There is of course a threat of industrial action concerning the potential 8 tests a day which could be an overtime ban or possible strike. Overtime incentives had been offered, and the summer had seen an increase in overtime, which was positive. DVSA are waiting to see what happens in the next few weeks. They were conscious that there are still over 400,000 tests scheduled in the forward booking window. NASP enquired about a longer working day and the potential to change the eyesight requirements to remove the need for them to be done in good daylight. DVSA replied they are trying to present a rounded package to improve the service but also road safety.

NASP said there were rumours in the industry about whether the SC will remain at 45 minutes or go back to an hour. DVSA said that no final decision had yet been made and it is being considered. DVSA don't want to revert too soon and need to consider the stats, then decide if it has worked better with 45 minutes. DVSA pointed out that FAQ 16 gave a formal response that is still relevant to this question. DVSA are still reviewing when ADIs can resume sitting in the back on tests and when early terminations will stop.

ORDIT:

NASP asked whether any ORDIT inspections are taking place, or when they would start. The registrar said these had not yet started, but it's likely they will do so shortly. It's not a statutory requirement so not a priority and risks have to be justified for everyone involved for something that's not necessary. There are 50 people on the waiting list to be seen. If badges have expired, ADIs can still consider themselves as being on the ORDIT register. Priority is being given to Part 2s and 3s that are time limited.

Data Protection around number plate data:

NASP asked where ADIs stand on examiners collecting data and using vehicle number plates, if a car turns up, do DVSA use that data and assume the ADI accompanied the candidate? DVSA said there was no change to the DT1 regarding this, however, would check and reply to NASP in due course.

Next meetings: NASP have been invited to a DVSA Board Meeting in September. DVSA would like NASP to focus on what visionary topics they would like the Board to take on for their next 3 year strategy. The next joint meeting will be in November.

Since the meeting we have also had the following statement from DVSA

Further to your recent letter and subsequent meetings with Loveday Ryder and DVSA senior leaders, I write to confirm that DVSA has taken on board the feedback from NASP members and is committed to sharing more information with the ADI community about the features and benefits of the new system, including:

1. a letter from the ADI Registrar addressing feedback and concerns and outlining in more detail the reasons for the new data-led approach;
2. a blog post explaining how the data is collated and used to make informed decisions;
3. a recorded presentation and demonstration of the system and;
4. Updated guidance on GOV.UK

These comms products will be shared with NASP for your review and comment prior to publishing. We look forward to your feedback and support.

Lynne Barrie Current NASP Chair on behalf on NASP