

EXECUTIVE COUNCIL

CONFIDENTIAL

Title:	Transfer of Responsibility for Conducting Driving Tests from RFIP to the FIG Training Centre.
Paper Number:	115/18
Date:	25 July 2018
Responsible Director:	Director of Emergency Services and Island Security
Report Author:	Chief Police Officer
Portfolio Holder:	MLA Leona Roberts
Reason for paper:	This paper is submitted to Executive Council: For policy decision (including budgetary policy)
Publication:	Yes
Previous papers:	None
List of Documents:	Training Centre report on Transfer of Driving Tests

1. Recommendations

Honourable Members are recommended to approve:

- (a) The transfer of responsibility for conducting all driving tests within the Falkland Islands from RFIP to the FIG Training Centre.
- (b) That the fire service be allowed to carry on conducting their own HGV tests.

Executive Council further resolved that:

- (c) That the Road Traffic (Provisional) Regulations Order 1986 be amended to reflect the new scale of fees as set out in this report.

2. Additional Budgetary Implications

None

3. Executive Summary

- 3.1 The paper will cover the two main reasons why testing should be moved from RFIP. While the collection of test fees generates income, this is offset by the use of police officers time, resulting in a net loss to the force as detailed in para 6. If this proposal is agreed, test fees will be collected by the test provider.
- 3.2 Regardless of which body is responsible for the provision and administration of testing and the collection of associated test fees, the licence fees will continue to be collected by RFIP's licencing department on the production of a valid pass certificate issued by the approved tester.
- 3.3 Under the existing Ordinance (Road Traffic Ordinance 1948 and Road Traffic (Provisional) Regulations Order 1986) the Chief of Police is responsible for ensuring minimum standards are met for the provision of any testing service by a third party.
- 3.4 RFIP would benefit from a net gain in terms of operational hours available for core police work, resulting in better service to the Falkland Islands' public.
- 3.5 Potential for conflict of interest is removed. Currently it is possible for an RFIP officer to issue a 'test pass' to a driver and soon after be called upon to instigate a prosecution for a traffic violation against that same person.
- 3.6 The Director of Education and the Training Centre Manager have been consulted and supports the proposals in this paper. The Training Centre already administers provision of learner driver theory tests so the addition of the practical driving test will bring the full service provision under one department. This proposed transfer fully meets the core business principles of the Training Centre which is to provide training and certification services. It would also enable RFIP to fully focus on its primary business of safety and security – as noted in the Island Plan – 2018/2022.
- 3.7 Honourable Members are recommended to approve this change in responsibility, which will make the system more effective and aligned to UK and international best practice.

4. Background and Links to Islands Plan and Directorate Business Plan/s

- 4.1 Efforts have previously been made to move responsibility for driving tests to the Training Centre. These failed due to concerns over loss of income and issues around validating testing standards. The concern surrounding loss of income is a false representation as the current system results in a loss as described in para 6. Concerns relating to validating testing standards can be resolved by the use of an MOU between RFIP and the testing provider which enables the Chief Police Officer to oversee inspections and processes to ensure that the standard of testing meets with the UK standard model save for the unavoidable difference in variety of road and traffic features between here and the UK.
- 4.2 The Chief of Police has bid for extra resource and the service is under-going change as part of a drive to continuously improve and develop. Conducting driving tests is not a core policing activity and the service's strategic threat and risk assessment document highlights vulnerability in a range of areas that add weight to the argument that to

provide an efficient and effective police service; driving tests should be moved to another provider.

- 4.3 The Policing Improvement Plan recommended that responsibility for undertaking driving tests should fall to the training centre or other provider. This paper serves to deal with this recommendation.
- 4.4 The transfer of driving tests will support the economic development aims contained in the Islands Plan 2018-2022. Para 4.3 above is specifically referenced in the plan.
- 4.5 RFIP currently adhere to the UK Driver and Vehicle Standards Agency standard operating procedures that govern driving testing. Any new provider would be expected to adhere to the same standards. This is important to enable those that pass some classes of driving tests here to exchange a Falkland Island Licences for the UK equivalent.
- 4.6 There is a standardised marking sheet for all classes of driving test. This will be used by any new provider to ensure continuity of standards.
- 4.7 There is an expectation that all testers will be trained to the required UK standard.
- 4.8 RFIP will inspect training records for testers and engage in checking testers by sitting in on tests. Furthermore statistical comparison with pass rates will also take place. This should show if there any significant variations from RFIP's current pass rate to that of a new provider, that in turn may suggest testing standards are slipping.
- 4.9 People taking a driving test will be required to furnish the pass certificate which includes their scoring sheet. This will be retained by RFIP and used to monitor the testing regime.
- 4.10 The law in relation to driving tests is contained in section 6(3) of the Road Traffic Ordinance 1948. There is no provision within the Ordinance or Regulations that stipulates that the test of competency must be conducted by a Police Officer. The regulations allow for the Chief of Police to authorise an approved written theory and that test is currently administered by a third party (the training centre). Therefore it follows that outsourcing the practical test is a natural extension of the arrangements that apply to the theory test.

5. Options and Reasons for Recommending Relevant Option

5.1 Option A - Approve the Transfer of Driving Tests to the FIG Training Centre.

The Training Centre manager has provided a detailed paper explaining how testing would be incorporated into the Centre's 'business as usual' framework. See Appendix 1. Furthermore, transferring the responsibility for testing from RFIP to another government department is an internal transfer. This has the advantage of keeping the driving test process within FIG, enabling the Chief Police Officer to maintain clear oversight and control of driving test standards.

A job evaluation exercise is required to assess the rate of pay of any testers employed on a casual basis to ensure there are no grading anomalies. This applies to casual employees as well as part or full time workers.

Honourable Members are also invited to approve the fee structure at para 5 of the Training Centre proposal document and the table of cost comparisons at 5.5.

5.2 Option B- The Transfer of Driving Tests put out to Tender to the Private Sector

The driving test process is put out to tender to the Private sector. If Honourable members recommend that testing should go the private sector there will be the need for a tender process to allow others to submit bids. As a request of discussion with the previous Chief Police Officer, a private contractor submitted a paper proposing that testing moves to them. Although this company is no longer in operation, Honourable Members should note the proposed fee structure was double that of the current RFIP structure and for some tests higher, more accurately reflecting the true costs of testing. See the table of cost comparisons at 5.5.

5.3 Option C – Continue with the Current System

The issues that impact on RFIP’s continued involvement in the current system have been made out in this paper.

5.4 Option D – RFIP employs Driving Test Staff on a Casual Basis

RFIP employs driving test staff on a casual basis or as reserve constables. This option would require adherence to procurement rules. Furthermore the costs of tests currently would not meet a tester’s payment for services and therefore would not be economically viable. Furthermore, the training centre is more appropriately equipped to obtain casual/seasonal trainers/ examiners.

5.5 A Table of Cost Comparison

CODE	Description	The Training Centre fees	Private company proposed fees	RFIP current fees
B	Car Practical test (Manual)	£50	£60	30
B (automatic)	Car practical test (automatic)	£50	£60	30
B1	Quad practical test	N/A	£60	30
A	Motorcycle practical test	£70	£60	30
D / PSV2	Bus practical test	£55	£95	30
D1 / PSV1	Mini bus practical test	£55	£60	30
C	Large vehicles practical test	£60	£95	30
C1	Medium sized vehicles practical	£60	£95	30

	test			
E	Articulated practical test	£60	£95	30
F	Agricultural tractors	£60	£60	30
	Highway code theory test	£30	N/A	30
	Examiner rate	£32.16ph	N/A	13.64/hour

6. Resource Implications

6.1 Financial Implications

The current charge for all driving tests conducted by RFIP is £30 per test. The time each test takes is calculated at 2 hours. This includes preparation time, conducting the test, providing feedback to the candidate and finalising paperwork. Therefore the average cost per test is £34.10 (before attributing any overheads). This presents a minimum loss of £4.10 per test to the RFIP.

Furthermore the impact on the operational availability of a police officer is calculated at 360 person-hours per annum. Therefore this change will result in an increase in availability of the police resource for operational deployment patrol hours.

The Training Centre proposal, and the private sector proposal, includes an increase in fees. Both proposals are very similar, so validate the necessity to raise fees, in order to reflect the true costs incurred. The rise in fees will provide for a cost neutral return and mean that the actual cost of testing is met from the charging formula proposed and therefore represents better value for money for the tax payer. In essence the system shifts from one that was operating as a loss making venture for RFIP to a cost neutral service provided through the Training Centre or other provider.

6.2 Human Resource Implications

The Training Centre option will require staff to conduct testing. The fees structure means that staff costs are met exclusively from the fees; with the remainder going towards existing administrative and other collateral costs. There are no jobs affected by removing this service from RFIP.

6.3 Other Resource Implications

None

7. Legal Implications

7.1 There are no impacts on the fundamental rights and freedoms provided under the Constitution. This recommended change streamlines services and places all aspects of driving tests in one place.

8. Environmental & Sustainability Implications

8.1 None

9. Significant Risks

9.1 The ability of RFIP to provide testing has recently been affected by the departure of key staff that was trained to take driving tests. Car tests were quickly restored, however, HGV testing proved more problematic and this inability to conduct tests has affected local business that require HGV drivers and who looked for local test solutions to fill a skills gap. A temporary fix is in place however there is a need to solve this issue long term. The advantage of transferring testing to the Training Centre means continuity of testing is maintained. There are economic implications if the ability to test HGV and other drivers is not resolved

10. Consultation

10.1 Consultation has taken place with the Director of Education / Training Centre manager / RFIP staff / Licensing Officer / Hon Leona Roberts/a private sector provider.

11. Communication

11.1 If the recommendation to transfer the responsibility for carrying out driving tests is approved, a MOU requires drafting to deal with validation of the Training Centre staff. Once this is completed, detailed discussion will take place to plan the transfer. The MOU will reflect many of the points that appear in paras 4.5 to 4.10.

11.2 The most contentious issue will be the increase in fees, however, there is a strong argument relating to fees actually covering the costs of the tests. Therefore the justification for increasing the fees is made out and can be managed via a media strategy.

Transfer of Driving Licence Examiner Accreditation from RFIP to the Training Centre

Report by the College Development Manager

1. Proposal:

It is proposed, after consultation with the Royal Falkland Islands Police, for the Training Centre to;

- a. Take on the responsibilities as the accredited awarding body for the examination of driving licences within the Falkland Islands
- b. Provide driving examiners for
 - A & B1 - Motorcycle / Quad
 - B & BA - Car (Manual & Auto) (Including FIG Proficiency Tests)
 - C1 & C - HGV 3500 up to 7500kg
 - D1 - Coach
 - D - Minibus (Include FIG Proficiency Tests)
 - E – Artic

2. Current Situation:

At present all learner drivers undertake their final tests for all licences via the Royal Falkland Islands Police with the examiner being a member of the Police force. All licences are then issued by the Licensing Bureau situated in the Police station.

Any learner driver that fails a test can then be rebooked for a final test within 5 days but will be designated a different examiner.

The Royal Falkland Islands Police officers, cannot meet the commitments of driving examination in addition to their normal policing duties, which has caused customer dissatisfaction, and delays in people obtaining their driving licenses.

The Training Centre currently does not offer any form of driver training but does offer out the Plant Operator Certificate (POC) to new and existing operators. This route however is not a licence but a card to show evidence of competency to operate plant and machinery. The Training Centre also operates the driving theory test on behalf of the Royal Falkland Islands Police, since 2016.

3. Proposed new Roles & Responsibilities:

With the transfer of driving test examination to the Training Centre the new roles and responsibilities would be as follows:

Training Centre:

1. Be the awarding body for examination of all driving examinations
2. Provide training for all new and existing examiners (with assistance from the RFIP as required to meet legislative requirements)
3. Issue identification cards to all examiners with a 5 year renewal date
4. Hold a database on all drivers, examiners and share this information with the RFIP
5. Arrange all final tests for licences
6. Continue to provide Highway code testing for all drivers

Licensing Bureau:

1. To continue to issue Licenses to the successful candidates, in the license category(ies) specified on the signed examination papers and receive monies for the issuing of these licences.

Royal Falkland Islands Police:

1. To take potential driving examiners on a competency test, or to nominate individual(s) outside of the RFIP to undertake this role, authorised by the Chief of Police, as specified in the Road Traffic Ordinance of 1948.
2. To undertake inspections of the quality of driving examiners annually, or nominate individuals outside of the RFIP to undertake this role, authorised by the Chief of Police.
3. To audit the Training Centre, to ensure all procedures are maintained to the high standards expected by the Royal Falkland Islands Police.

4. Benefits:

With the transfer of accreditation of driving licence examination to the Training Centre it will ensure:

1. A central hub for all final driving examinations
2. Full database of drivers and examiners
3. Structured training programmes for examiners
4. The RFIP are relinquished of administering exams for driving licences providing their staff with more time for police duties
5. A streamlined process from training, booking exams and undertaking an exam
6. Stronger links between the Training Centre, Licensing Bureau and the RFIP
7. A much larger pool of examiners
8. An environment for candidates that is less imposing than taking an examination with a uniformed officer.

5. Financial Implications:

Financial implications would be the hourly payments to examiners. Costs could be recouped via the charging of examinations.

Current costs are as follows:

- a. Final driving test - £30
- b. Highway code test - £5.40
- c. Trainer rate - £21.92 per hour
- d. Invigilator rate - £17.70 per hour

Proposed costs as follows:

Test type	Cost
Car Practical Test	£50
Motorcycle Practical Test (off-road & on-road)	£70
Buses and Mini buses practical test	£55
HGV C, C1, E and Tractor practical test	£60
Highway Code Theory Test	£30

All learner drivers will have to pay the full amount again if they do not pass their test and want to take another.

Examiner rate - £32.16 per hour (same as qualified teacher)

Flow Chart showing how Training Centre, RFIP and Licensing Bureau will handle driving examinations.

