

A CONSULTATION PAPER

NEW APPROVAL ARRANGEMENTS FOR DRINK-DRIVE REHABILITATION COURSES

8 November 2011

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NEW APPROVAL ARRANGEMENTS FOR DRINK-DRIVE REHABILITATION COURSES

Table of contents

Section	page
Table of contents	3
Glossary	3
Foreword <ul style="list-style-type: none"> • Purpose • Background • Existing drink-drive rehabilitation course arrangements • Why is government intervention necessary? 	4
Table of Proposals	7
Executive Summary	7
Initial Impact Assessment	8
How to Respond	9
What Happens Next?	9
The Consultation Criteria	10
Disclosure of Information	10
Application within the United Kingdom	10
Overview of Proposals <ul style="list-style-type: none"> • The Proposals Explained 	11
Expression of Interest in providing Drink-Drive Rehabilitation Courses	23
Crown Copyright	23
<i>Annex A - Initial Impact Assessment</i>	25
<i>Annex B - The Consultation Criteria</i>	26
<i>Annex C - Course Approval Criteria</i>	27
<i>Annex D - Court Areas (England)</i>	29
<i>Annex E - Court Areas (Scotland)</i>	34
<i>Annex F - Expression of Interest Form</i>	35
<i>Annex G – Consultation Reply Form</i>	37

Glossary

Abbreviation	Definition
DDRS	Drink-Drive Rehabilitation Scheme
DfT	Department for Transport
DSA	Driving Standards Agency of the Dept for Transport
GB	Great Britain
HMCTS	Her Majesty's Courts & Tribunals Service
IA	Impact Assessment
NNC	Notice of Non-Completion
RSA	Road Safety Act 2006
RTA	Road Traffic Act 1988
RTOA	Road Traffic Offenders Act 1988
S [s]	Section [of an Act of Parliament]
SoS	Secretary of State for Transport

NEW APPROVAL ARRANGEMENTS FOR DRINK-DRIVE REHABILITATION COURSES

Foreword

Purpose

1. This consultation paper is about updating the existing arrangements for providing training courses under the Drink-Drive Rehabilitation Scheme (DDRS), including the funding arrangements.
2. Updating the scheme will result in changes to the guidance notes which exist for courts and course providers (*DfT - Rehabilitation Scheme for Drink Drive Offenders: A Guide for Course Providers and Courts*). Whilst we are not consulting on changes to the guidance notes at this stage, the guidance will be updated, as applicable, in due course.
- 3. The consultation paper also invites organisations that are keen to provide such courses to register their interest. Further advice on registering an interest can be found at paragraphs 118 – 120.**

Background

4. Since 1 January 2000, the courts¹ throughout Great Britain (GB) have been able to offer to drivers, who have been disqualified for a period of at least 12 months for a relevant drink-driving offence, a referral to an approved Drink-Drive Rehabilitation course.
5. The relevant Drink-Drive offences² are:
 - Causing death by careless driving when under the influence of drink or drugs;
 - Driving, or being in charge of a vehicle when under the influence of drink or drugs;
 - Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit; and
 - Failing to provide specimens for analysis.
6. If an offender opts to take up the referral opportunity and satisfactorily completes a course, their period of disqualification will be reduced - this may be by as much as one quarter of the disqualification period.
7. A report by Transport Research Laboratory (TRL)³ found that satisfactory completion of a DDRS course also reduces the likelihood of re-offending.

Existing Drink-Drive Rehabilitation Course Arrangements

8. DDRS courses are approved by the Secretary of State for Transport (SoS) under powers in section 34A(2) of the Road Traffic Offenders Act 1988 (RTOA). However, section 35 of the

¹ Courts applies to Magistrates' and Crown Courts in England and Wales and, in Scotland, Sheriff and District Courts (when constituted by a Stipendiary Magistrate) plus the High Court of Judiciary, unless there is specific reference to "supervising court"

² Under sections 3A, 4, 5 or 7 of the Road Traffic Act 1988 (RTA)

³ TRL Report No.613: The drink/drive rehabilitation scheme: evaluation and monitoring – Final Report by *LR Smith, G Buckle, M Keigan, S Butters & J Stone* – September 2004

Road Safety Act 2006 (RSA)⁴ provides for the replacement of the existing DDRS with more flexible arrangements.

9. Although there is no national model for approved courses, the SoS has issued guidance to the courts and course providers, which, together with the RTOA, forms the basis of the current scheme. The latest version of the guidance: *DfT - Rehabilitation Scheme for Drink Drive Offenders: A Guide for Course Providers and Courts* can be found at:

<http://www.dft.gov.uk/publications/dsa-rehabilitation-scheme-drink-drive-offenders/>

10. Currently, 21 organisations are approved to deliver DDRS courses. These include specialist training companies, probation services and local authorities. Between them they cover the whole of GB. Current course approvals were granted with an open-ended term.

11. To date, the scheme has been operated without a prescribed course syllabus. This has allowed a certain degree of flexibility in the detail and delivery of such courses. The guidance notes specify the standards all courses are required to meet. But these are not always adhered to by providers and are not easily enforced.

12. About 90,000 offenders each year are convicted of a relevant drink-driving offence. About 60,000 of these are referred by the courts to courses under the DDRS, and agree to undertake a course. However, only around 30,000 offenders complete the course – the vast majority of the remainder, regardless of the opportunity to undertake a course, do not begin one for a variety of reasons.

13. Offenders are required to pay the cost of the course. The SoS has a power, through the RTOA, to set a maximum course fee. The guidance notes set out the minimum cost of a course (currently £150) and the maximum, which is at the moment capped at £250.

14. Neither course providers nor course attendees are charged any fees to recover the public sector costs incurred in operating the scheme, in particular the costs of processing approvals and undertaking compliance audits.

Why is Government Intervention Necessary?

15. DDRS courses are approved by the SoS. It is the courts' decision to refer offenders to a DDRS course and the offender's decision whether to accept, but the courts may only refer offenders to courses that have been approved by the SoS. For this reason, the scheme could not be left to self-regulation by the course providers.

16. Parliament provided, in section 35 RSA, the statutory basis for a better, more effective scheme, including introducing a right of appeal for both course providers (to ensure that all were operating and providing courses to the same standard) and for applicants seeking approval. The powers taken not only allow for the updating of the scheme, but also provide for the changing of the funding stream for its administration. Our proposals will ensure that it is no longer funded by the general taxpayer but more closely aligns with the "user pays" principle.

17. Responsibility for managing DDRS was transferred to DSA in July 2009. As a Trading Fund⁵, DSA is required to recover the costs of services that it delivers and, in line with government policy, these costs must be recovered from beneficiaries – the "user pays" principle. In administering DDRS, we have, therefore, proposed a fee structure that will enable DSA to recover its costs from course providers in a volume related manner, linked to the throughput of courses they provide.

⁴ Available at: <http://www.legislation.gov.uk/ukpga/2006/49/section/35>

⁵ The Driving Standards Agency Trading Fund Order 1997 [as amended] SI No. 873/1997

18. The TRL report on the existing arrangements confirmed opportunities for improvement and modernisation of the scheme. Whilst concluding –

“Overall, this study found a marked benefit to all offenders, regardless of social status, age or gender, of attending a DDR course.”

19. The report also found –

“The results of the survey have clearly demonstrated wide variation in the measures adopted within the operation of individual organisations [the course providers].

The survey of course provider practices identified aspects of course operation that either went against the DfT-produced guidelines, or were not addressed by the current guidelines.”

20. This review further found that there was a need for a number of the organisations to introduce or to improve quality assurance measures to monitor the effectiveness of their courses.

21. In May 2011, the current government announced in its *Strategic Framework for Road Safety* that it would “improve the enforcement of drink [and drug driving] legislation by mandating the drink drive rehabilitation courses for disqualified drink drivers”; this took into account Sir Peter North’s Report on Drink and Drug Driving⁶ and the subsequent report by the Transport Select Committee⁷. Modernising the DDRS course arrangements is the first step towards achieving that aim.

22. We believe adopting the measures proposed in this consultation paper will provide:

- A higher quality course – lowering the re-offending rate with economic and social benefits through reduced accidents and casualties;
- Improved consistency of DDRS courses and course delivery – improving overall effectiveness of the scheme and providing greater value for money for course attendees;
- Transference of the costs of administering the scheme from the general taxpayer to accord with the user pays principle – improving fairness and efficiency in delivering the public sector costs of administering the scheme;
- Increased take-up rate – to maximise the volume of benefits; and
- Improved road safety – to increase overall public benefit.

Table of Proposals

Proposal No.	Purpose	Page
1	Approval of Courses for Specified Geographical Areas	14
2	Duration of Course Approval	15
3	Course Provider Fees	15
4	Offender Fees	17
5	Transitional Arrangements	17
6	Service of Notices of Non-Completion (NNC)	19
7	Appeal Arrangements to the First-tier Tribunal	19

⁶ Report of the Review of Drink and Drug Driving Law, May 2010

⁷ Transport Select Committee: Drink and Drug Driving Law, December 2010

EXECUTIVE SUMMARY

23. In 2009⁸, of a total of 2,222 people killed on Britain's roads, 380 (17%) were linked to drink-driving. In addition to a minimum driving ban of 12 months, drivers convicted of drink-driving offences are subject to a fine of at least £150, plus costs and a victim surcharge. Many lose their jobs, and most find that their motor insurance costs rise.

24. The proposals contained in this consultation paper build on the government policy recently announced in the *Strategic Framework for Road Safety* in seeking to maintain the downward trend in road deaths and casualties by delivering an improved educational intervention for convicted drivers. They relate to improving the arrangements for the provision of DDRS courses.

25. The aim is that these proposals will create better quality courses which will encourage more offenders to take advantage of the training in order to reduce the likelihood of them re-offending.

26. As part of this review, we also propose to change the way that the public sector costs of administering the scheme are met, in line with the views of Parliament. This involves transferring those costs from the general taxpayer to those persons who derive benefit from the service – i.e. the offender undertaking an approved DDRS course, consistent with the user pays principle.

27. The new scheme will allow DSA to charge fees in respect of considering applications for DDRS courses, their approval and subsequent quality assurance and compliance activity.

28. The costs involved in the scheme - providing and attending courses - will, as now, ultimately be met by course attendees (i.e. offenders).

29. Subject to consultation, we propose to end the existing approved courses from 26 November 2012; all training commenced before 1 October 2012 must be completed by 25 November 2012. This will involve terminating all existing 21 approvals to deliver DDRS. For any training not completed by 25 November 2012, the offender will have to return to the sentencing Court and request a new/replacement referral order. It is intended to invite applications from suitable organisations to provide the new courses, from 9 April 2012, and to have the new arrangements in place so that the new approvals will begin on 1 October 2012. From 1 October 2012, the courts will be able to refer offenders only to training courses offered under the new scheme.

INITIAL IMPACT ASSESSMENT

30. The Initial Impact Assessment can be found at **Annex A**. When responding to the consultation, please comment on the analysis of costs and benefits, giving supporting evidence wherever possible.

31. Please also suggest any alternative methods for achieving the objectives and highlight any possible unintended consequences which implementing the proposals may create. We would also welcome constructive comments about how the scheme should be implemented and supervised.

⁸ Department of Transport: Reported Road Casualties in Great Britain:2009 – Annual Report

Exemption from Regulation for Micro-Businesses and Start-Ups

32. The Government announced in the March 2011 Budget that it would introduce a moratorium exempting micro and start-up businesses from new domestic regulation for three years from 1 April 2011. HM Treasury has advised that they consider the new arrangements for the DDRS courses do not impose any new or additional regulatory burden on business, and therefore they are not within the scope of the micro-business moratorium.

HOW TO RESPOND TO THIS CONSULTATION

33. Please tell us what you think of the options to make improvements to the DDRS administrative arrangements by completing the on-line consultation at:

<http://www.dft.gov.uk/consultations/dsa-2011-01/>

34. If you have difficulties downloading the consultation paper or any of the supporting documents please e-mail us at: consultations@dsa.gsi.gov.uk or contact us on (0115) 936 6161, or Minicom (0115) 936 6660, and we will send you a hard copy.

35. If you are unable, or do not wish to respond electronically, please reply by post, using the hard copy response form (**Annex G**), to:

DSA Policy Team, The Axis Building, 112 Upper Parliament Street, Nottingham, NG1 6LP.

36. The consultation period will last for 8 weeks from 9 November to 4 January 2012, in accordance with Government guidelines⁹.

37. Responses must arrive no later than 4 January 2012 although earlier receipt would help us. **Please note that we are unable to consider any comments received anonymously and only those responses received using the on-line <http://www.dft.gov.uk/consultations/dsa-2011-01/>**

or hard copy reply form will be accepted. We will acknowledge every response.

38. If you are replying on behalf of an organisation, it would be helpful if you could tell us who you are representing, the nature of the organisation, how many individuals' views are included within the response and what steps you have taken to gather those views.

WHAT HAPPENS NEXT?

39. We will use the responses received to this consultation exercise to inform Ministers of the views of stakeholders. A report based on the responses will be produced and posted on the DSA website at: <http://www.dft.gov.uk/consultations/dsa-2011-01/>

40. We will contact everyone who sends us comments to tell them when the *Response to Consultation* Report is available.

THE CONSULTATION CRITERIA

41. The consultation is being conducted in line with the Government's Code of Practice on Consultation. The criteria are listed at **Annex B**. A full version of the Code of Practice on

⁹ *Code of Practice on Consultation*. Issued by the Department for Business Enterprise and Regulatory Reform – July 2008

Consultation is available on the Better Regulation Executive web-site at: <http://www.bis.gov.uk/files/file47158.pdf>. The Code recommends that, in general, a formal public consultation should last at least 12 weeks. However, it allows for a lesser period in certain circumstances, subject to ministerial agreement. Ministers have decided that a reduced period of eight weeks is appropriate due to the limited nature of this consultation.

42. If you consider that this consultation does not comply with the criteria or have comments about the **consultation process** please contact:

Graham Law, Consultation Co-ordinator, Driving Standards Agency, The Axis Building,
112 Upper Parliament Street, Nottingham, NG1 6LP.
Tel: (0115) 936 6090; fax (0115) 936 6573; e-mail: graham.law@dsa.gsi.gov.uk

DISCLOSURE OF INFORMATION

43. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

44. If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

45. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on DSA.

46. DSA will process your personal data in accordance with the Data Protection Act 1988 and, in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

APPLICATION WITHIN THE UNITED KINGDOM

47. The responsibility for administering the scheme in England and Scotland remains with the SoS for Transport. In Wales, however, a number of administrative functions have been devolved to the National Assembly for Wales, including the approval of any new courses and the issuing of guidance. The Assembly is also responsible for setting the format of the certificate of completion.

48. Once the current scheme for England, Scotland and Wales ends and the new scheme is in place for England and Scotland, the Welsh Assembly will have sole responsibility for the provision of DDRS in Wales. Liaison is being maintained between the SoS and the Welsh Assembly on the future operation of the scheme in Wales.

49. The scheme does not apply to Northern Ireland but similar statutory arrangements are in place there enabling drivers convicted and disqualified by courts in Northern Ireland for drink-driving to be offered referral to an approved course.

OVERVIEW OF PROPOSALS

50. Section 35 RSA provides for the replacement of the existing DDRS with more flexible arrangements and enables reduced periods of disqualification to apply to both drink-drive related offences and other specified offences:

- Careless and inconsiderate driving;
- Failing to comply with traffic signs;
- Use of a special road contrary to scheme or regulations; or
- Exceeding speed limits.

51. Currently there are no statutory courses in respect of these “*other specified offences*” but the *Strategic Framework for Road Safety* envisages their introduction.

52. The new arrangements will be introduced by The Rehabilitation Courses (Drink-Drive and Other Offences) Regulations 2012 and will apply to England and Scotland only.

The Drink-Drive Rehabilitation Scheme Arrangements

Application Process

53. All applications for approval of DDRS courses are by invitation of the SoS only. The SoS will write to all organisations who have expressed an interest in delivering a DDRS course. Suitable applicants to provide courses will be invited to make a formal application. Written feedback will be provided to those not invited to make a formal application.

54. Expressions of interest in delivering DDRS courses, as part of this first round of approvals, should be lodged by 4 January 2012 using the form at **Annex F**. Once the initial approvals have been issued, organisations will be able to submit expressions of interest in delivering DDRS courses at any time. These may, for example, seek to add further geographical areas to an existing course approval or be submitted by an organisation seeking to become involved in the provision of DDRS courses.

55. The invitation will specify the form of application and any supporting documentation required. It will also confirm the amount of the fee which must accompany the application. We propose that each application for approval will attract a non-refundable fee of £1,000 which will be payable at the time the application is submitted.

56. We propose that DDRS courses which meet the relevant criteria will be approved for seven years, the maximum period allowed under legislation. This will apply to each approval, regardless of its commencement date.

57. All Court referrals made from 1 October 2012 will be to courses approved under the new scheme. Subject to consultation, we propose to end the existing approved courses from 26 November 2012. This will involve terminating all existing 21 approvals to deliver DDRS. All training commenced before 1 October must be completed by 25 November.

58. DDRS courses will be approved for delivery in specified geographical areas

59. Each course approval application will be assessed against the criteria set out at **Annex C**.

60. The SoS may refuse to consider an application if any requirements specified in the invitation are not met.

61. The SoS will write to all organisations who have submitted an application for approval of a DDRS course to notify them of the outcome. Should the application be refused, reasons will be given together with an explanation of the arrangements for an appeal to the First-tier Tribunal.

Appropriate Persons

62. Notwithstanding the need to abide by the terms of the legislation and to act in accordance with guidance issued by the SoS, there will be a requirement, under RSA, that course providers are, and remain, *appropriate persons*.

63. Although the legislation does not provide a definition of an *appropriate person*, in considering whether an applicant is suitable to deliver a DDRS course we will take into account the backgrounds and conduct of the key personnel – e.g. the owner, Managing Director, Company Secretary, Finance Director, etc. as well as the organisation as a whole.

64. Where such persons have been convicted of serious criminal offences, we are unlikely to consider the applicant as meeting the *appropriate person* requirement.

65. Whilst this list is not exhaustive, matters we are likely to take into account when considering applications for course approval include whether:

- The course provider has a robust recognised quality management standard meeting the requirements of customers and stakeholders;
- The course content and delivery aligns with the objectives of the DDRS course syllabus and the *Guidance for DDR Training Providers* (available at <http://www.dft.gov.uk/publications/dsa-rehabilitation-scheme-drink-drive-offenders>); and
- Available evidence about key personnel brings into question the suitability of the organisation to be regarded as an 'appropriate person'.

Reasons for Using Court Areas as Specified Geographical Areas for Approval.

66. The DDRS provides a service (exclusively) to Her Majesty's Court & Tribunal Service (HMCTS) in England and to the Scottish Courts Service in Scotland, by making educational opportunities available for those convicted of relevant drink-driving offences. DSA's role is to approve and supervise courses on behalf of the SoS to which the courts can then refer suitable offenders.

67. To maintain clarity for courts and offenders, and to continue adequate DDRS provision throughout England and Scotland, we propose that DDRS approvals will be made for specified geographical areas. These areas will be based on the court areas at the time the approval is made. See **Annex D** and **Annex E**.

68. DDRS provision using the existing court areas offers administrative and operational efficiency and transparency to the court regional structure and offenders.

Audit Arrangements

69. DSA will conduct risk-based quality assurance and compliance audits of approved course providers. Providers are already required to supply the SoS with relevant information as outlined in the *DfT - Rehabilitation Scheme for Drink Drive Offenders: a Guide for Course Providers and Courts* to support audit activity, which will be undertaken in line with the Hampton Principles¹⁰.

¹⁰ Reducing Administrative Burdens: Effective Inspection and Enforcement, March 2005

70. We propose to introduce a syllabus for the DDRS course. The course approvals process will examine links between the course and the desired outcomes of the syllabus and its underpinning competencies.

71. We expect to confirm the DDRS course syllabus by the start of this consultation for courses approved from 1 October 2012; we will publish this as part of the guidance notes and on-line at: <http://www.dft.gov.uk/publications/dsa-drink-drive-rehabilitation-syllabus> as soon as the syllabus is available.

72. The existing key requirement that each course must include at least 16 hours' offender contact time with the course facilitator, spread over a minimum of three sessions, will be retained.

The Proposals Explained

Proposal No 1 – Approval of Courses for Specified Geographical Areas

73. Currently, approvals are not clearly bound by specific geographical areas and as such are not easily managed. This can present problems to the courts when issuing referrals, regarding which providers offer courses in which of the court jurisdiction areas.

74. We therefore propose that DDRS approvals will be issued for specified geographical areas based on the court areas at the time the approval is made (see **Annex D** and **Annex E**). Interested organisations will be able to apply for an approval to provide a DDRS course in any (or all) of the specified geographical areas, subject to the approvals criteria being met (see **Annex C**) and supported by evidence demonstrating that they could deliver sufficient course provision to meet demand within the specified geographical area(s). Details of the application process are set out at paragraphs 53 – 61.

75. Following receipt of expressions of interest, we will write to all organisations who are interested in providing DDRS courses to inform them whether or not they will be invited to make a formal application. Those found not to be suitable will receive feedback on their expression of interest. Each invited organisation will be able to apply to deliver an approved DDRS course in any of the specified geographical areas of their choice.

76. We do not propose to introduce a restriction on the number of course providers who may deliver an approved DDRS course in any specified geographical area, nor on the number of areas in which a provider may offer a DDRS course. Each applicant will be able to apply for approval to provide a course in as many of the specified geographical areas as they wish, provided they can satisfy the requirements of paragraph 74 above.

77. Allowing more than one course provider to offer an approved course in any specified geographical area will provide offenders with the opportunity to select the most appropriate course for their needs at a convenient location. As offenders are prevented from driving during the period of disqualification, convenience is likely to be a key factor in determining whether offenders are likely to attend a course. Providing courses in a sufficiently wide choice of locations within the specified geographical area may help to encourage take-up by offenders as the costs and availability of travel for attendees will be less onerous.

78. Allowing more than one provider to operate in any given area will also encourage course providers to maintain high standards and ensure they are operating in an efficient manner.

79. Overall we believe that this proposal will provide a suitable balance between the benefits of an open market for course provision and the need for clarity for courts and offenders, whilst ensuring suitable and adequate provision across England and Scotland.

Proposal No. 1	
<i>Do you agree with the proposal that course approvals be issued for specified geographical areas?</i>	

Proposal No. 1A	
<i>If you agree with Proposal No. 1, do you agree with the proposed specified geographical areas?</i>	

Proposal No. 2 - Duration of Course Approval

80. Currently, course approvals are open-ended. The RTOA, as amended by RSA, provides that courses may be approved for periods of up to seven years duration. We propose to adopt this maximum period for all course approvals, whether granted as part of this initial round of approvals or subsequently. This will afford the course provider a settled environment in which to plan and to recover the costs of obtaining approval, over the longest timeframe that is permitted under the RTOA.

81. Adopting the maximum period of approval will also ensure that the costs of submitting and processing applications, which fall on training providers and DSA respectively, are incurred as infrequently as possible.

Proposal No. 2	
<i>Do you agree that the approval period for a Drink-Drive Rehabilitation course should be seven years?</i>	

Proposal No. 3 – Course Provider Fees

82. The public sector costs of administering the current scheme are met by the general taxpayer. We propose to recover our costs for administering the new scheme, including providing quality assurance and compliance visits, through two charges, payable by the course provider – a course application fee and a per capita course completion fee.

83. Transferring the funding for the new scheme from the general taxpayer to the offender complies with the user pays principle. Modernising the scheme allows us the opportunity to alter this funding arrangement at the same time.

84. We propose to charge a non-refundable fee of £1,000 for each application for course approval, irrespective of the number of specified geographical areas covered by the application. See the initial Impact Assessment, paragraph 50, for a breakdown of this fee.

85. The application fee will recover the costs incurred by DSA in the processing of applications for approval.

86. We propose that course providers will be required to pay a fee of £7 for each offender who completes a DDRS course. This fee will be payable to DSA within 14 days of the end of the month in which the offender completed the course. See the Impact Assessment, paragraph 50, for a breakdown of this fee. The initial Impact Assessment suggests that DSA could recover these fees quarterly. In order to smooth the cost management arrangements for providers, we are proposing to collect the fees monthly instead of quarterly.

87. DSA will use the course completion fee to cover the ongoing costs of managing DDRS, including the quality assurance and compliance audits.

88. Structuring the cost recovery arrangements in this way, rather than requiring a much higher single fee on application, assists training providers (particularly small and medium enterprises) as the overall financial burden is spread over a seven year period and is largely related to the volume of work undertaken, thus not over-burdening smaller businesses. In particular, the per capita fee is only payable after the course provider has received payment for the course from the offender.

Proposal No. 3	
Do you agree that the SoS's costs of considering applications for approval should be recovered by charging a flat rate fee?	

Proposal No. 3A	
Do you agree that the flat rate fee should be £1,000 for each application submitted?	

Proposal No. 3B	
Do you agree that the SoS's ongoing costs of managing and quality assuring DDRS courses should be recovered by charging a per capita fee per offender who completes a course?	

Proposal No. 3C	
Do you agree that the per capita fee per offender who completes a course should be £7?	

Proposal No. 3D	
Do you agree that the per capita fee should be paid to DSA monthly?	

Proposal No. 4 – Offender fees

89. Currently, organisations providing an approved DDRS course may charge each offender between £150 and £250 for the course. Our pre-consultation enquiries with existing course providers indicate that good quality courses can be provided within this price range.

90. We propose to maintain a maximum course fee of £250. We believe this level of fee will be sufficient to enable course providers to recover their costs but will not be so high as to deter offenders from undertaking a DDRS course.

91. At the same time we propose to abolish the minimum fee which course providers must charge offenders as it is considered to be unnecessary and may discourage course providers from passing on efficiency savings through lower course fees.

92. At present, all course fees must be paid by the offender in advance of the start of the course. We propose that the course provider may, as he so wishes, recover the course fee from the offender in advance of the course or in instalments, provided that full payment is made before the course has been completed. This proposal gives course providers more flexibility regarding charging for course fees and allows them the opportunity to pass on this flexibility to the offender, which could, in turn, improve take-up rates.

Proposal No. 4

Do you agree the maximum fee that can be charged for a DDRS course should remain at £250?

Proposal No. 4A

Do you agree the minimum fee (currently £150) for a DDRS course should be abolished?

Proposal No. 4B

Do you agree that course providers should be permitted to recover course fees from the offender in advance of the course or in instalments, provided that full payment is made before completion of the course?

Proposal No. 5 – Transitional Arrangements

93. In order to introduce the new arrangements, it will be necessary to withdraw all existing approvals to deliver DDRS courses. Subject to consultation, we propose to terminate all existing approved courses with effect from 26 November 2012 and introduce the new approved courses from 1 October 2012. All training commenced before 1 October 2012 must be completed by 25 November 2012. We believe that this period of time will allow course providers sufficient time in which to complete existing courses and gives the courts notice of the existence of the new courses so that referrals can be made to them. From 1 October 2012, the courts will be able to refer offenders only to training courses offered under the new scheme.

94. We aim to notify existing course providers from 18 June 2012 if their current approval is to be terminated. This will allow offenders sufficient time in which to complete their course. (Courses last approximately 3 weeks.)

95. We believe this notice period allows sufficient time for any organisation that will no longer be providing courses in a particular area to run down their operation in an orderly manner and complete planned courses.

96. Organisations authorised to deliver a DDRS course approved under the new arrangements will also be notified from 18 June 2012 of the decision.

97. We will notify HMCTS and the Scottish Courts Service of the revised arrangements and advise them that courts should refer new offenders to the incoming provider(s) from 1 October 2012 to allow for the smooth and efficient implementation of the new arrangements.

98. All courses delivered under the existing arrangements must be completed by 25 November 2012 and all course documentation be issued by 10 December 2012.

99. The proposed transitional timetable between the current and new schemes is:

Stage	Timing
Invitations to apply issued	9 April 2012
Closing date for receipt of applications	4 May 2012
Result letters (approval and withdrawals) & new approvals issued	18 June 2012
New approvals take effect	1 October 2012
Existing approvals cancelled <i>(to take account of an 8 weeks transitional overlap)</i>	26 November 2012

Proposal No. 5
Do you agree that the proposed transitional arrangements are sufficient to allow course providers adequate time in which to discharge existing commitments and to put the new arrangements in place?

Proposal No. 6 – Service of Notices of Non-Completion (NNC)

100. If an offender does not attend or complete a course to which they have been referred, the course provider must notify the offender of this in writing, using a Notice of Non-Completion (NNC). This is required should there be a challenge against the decision not to issue a Certificate of Course Completion (CCC).

101. Current regulations¹¹ require that a NNC will be treated as given, if it was sent by registered post or recorded delivery to the last known address of the offender.

102. These are expensive methods of serving the NNC. We propose to introduce a more cost-effective replacement to the current scheme that simply requires course providers to send the notices by first class post and to obtain (and retain for inspection) a proof of posting receipt from the carrier for each notice issued, which could be in the form of a bulk proof of posting receipt. The receipt must show the name and address of the person to whom the notice was issued and the date of posting. Such receipts are provided free of charge by Royal Mail. Under the new arrangements, providers will pay considerably less to issue the NNCs.

103. Offenders who are issued with a NNC already have the right to approach the court to seek a declaration that the course provider's decision not to issue a CCC was made in error. This will not change.

104. DSA will no longer supply hard copies of the CCC or the NNC. However, the Agency will provide a template to be used by course providers, which will follow the format of the current documents. Any additional costs that this may impose on course providers will be more than offset by the savings on postage, as outlined in paragraph 102.

¹¹ The Road Traffic (Courses for Drink-Drive Offenders) Regulations 1992 (SI No. 3013)

Proposal No. 6

Do you agree that DDRS course providers should be required to use first class post and obtain (and retain for inspection) a proof of posting receipt from the carrier for each Notice of Non-Completion issued?

Proposal No. 7 – Appeal Arrangements to the First-tier Tribunal

105. At present, no appeal arrangements exist for course providers or potential course providers to challenge a decision of the SoS. The RTOA will provide a statutory right of appeal for course providers and potential course providers to the General Regulatory Chamber of the First-tier Tribunal for persons who are aggrieved by a decision of the SoS to:

- Refuse an application for course approval;
- Grant approval for a course subject to conditions; or
- Withdraw approval for a course.

106. Under the new regulations, the SoS may withdraw approval for a DDRS course where the course provider breaches a condition of approval, disregards guidance issued by the SoS or otherwise fails to meet the required standards, as follows:

Withdrawal of Course Approval due to Serious Misconduct

107. The SoS must inform the course provider in writing that the course approval is being withdrawn with immediate effect and state the nature of the misconduct that has prompted the withdrawal. The notice must explain that the course provider can appeal to the First-tier Tribunal in respect of the decision to withdraw the approval and can also apply to the Tribunal for that decision to be suspended. Any approach to the Tribunal must be made within 28 days of receipt of the notice.

Withdrawal of Course Approval for any Reason Other than Serious Misconduct

108. The SoS must write to the course provider to explain why he is proposing to withdraw a course approval, how the provider can make representations as to why the decision should not be confirmed and that such representations must be made within 28 days of receipt of the notice.

109. If, after consideration of any representations received, the SoS is satisfied that his decision should be confirmed, he will serve a notice to that effect on the course provider. The notice must state the reasons for the decision and the date on which withdrawal of the approval will take effect. We propose that this should be not less than 14 days after the date on which the notice was served to enable the course provider to arrange an orderly run down of the DDRS operation.

110. The notice must explain that the course provider can appeal to the First-tier Tribunal in respect of the decision to withdraw the approval. Any such approach to the tribunal must be made within 28 days of receipt of the notice.

111. Where an appeal is made to the First-tier Tribunal, in respect of a decision to withdraw an approval (for a reason other than serious misconduct), and the appeal is made before the withdrawal is due to take effect, the withdrawal is suspended pending the decision of the tribunal.

112. In all cases, the First-tier Tribunal may uphold the appeal, reject it or issue a decision *with* or *without* conditions.

113. Should a course cease to be approved, and an offender is unable to complete a course owing to withdrawal of its approval, the offender has the option of going back to the sentencing court to have their case reopened and a new referral issued. Issues regarding the contractual rights of the offender in these circumstances would remain a matter to be resolved between the offender and the course provider.

114. The First-tier Tribunal (General Regulatory Chamber) Rules set out its procedure as applicable to many types of case. In particular, 'transport cases' include those arising under the Road Traffic Offenders Act 1988. In the case of DDRS this would mean:

- (i) A person who wishes to appeal against a decision of the SoS to (a) refuse an application for course approval, (b) impose conditions on an approval or (c) withdraw an approval, must provide to the tribunal their notice of appeal within 28 days of the date on which notice of the decision was sent to them. The notice of appeal would set out the grounds for the appeal, and the reasons of the SoS for the decision (if known to the appellant).
- (ii) Where the decision of the SoS was to withdraw a course approval, for any reason other than serious misconduct, and the appeal is lodged prior to the decision taking effect, the decision will be suspended pending the outcome of the appeal.
- (iii) Following lodging of the notice of appeal, the SoS must then submit his response to the notice of appeal and provide grounds for his opposition to the appeal and the reasons for his decision (if not already provided by the appellant). The SoS must provide this information within 14 days.
- (iv) Once the tribunal has received the information required at (iii), it will forward copies to the appellant who then has 14 days in which to provide any reply (with any further documents).
- (v) The appellant may give notice of withdrawal of their appeal at any time, and this will be effective if the tribunal consents.
- (vi) As soon as the case is ready and the requirements of the Rules and any directions have been met, the case will be listed for hearing. The appellant and the SoS are entitled to attend the hearing and present their cases. Both parties can cross-examine witnesses.
- (vii) If the appellant fails to attend the hearing, the tribunal can still reach a decision on the appeal if it considers it is in the interests of justice to do so, and that the appellant had been notified of the hearing, or that reasonable steps were taken to notify the appellant of the hearing. The appellant can ask for such a decision to be set aside and for the appeal to be re-listed. However, in these circumstances this will only happen where the tribunal is satisfied that it is in the interests of justice to do so.
- (viii) The tribunal's decision may be given at the end of the hearing or later. In either case, it will be confirmed in writing.
- (ix) No fees are charged to appellants for using the tribunal. However, the tribunal may award costs where it finds that a party has acted unreasonably in bringing, defending or conducting the appeal.
- (x) Either party can ask for permission to appeal against the decision of the tribunal but only on a point of law. Such an application for permission must be provided to the tribunal within 28 days of the date on which the tribunal gave its decision in writing.
- (xi) The tribunal will consider the application, and may also undertake a review of the tribunal's decision. If, on review, it is satisfied that there was an error in law in the tribunal's decision, the tribunal will notify the parties. Alternatively, the tribunal can give permission to appeal to the Upper Tribunal or refuse to give such permission.
- (xii) If an appeal against a decision of the tribunal reaches the Upper Tribunal, the latter can set aside that decision and give a new decision, or it can refer the case back to the tribunal for re-hearing.

115. This is a summary of important aspects of the First-tier Tribunal’s general rules. It is not intended to be exhaustive. You can find more information about the General Regulatory Chamber Rules at: <http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/rules.htm>

116. The First-tier Tribunal (General Regulatory Chamber) Rules include specific arrangements for certain categories of appeal cases. However, we believe that the Rules as generally applicable and in particular to ‘transport cases’ are suitable for the processing of DDRS appeals and that there is no need to consider any further special provisions.

117. Further information about how to make an appeal to the First-tier Tribunal and the rules which apply to such appeals can be found on the HMCTS website: <http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/transport/appeals.htm>

Proposal No. 7	
Do you agree that, in the case of course withdrawals (for all cases except those of serious misconduct) the notice should take effect not less than 14 days after the date on which it was served?	

Proposal No. 7A	<i>(Asked on behalf of the Tribunal Procedure Committee)</i>
Do you agree that the General Regulatory Chamber Rules are suitable for the handling, as ‘transport cases’, of DDRS appeals against decisions by the SoS?	

General Comments About the Consultation

General Comments	
Do you have any general comments about the proposals in this consultation paper?	

Initial Impact Assessment	
If you think any of the estimated costs referred to in the Initial Impact Assessment are incorrect please supply alternatives	

Initial Impact Assessment	
Do you have any further comments about the Initial Impact Assessment?	

Consultation Criteria	
Do you feel that this consultation paper meets the consultation criteria at Annex B?	

Consultation paper	
Is there anything you particularly liked or disliked about the format of the consultation paper?	

EXPRESSION OF INTEREST IN PROVIDING DRINK-DRIVE REHABILITATION COURSES

118. Applications to deliver an approved DDRS course are by invitation of the Secretary of State only.

119. If you wish the Secretary of State to consider inviting you to make an application, you will need to express your interest and provide details of your organisation and specify the geographical areas of the country (**Annex D** and **Annex E**) where you wish to operate.

120. You may register your interest in providing courses by completing the *Expression of Interest Form* at **Annex F** by 4 January 2012.

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Initial Impact Assessment

Title: Drink-drive rehabilitation scheme Lead department or agency: Department for Transport Other departments or agencies: Driving Standards Agency	Impact Assessment (IA)
	IA No: DFT00043
	Date: 15/11/2010
	Stage: Consultation
	Source of intervention: Domestic
	Type of measure: Primary legislation
	Contact for enquiries: Andrew Burr 020 7944 2037 andrew.burr@dft.gsi.gov.uk

Summary: Intervention and Options

What is the problem under consideration? Why is government intervention necessary?

The scheme that allows drink-drive offenders to earn a reduction on their disqualification is subject to quality assurance to ensure that the aims of the scheme can be met. Audits have shown that the current quality of the scheme is variable with course providers following the guidance on running courses inconsistently. Government intervention is necessary as the Department for Transport is responsible for the current quality assurance regime.

What are the policy objectives and the intended effects?

Drink driving is one of the most serious road safety challenges – although fatalities have fallen by 75% since 1979, they still numbered 380 in 2009. Research has shown that drink-drivers who attend the approved drink-drive rehabilitation courses have a re-offending rate about half that of those who do not. However, audits of the courses show that there is poor compliance with Departmental standards, so that the quality of the scheme is adversely affected. The aim of the policy behind the proposed Regulations is to increase the quality of the courses being provided and therefore decrease the drink drive reoffending rate and so improve the safety of the roads.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

The options for enforcement are -
 Do nothing, leaving the rules as they are now (baseline scenario)
 Option 1 - reform the scheme without charging fees to providers ;
 Option 2 - reform the scheme and plan for its development, funded through a charge to successful applicants for grant of a course approval and per capita fees thereafter;
 Option 3 - reduce oversight of the scheme - this has been ruled out as it isn't believed that it would achieve the stated aims of the policy.

Option 2 is the preferred option.

When will the policy be reviewed to establish its impact and the extent to which the policy objectives have been achieved?	It will be reviewed 06/2014
Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?	Yes

SELECT SIGNATORY Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister: Date:.....

Summary: Analysis and Evidence Policy Option 1

Description:

Reform the scheme without charging fees to providers (DSA remains in control of management)

Price Base Year 2010	PV Base Year 2010	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -0.514

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	0.072	0.514

Description and scale of key monetised costs by 'main affected groups'

- Additional DSA management of the scheme £65,800 p.a.
- Course equivalent approval costs (based on £30,000 every 7 years – this period has been used for illustration only in this draft: the length of approval periods will be subject to consultation)

There is no cost to business in this option, because it supposes that the Government will continue to fund

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

Other key non-monetised benefits by 'main affected groups'

- A higher quality course should lower the reoffending rate with economic and social benefits through reduced accidents and casualties (potential benefits are high, and a reduction of one fatality or four serious injuries due to the course reforms would mean benefits would outweigh the costs)
- Improved health and well-being for those not re-offending
- Reduced repeat offenders going through the court system

Key assumptions/sensitivities/risks **Discount rate (%)** 3.5%

Assumption - the new Regulations will come into force by April 2012 so that course approvals can be re-issued from that date.

Assumption - The drink-drive conviction rate will stay constant at 2010 levels with 29,400 offenders completing courses.

Risk - sufficient applications will not be made, or will not be made on time; and that those that are made take longer than expected to process or prove to be inadequate.

Risk - levels of attendance at courses will fluctuate, which will affect the income from approval fees - up or down, affecting monitoring and development of the scheme.

Impact on admin burden (AB) (£m):		Impact on policy cost savings (£m):		In scope
New AB:	AB savings:	Net: NIL	Policy cost savings:	No

Summary: Analysis and Evidence Policy Option 2

Description:

Reform the scheme and plan for its development, funded through a charge to successful applicants for grant of a course approval and per capita fees thereafter – **Preferred Option**

Price Base Year 2010	PV Base Year 2010	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -0.514

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	0.212	1.511

Description and scale of key monetised costs by 'main affected groups'

- Course providers - payment of certificate fees £205,800 p.a.
- Course providers - approval costs (based on £30,000 every 7 years – this period has been used for illustration only in this draft: the length of approval periods will be subject to consultation)

These figures represent the gross cost to those responsible for paying the proposed fees; however, they will all recover all these costs from offenders attending their approved courses – the net cost to providers will therefore be 'nil'

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	0.140	0.997

Description and scale of key monetised benefits by 'main affected groups'

- Previous DSA management of the scheme £140,000 p.a.

Other key non-monetised benefits by 'main affected groups'

- A higher quality course should lower the reoffending rate with economic and social benefits through reduced accidents and casualties (potential benefits are high, and a reduction of one fatality or four serious injuries due to the course reforms would mean benefits would outweigh the costs)
- Improved health and well-being for those not re-offending
- Reduced repeat offenders going through the court system

Key assumptions/sensitivities/risks

Discount rate (%) 3.5%

Assumption - the new Regulations will come into force by April 2012 so that course approvals can be re-issued from that date.

Assumption - The drink-drive conviction rate will stay constant at 2010 levels with 29,400 offenders completing courses.

Risk - sufficient applications will not be made, or will not be made on time; and that those that are made take longer than expected to process or prove to be inadequate.

Risk - levels of attendance at courses will fluctuate, which will affect the income from approval fees - up or down, affecting monitoring and development of the scheme.

Impact on admin burden (AB) (£m):		Impact on policy cost savings (£m):		In scope
New AB:	AB savings:	Policy cost savings:	Net: NIL	No

Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?		Great Britain			
From what date will the policy be implemented?		01/04/2012			
Which organisation(s) will enforce the policy?		Driving Standards Agency			
What is the annual change in enforcement cost (£m)?		N/A			
Does enforcement comply with Hampton principles?		Yes			
Does implementation go beyond minimum EU requirements?		N/A			
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)		Traded: none		Non-traded: none	
Does the proposal have an impact on competition?		No			
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?		Costs: -		Benefits: -	
Annual cost (£m) per organisation (excl. Transition) (Constant Price)	Micro	< 20	Small	Medium	Large
Are any of these organisations exempt?	No	No	No	No	No

Specific Impact Tests: Checklist

Set out in the table below where information on any SITs undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties ¹² Statutory Equality Duties Impact Test guidance	No	14
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	14
Small firms Small Firms Impact Test guidance	Yes	14
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	14
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	14
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	Yes	14
Human rights Human Rights Impact Test guidance	No	14
Justice system Justice Impact Test guidance	No	14
Rural proofing Rural Proofing Impact Test guidance	No	14
Sustainable development Sustainable Development Impact Test guidance	No	14

¹² Race, disability and gender Impact assessments are statutory requirements for relevant policies. Equality statutory requirements will be expanded 2011, once the Equality Bill comes into force. Statutory equality duties part of the Equality Bill apply to GB only. The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessment of earlier stages (e.g. Consultation, Final, Enactment).

No.	Legislation or publication
1	Road Traffic Offenders Act 1988 - http://www.legislation.gov.uk/ukpga/1988/53/contents
2	Road Safety Act 2006 - http://www.legislation.gov.uk/ukpga/2006/49/contents
3	[consultation documents]
4	

+ Add another row

Evidence Base –

Preferred Option – Policy Option 2

Ensure that the information in this section provides clear evidence of the information provided in the summary pages of this form (recommended maximum of 30 pages). Complete the **Annual profile of monetised costs and benefits** (transition and recurring) below over the life of the preferred policy (use the spreadsheet attached if the period is longer than 10 years).

The spreadsheet also contains an emission changes table that you will need to fill in if your measure has an impact on greenhouse gas emissions.

Annual profile of monetised costs and benefits* - (£m) constant prices

	Y ₀	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅	Y ₆	Y ₇	Y ₈	Y ₉
Transition costs	0	0	0	0	0	0	0	0	0	0
Annual recurring cost	0.24	0.21	0.21	0.21	0.21	0.21	0.21	0.24	0.21	0.21
Total annual costs	0.24	0.21	0.21	0.21	0.21	0.21	0.21	0.24	0.21	0.21
Transition benefits	0	0	0	0	0	0	0	0	0	0
Annual recurring benefits	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14
Total annual benefits	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14	0.14

* For non-monetised benefits please see summary pages and main evidence base section

Evidence Base

Problem under consideration

1. There is a need to reform the drink-drive rehabilitation scheme (“the scheme”) under which drink-drivers are able to obtain discounts on their driving disqualification by successfully completing a drink-drive rehabilitation course. Eligible courses are those that have been notified to the Courts as approved by the Secretary of State.
2. The scheme has run on a national basis since 2000. It is important that the scheme operates to a high standard because drivers guilty of serious road traffic offences receive substantial benefits from completing a course.

One in/one out

3. The proposal is to withdraw the existing rules governing the scheme, and to replace them with new ones. Under section 34A(2) of the Road Traffic Offenders Act 1988 (“RTOA”), a court may make an order, with the offender’s agreement, reducing the period of disqualification for drink-driving on satisfactory completion of a course. The Road Safety Act provides for these provisions to be replaced. The new provisions will become the new Sections 34A to C of the RTOA.
4. The proposed new rules for the scheme provide for fees to be paid by the providers receiving course approvals to recover the full cost to the Department (now DSA) of managing the scheme. The Department has hitherto borne these costs, and this has limited the resource available for the work. It is proposed that successful applicants will pay £1000 for a course approval. They will also go on to pay a *per capita* fee of £7 for each client completing the approved course during each quarter. This will raise some £207k pa on current course completion rates.
5. However, the course provider will recover the cost of its fees from their clients – the convicted drink-drive offenders who attend the courses. The *per capita* element of the fee does not therefore fall on business and is a legitimate penalty to impose on the offenders who attend the courses. The £1000 element paid on receipt of a course approval is equivalent to a contractual arrangement - DSA will approve a course for a fixed period, and will then monitor and assure the quality of courses which the supplier has the right to provide.
6. On this basis, neither element is covered by the OIOO rule.

Rationale for intervention

7. Responsibility to ensure this has been placed upon the Secretary of State, since the Courts will only refer offenders to courses that he has approved. For this reason, the scheme could not be left to self-regulation by the providers. In addition, however, audits of the scheme have produced strong evidence that the providers have not maintained required standards, and that changes are required to ensure that this is corrected.
8. The proposal which is the subject of this Impact Assessment is to implement provisions in the Road Safety Act 2006 (see paragraph 24 below). These provisions were made following a review of the operation of the scheme¹³ The report of this review says –

Overall, this study found a marked benefit to all offenders, regardless of social status, age or gender, of attending a DDR course.

However, it also says –

The results of the survey have clearly demonstrated wide variation in the measures adopted within the operation of individual organisations [the course providers]

The survey of course provider practices identified aspects of course operation that either went against the DfT-produced guidelines, or were not addressed by the current guidelines. ... Two areas addressed within the DfT guidelines were not adhered to by all course-providing organisations. These were the issuing of non-completion certificates to referred offenders who failed to attend a course, and the formatting of courses in terms of the number, duration and frequency of sessions.

The results have also highlighted the need for a number of organisations to introduce or improve existing measures to monitor the quality and effectiveness of their courses. A number of organisations do not implement any [such] measures.

9. A review of these findings identified that it would not be sufficient simply to refine the guidance issued to providers. For one thing, legal advice identified that providers may not be obliged to accept involuntarily retrospective changes to the terms of their approvals. In addition, there is no power to time-limit, or terminate an approval. It was therefore concluded that primary legislation would be required to make necessary reforms. This legislation provides for detail to be supplied in secondary legislation (the Regulations now proposed).
10. The 2004 review has been revisited since the Road Safety Act was passed. The Department commissioned an independent audit over two years (2007-2009). This audit identified that, notwithstanding administrative action which the Department had been able to take in the meantime, the overall performance of providers was not improved; and that all the issues identified in 2004 persisted.

Alternatives to regulation

11. Consideration has been given to removing the regulation of the scheme (Option 3), but this has been rejected. The whole basis of the scheme is that Courts refer offenders to approved providers, so as to provide assurance that the courses are provided to a consistent standard by providers whose completion certificates can be relied upon to allow a reduced disqualification from driving. The primary legislation makes the Secretary of State accountable for the integrity of the scheme, an obligation which is discharged by overseeing the approved providers as efficiently as possible.

¹³ *The drink/drive rehabilitation scheme: evaluation and monitoring* (Smith L R et al) (2004) – TRL Report 613 (TRL Ltd)

The necessity of the proposal

12. It is concluded from the reviews described in paragraphs 8 and 10 that it will therefore be necessary to proceed to implement the new provisions, so that existing approvals can all be terminated, and new approvals issued (not necessarily to all the existing providers) on more satisfactory terms, and permit oversight to be streamlined and made more effective. The outline of the new regime is described in paragraphs 25 and 26 below).
13. The Department has not hitherto charged fees to providers of approved courses. This has constrained the resources available to oversee the scheme. It was concluded, when it was decided was taken to prepare new primary legislation, that a power to charge a fee should be included. The providers receive the benefit of a specific service – a course approval, and it is considered legitimate for them to pay its costs, rather than have them fall on general taxation. Charging fees means that the scheme becomes self-funding, and is no longer at risk from competing Departmental priorities restricting the resource needed to maintain it. Charging the fee will lead to improvements in the scheme, because effective supervision will ensure that standards are maintained more effectively than hitherto.

Policy objective

14. The objective of the drink-drive rehabilitation scheme is to improve road safety by reducing the rate of re-offending by drink-drivers - and the scheme aims to contribute to this by increasing clients' appreciation of the risks involved in their behaviour, and the importance of separating driving from their consumption of alcohol. The objective is to streamline the network of providers, increasing the quality assurance requirements attached to approvals, enhancing the integrity – and thus the potential success – of the scheme; and to provide resource to allow the scheme to be developed in the future.

Background

15. The Government has been successfully tackling drink driving for many years, through a combination of effective enforcement and high-profile public awareness campaigns, but it is recognised that further intervention is required in order to make further inroads into the problem and achieve the objective of reducing drink-related road traffic collisions, and the associated casualties, to the minimum possible level.
16. In 1967 over one-fifth (22 percent) of road fatalities were linked to drink driving (1,640 out of a total of 7,319). Over the last forty years, since the introduction of the prescribed limit, there has been a significant reduction in this figure. Provisional data for 2009 reports 380 fatalities linked to drink driving, around one-sixth of the total number of people killed in road accidents that year.
17. Since 1 January 2000, courts¹⁴ throughout Great Britain have had the power to refer anyone convicted of an offence under sections 3A, 4, 5 or 7 of the Road Traffic Act 1988 (“RTA”), for which the court has disqualified them from driving for at least 12 months, to an approved drink driving education course. Under section 34A(2) of the Road Traffic Offenders Act 1988 (“RTOA”), a court may make an order, with the offender’s agreement, reducing the period of disqualification in such cases by up to one quarter on satisfactory completion of a course.

¹⁴ In this guide “courts” applies to Magistrates and Crown Courts in England and Wales and, in Scotland, Sheriff and District Courts (when constituted by a Stipendiary Magistrate) plus the High Court of Justiciary, unless there is specific reference to “supervising court” (see footnote 3)

Behavioural economics

18. The scheme was developed in response to an insight that repeated offending cannot be prevented simply by punishing drink-drive offenders, since many lack insight into the danger of the behaviour, and their associated immoderate use of alcohol. The scheme has been shown to be successful in addressing these issues, and the 2004 review found a substantially lower re-offending rate among course attendees compared to those who had not attended. However, these benefits do depend on an effective intervention in accordance with best practice; and these are secured by the requirement for the scheme to operate through approved providers. It has been a limitation of the scheme hitherto that national coverage is 'carved up' among a network of providers, which has tended to exclude new providers: the relaunch of the scheme provides an opportunity to address this.
19. About 90,000 offenders are convicted of drink-driving under one or other of the above provisions. About 60,000 of these are referred to courses under the scheme. However, only approximately 29,400 offenders will complete the course in 2010 (based on data from Q1 and Q2) – the vast majority of the remainder do not even arrange to attend for a variety of reasons. The overall impact of the scheme is, of course, adversely affected by these attendance rates – given research evidence that those who complete the course have a much better re-offending rate. This problem cannot be directly addressed by Regulations. However, when new approvals are invited under the powers the Regulations confer, applicants will be asked to propose measures they can take to raise awareness of the scheme, and to improve attendance rates. This cannot be madder a retrospective requirement of approvals under the existing legislation.
20. The calculations in this Assessment have been based on these 2010 figures.
21. Courses provided under the scheme must be approved by the Secretary of State. They are intended to provide those convicted of drink-driving offences with training about the problems associated with their offence in order to reduce the likelihood that they will reoffend.

Administrative burden and policy savings calculations

22. The Secretary of State has used powers in the relevant provisions in the RTOA to issue guidance to the Courts and to course providers on the scheme. There is at present no national model for approved courses. This allows a certain degree of flexibility in the detail and delivery of courses. Although this means that there may be differences in the approach adopted by different providers, all courses are required to meet the standards described in this guidance.
23. Responsibility for managing the scheme has recently been transferred by the Department to the Driving Standards Agency (DSA). DSA will be responsible for implementing the new Regulations once they have come into effect.

The Road Safety Act 2006

24. The RSA replaces the original provisions in the RTOA under which the scheme has operated. These new provisions – which will become the new Sections 34A to C of the RTOA – make provision for reduced disqualifications to apply both to drink-drive offences (as described above) and other specified offences. This document refers only to the former – there are no plans at present for courses to be approved for other specified offences.

Approval of courses

25. Under the new S34BA(5) of the RTOA, Regulations may make provision in relation to the approval of courses and may, in particular, include provision—
 - (a) in relation to the making of applications for approval,
 - (b) for the payment in respect of applications for approval, or of approvals, (or of both) of fees of such amounts as are prescribed by the regulations,
 - (c) specifying the maximum fees that a person may be required to pay for a course and by when they are to be paid,
 - (d) for the monitoring of courses and course providers,
 - (e) in relation to withdrawing approval,

- (f) for an appeal to lie to the Transport Tribunal against a refusal of an application for approval, the imposition of conditions on the grant of such an application or the withdrawal of approval, and
- (g) authorising the appropriate national authority to make available (with or without charge) information about courses and course providers.

Proposed future arrangements

26. We contemplate replacing all the existing course approvals when the new powers have been commenced. A Commencement Order will deal with the need for transitional arrangements. The kernel of the Order is that, where a course has been approved by the Secretary of State for the purposes of section 34A of the 1988 Act, that course will continue to be approved for the purposes of that section for a period ending in April 2012.. DSA will be working on a programme to replace existing approvals from that date.

Administrative burden and policy savings calculations

27. It is not an option to replace existing approvals incrementally. The existing approvals have no mechanism for their termination – this can only be achieved by means of the Commencement Order which will bring the new legislation into effect. The only fair approach in the Regulations would be to treat all existing approvals in the same way. In addition, an incremental switch-over would inhibit plans to change the geographical basis on which approvals currently operate: the freedom is needed to allow applications from people able to offer courses on a wider basis – even nationally.

28. The aim in relaunching the scheme is to establish a national network of high quality providers whose courses can be quality assured with the minimum intervention by DSA. It is likely that a new network will comprise a smaller number of providers covering larger areas. They will be free to make their own arrangements to provide local coverage – including the use of sub-contractors, provided they can provide quality assurance from their management systems.

29. This aim will be achieved in a proportionate way. Key elements of the scheme are laid down in the primary legislation, with outline further requirements to be added in the proposed Regulations. The legislation continues an existing provision for more detail to be provided in guidance. Notwithstanding these measures to establish common principles for the national scheme, the rules and guidance leave the detail of course design and delivery to the provider. As noted in paragraph 22 above, there is at present no national model for approved courses, which allows a certain degree of flexibility in the detail and delivery of courses. Although this means that there may be differences in the approach adopted by different providers, all courses are required to meet the standards described in this guidance. The aim is to move towards a standard model, but this will be done in collaboration with the new providers. The approvals will include conditions aimed at ensuring that ‘light touch’ oversight can be achieved by DSA – it should not be necessary, for example, to have a burdensome programme of course inspections where providers have quality assurance arrangements in place as part of their business practice.

30. There is no national syllabus for the courses, although work has recently been completed to establish a competence framework for the facilitators who run them. The existing regime depends to a great extent on the power the Secretary of State has to give guidance to providers, although it is not certain that he can use this power to make significant changes against the wishes of all providers. The power to issue guidance is retained in the new legislation, but it provides for some necessary requirements to be in Regulations – for example, time-limiting approvals, and the payment of fees by course providers.

31. New approvals will have conditions which may be imposed under the new legislation under which providers will be expected to adhere to the framework mentioned above. DSA has undertaken substantial work on a competence framework for safe and responsible road use, which has potential to be extended to all forms of remedial training – including this scheme. It is also considered desirable to elaborate the criteria for successful completion of a course, going beyond simple requirements to attend and co-operate. DSA will look to work with providers on these developments of the scheme, and an element of the fees proposed would be used to fund their work on this.

Preparation of the IA

32. This consultation-stage IA has been prepared on the basis of a review of existing evidence and discussions with relevant stakeholders.
33. The evidence base will be updated following the consultation period to take account of any further evidence which emerges.

Description of options considered

Do nothing, leaving the rules as they are now

34. This would involve discontinuing the commencement and implementation of provisions in the Road Safety Act 2006 allowing the rules of the scheme to be reformed, and for fees to be charged for applications for a course approval, and for course approvals. The scheme would then run as it has in the past.
35. This option would forgo the improvements for which the Act provides. It will also oblige the Department – or the Driving Standards Agency - to continue management of the scheme at its expense, notwithstanding that the benefits accrue in the first place to course providers and their clients. DSA would only be empowered to continue their management of the scheme if the Department paid their costs for doing so, since otherwise their costs have to be covered by fee income. As this seems unlikely given the current economic climate the costs and benefits for the other two options (B and C) that are under consideration have been calculated as if the baseline required no resource, i.e. the costs are the total costs of the scheme, rather than the difference between the scenarios.

Option 1 - Reform the scheme without charging fees to providers

36. This would involve implementing provisions in the Road Safety Act allowing the rules of the scheme to be reformed, but without charging any fees – so that the cost of processing applications and supervising approvals would continue to fall on the Department.

Administrative burden and policy savings calculations

37. It would be possible to make the supervision of the scheme more efficient – for example by streamlining the network of course providers, and making it a condition of approval that they have quality assurance systems which could be relied on for audit purposes. This would minimise costs to the Department but would not allow for a fully auditing regime or any resource to allow the scheme to be developed. However, the scheme is now managed by the Driving Standards Agency (DSA) and they are obliged to recover their costs through fees, so that to continue a regime without fees would not be an option for them.

Option 2 - Reform the scheme and plan for its development, funded through a charge to successful applicants for grant of a course approval and per capita fees thereafter

38. This would involve implementing provisions in the Road Safety Act allowing the rules of the scheme to be reformed, and for the cost of granting and supervising approvals would fall on fees paid by providers of approved courses. These fees would be recoverable from offenders attending the courses. The proposal is to charge £1000 for each approval granted, and £7 thereafter for each offender referred to an approved course for whom a course completion certificate is provided. This certificate is provided to the Court, and is the basis on which the discounted disqualification from driving is awarded.
39. This is the preferred option. The two reviews of the scheme described in paragraphs 8 and 10 above demonstrate among other things that the Department has not been able to apply sufficient resource to manage the scheme in its present form; and there has been no capacity to develop it and make it a more effective intervention. The preferred option to charge the providers fees in return for the benefit of a course approval will address this deficiency and provides security for the resources needed for managing and developing the scheme. This is important, given additional constraints on Departmental budgets: there is no assurance that it will be possible to maintain even the previous level of oversight without charging these fees. So, the preferred

option will allow the benefits of reform to the scheme to be captured; give DSA an income stream to support the cost of relaunching and maintaining the course approvals; and provide resource to enable the scheme to be developed. It is proposed to limit fees to those who gain course approvals to confine the costs to those who get the benefit of an approval, and their clients.

Option 3 - Reduce oversight of the scheme

40. This would involve simplifying the present procedures for approving and supervising courses that lead to a reduction in drink-drivers disqualification from driving. The case for this would be that the scheme is well-established, and has a proven benefit in reducing re-offending. The Secretary of State would have to retain powers to approve courses – since the Courts must be clear which ones attract the benefits for offenders, but could discontinue supervision of providers, or rely – for example – on their annual reports.
41. This option is ruled out because research has shown that the standard of provision and compliance with conditions of approvals is dependent on oversight on behalf of the Secretary of State additional to perusal of annual reports so it does not meet the objectives of the policy. For this reason it has not been analysed in full.

Costs and benefits of each option

Option 1

Costs

42. The DSA estimate that the scheme will cost £205,800 per annum (£7 x 29,400 course completions) to manage. In addition there will be an extra £30,000 for application approvals every time course approvals are renewed. This will be undertaken periodically to allow for development of the course content and other elements of the scheme. (The length of approvals will be determined following consultation on these proposals.) The totals have been estimated from 30 assumed applications approved and 29,400 course completions. We have assumed that there will be 30 approvals based on the current 22 course providers applying and approximately another third. The completions figure is based on the 2010 figures from the first two quarters. If drink drive convictions continue to fall this could be lower but on the other hand it is hoped that as course providers will need to demonstrate what they will do to increase the course take up rates for the offenders referred to them a higher proportion of offenders will complete the courses. We have assumed that these two effects will cancel each other out to leave the course completion rate as it is.
43. These combined costs are in comparison to current DSA scheme running costs of £140,000 per annum (with no one-off approval costs). The net annual cost increases of the reforms are £70,000 per annum.
44. The DSA's start up fees are included within the total average annual cost. We expect their enforcement costs to stay the same as they currently are; these are captured within the £140,000 that the scheme currently costs to manage.
45. [There may be some administrative costs to course providers such as making their applications to the DSA, this would be in addition to the £1,000 course approval fee. We would welcome feedback on this in consultation responses.]
46. Under this option the costs would fall to DSA but as they are a trading fund the costs would have to be passed on to DfT.

Benefits

47. The benefits of the rehabilitation schemes cannot readily be monetised. A two-year evaluation of the scheme (The drink/drive rehabilitation scheme: evaluation and monitoring (TRL 613) - TRL Ltd 2004) identified that offenders attending courses under the scheme are around twice as likely to not re-offend. It is difficult to attribute causality to the course, as the event of being caught, charged and paying the fine will also impact on re-offending rates. However the evaluation provides good evidence that the course does reduce re-offending rates.

48. A reduction in re-offending will constitute a road safety benefit. The benefit of these reforms should be measured as the improvement in reduced re-offending rates as a result of more rigorous rehabilitation schemes. It is difficult to monetise the broad impacts of the course (and even more so the improvements as a result of these reforms) due to problems with identifying specific effects of the scheme. However, by way of illustration, even if only one fatal road casualty is prevented through improving the course the benefit of preventing that fatality will approximately match the total cost imposed by the reforms to the scheme (for casualty values see WebTAG Accidents Sub-Objective Unit 3.4.1 -

http://www.dft.gov.uk/webtag/documents/expert/unit3.4.php#2_2).

In 2009 there were 380 fatalities resulting from drink driving¹⁵.

49. There are wider non-monetised benefits to reduced re-offending rates, such as improved health and well-being for the person not re-offending and reduced cost to UK Courts. These impacts are likely to be small in relation to the road safety benefits.

Option 2

Costs

50. Under policy option 2 the costs will be met by fees charged to those who secure course approvals, rather than by the DSA. The course providers will pay the DSA £1,000 per course approval and £7 fee for each course completion. Therefore total annual costs are £205,800 p.a. falling on the course providers, with the exception of years in which approvals are re-issued, when the annual cost includes the £30,000 approval fees, therefore equalling £235,800 in those years. The number of applications for approval and course completions is assumed to be the same as in policy option 1. These funds will be used to monitor, maintain and improve the course over the appraisal period so there is no additional cost to the DSA.

Benefits

51. There is a transfer of costs from the DSA to the course providers. The reduction in expenditure on course management and improvement (a reduction of £140,000 p.a.) is a benefit to the DSA.

52. As there is a transfer of management and improvement costs the monetised net benefit of Option 2 remains the same as in Option 1.

Option 3

Costs and Benefits

53. The costs could be reduced under Option 3, but at the expense of decline in the standard of provision and so it has been discounted. The benefits would also be lower if the scheme was being run to a lower standard.

Do Nothing

Costs and Benefits

54. The costs of running the scheme might also be reduced under the do nothing option, but there will be no development of the scheme – which will progressively lag behind the standards of best practice in driver and remedial training.

Risks and assumptions

55. It is assumed that new Regulations will come into force by April 2012 so that course approvals can be re-issued from that date. This date depends on completing a public consultation, and on the

¹⁵ Reported Road Casualties of Great Britain. The 2009 figure is currently provisional. The 2008 figure was 400.

necessary parliamentary process for the Regulations. This timetable is a medium risk, with potentially serious consequences. If the date is missed, consideration will have to be given to curtailing the transitional period between the old and new regime; or to deferring the new regime – the resulting loss of fee income to DSA would risk their having to suspend oversight of the scheme.

56. The success of the scheme depends on sufficient applications for course approvals to be made to allow continuation of a national scheme of sufficient quality.
57. There is a risk that sufficient applications will not be made, or will not be made on time; and that those that are made take longer than expected to process or prove to be inadequate. The risk here is rated to as low, because there is a good range of potential providers, and interest from other parties. The consequences of not being able to maintain national cover are severe, but these can be managed by negotiating with some of the potential providers about the scope of their provision.
58. There is a risk that levels of attendance at courses will fluctuate, which will affect the income from approval fees - up or down. The risks here are assessed to be self-cancelling. Drink-drive offender numbers are falling, but there is also good scope to increase take-up of the scheme, as only half of referrals currently attend courses. If income were to fall, it is likely that work on developing the scheme would have to be slowed to protect resource needed for supervision.
59. There is a risk that, if the providers pass the fees they must pay through to their clients, some offenders will be deterred from attending, thus diminishing the road safety impact of the scheme. This risk is assessed as low. The fee payable by the provider represents no more than 5% of the charge they levy to their clients. There is also ample scope for better marketing of the scheme by providers, to ensure that more offenders referred to them attend the course; and the providers can be incentivised to increase take-up.

Administrative burden and policy savings calculations

60. It is assumed for the purposes of this assessment that the administrative burden of this scheme will not be changed by the new Regulations; and that there are no policy savings. The object of the Regulations is to make oversight of the scheme more effective, so as to improve its value to road safety; and to recover the cost of this from the providers of courses.

Summary and preferred option with description of implementation plan

61. The preferred option is **Option 2**. This option provides the same level of total cost as Policy Option 1 and the potential for the same level of benefits as well. However the cost is borne by the course providers and not by the DSA. It should result in improved quality and consistency of rehabilitation courses.
62. As an Executive Agency, DSA are obliged to recover their costs in this way. The fees proposed, on which this assessment is based, are considered necessary to fund the resources required to manage and develop the scheme as proposed.

Annexes

Annex 1 should be used to set out the Post Implementation Review Plan as detailed below. Further annexes may be added where the Specific Impact Tests yield information relevant to an overall understanding of policy options.

Annex 1: Post Implementation Review (PIR) Plan

A PIR should be undertaken, usually three to five years after implementation of the policy, but exceptionally a longer period may be more appropriate. A PIR should examine the extent to which the implemented regulations have achieved their objectives, assess their costs and benefits and identify whether they are having any unintended consequences. Please set out the PIR Plan as detailed below. If there is no plan to do a PIR please provide reasons below.

<p>Basis of the review: [The basis of the review could be statutory (forming part of the legislation), it could be to review existing policy or there could be a political commitment to review];</p> <p>There is no statutory requirement to review the scheme, but DSA will incorporate a process of continual review into their oversight of the scheme.</p>
<p>Review objective: [Is it intended as a proportionate check that regulation is operating as expected to tackle the problem of concern?; or as a wider exploration of the policy approach taken?; or as a link from policy objective to outcome?]</p> <p>The objective of DSA's review will be to ensure that the regulatory regime allows an appropriate level of supervision of the scheme to ensure its continued integrity and contribution to road safety.</p>
<p>Review approach and rationale: [e.g. describe here the review approach (in-depth evaluation, scope review of monitoring data, scan of stakeholder views, etc.) and the rationale that made choosing such an approach]</p> <p>DSA will undertake a review of the new approvals in 2014 to ensure that the new arrangements which they underpin has settled satisfactorily, and that there is full national coverage of courses to the agreed national standard.</p>
<p>Baseline: [The current (baseline) position against which the change introduced by the legislation can be measured]</p> <p>A baseline has been created by a programme of audit visits commissioned by Road User Safety Division and conducted in 2008 and 2009. This involved visits to all providers and an assessment of their compliance.</p>
<p>Success criteria: [Criteria showing achievement of the policy objectives as set out in the final impact assessment; criteria for modifying or replacing the policy if it does not achieve its objectives]</p> <p>The review will seek evidence that providers are delivering a scheme in accordance with the terms of the approvals and general guidance from DSA.</p>
<p>Monitoring information arrangements: [Provide further details of the planned/existing arrangements in place that will allow a systematic collection systematic collection of monitoring information for future policy review]</p> <p>DSA will continue requirements for providers to submit annual reports, and to have quality assurance systems that allow auditing to be undertaken.</p>
<p>Reasons for not planning a PIR: [If there is no plan to do a PIR please provide reasons here]</p>

Annex 2: Specific Impact Tests

Competition Assessment

The proposal is intended to impact on training organisations providing approved courses. The regulations provide for the rules to apply in the same way to all providers, and it is considered that they do not distort competition.

Small Firms Impact Test

The proposal is intended to impact on training organisations providing approved courses. Some of the existing providers would be classified as 'small firms' and they would have to comply with the new rules in the same way as any other provider. It isn't possible to exempt small firms from the £1000 approvals fee if option C, the preferred option, is chosen as this covers the cost to the DSA of processing it. They are required to recover their costs for a service as they are a trading fund. As the only further cost of providing courses is the £7 fee per offender then the amount they pay is proportional to the size of the business that they generate. It is assumed that this £7 fee will be passed on to the offenders.

Legal Aid and Justice

Offenders are referred to approved courses by the Courts, but reforming the provision of courses has no impact on the Legal Aid and Justice system. The new rules provide for a right of appeal against the refusal or withdrawal of a course approval, but providers would already have had recourse to judicial review in either of these cases. It is considered therefore that there are no new legal aid and justice impacts.

Sustainable Development

The proposal does not conflict with any of the five principles of sustainable development.

Carbon Assessment

The proposal would not be expected to generate a significant impact on carbon emissions.

Other Environment

It is considered that there will be no significant other environmental implications.

Health Impact Assessment

It is considered that the proposals will not impact significantly on health and wellbeing, or health inequalities, as defined by the screening criteria for this test; therefore a full assessment is not necessary. Although it should be noted that if an individual driver chooses to moderate their drinking behaviour, rather than changing their travel arrangements, this may have a positive impact on the individual's health and wellbeing. Equally, if an individual chooses to modify their travel behaviour and drinks at home rather than on licensed premises, the relative price differential may lead to increased alcohol consumption with potential for negative health effects.

Race, Gender and Disability Equality

There are no race, gender or disability equality impacts to these proposals. Equalities impact assessment initial screening suggested that a full assessment was not required.

There are currently far more men than women convicted for drink driving but this gap is closing. We have no evidence to suggest that either gender is more likely to be

offered a course if they are convicted or that there is any difference in the take up rate.

Human Rights

There are no human rights implications.

Rural Proofing

The proposal is intended to impact on training organisations providing approved courses. Some of the existing courses are provided in rural areas, but they have to comply with the rules in the same way as any other provider. There is expected to be no significant disproportionate impact on rural areas.

Better Regulation Executive: Code of Practice on Consultation

The Seven Consultation Criteria

1. **When to consult:** Formal consultation should take place at a stage when there is scope to influence the policy outcome.
2. **Duration of consultation exercises:** Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact:** Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises:** Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation:** Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises:** Consultation responses should be analyzed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult:** Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Further information about the Code of Practice is available at the Department for Business Enterprise and Regulatory Reform website: <http://www.bis.gov.uk/policies/better-regulation/consultation-guidance>

Course Approval Criteria

Course Content

Applicants must be able to evidence that:

1. The course content clearly links to the desired outcome of the current Drink-Drive Rehabilitation Scheme (DDRS) syllabus (<http://www.dft.gov.uk/publications/dsa-drink-drive-rehabilitation-syllabus>), published by the Secretary of State for Transport.
2. The course content and intended outcomes link to recognised academic and theoretical evidence and adult learning principles¹⁶.
3. The design of the course is such that it is suitable for presentation to a wide cross-section of offender, taking into consideration different learning styles, varying levels of ability and those groups defined as 'vulnerable' (e.g. *young persons (17-18 years*¹⁷), *the elderly*¹⁸ and *those with a recognised learning or physical disability*).
4. The course, including the delivery and administration arrangements, aligns with the current DfT DDRS course guidance (http://assets.dft.gov.uk/publications/dsa-drink-drive-rehabilitation/dsa_drinkdrive_rehbilitation_scheme_drink_drive_offenders.pdf) published by the Secretary of State for Transport. Please note: the current course guidance will be revised following this consultation. The revised guidance will apply to all course approvals issued under the new arrangements.
5. The learning materials show a clear link to the DDRS syllabus outcomes and ultimately the DSA Safe and Responsible Driving (category B) syllabus (<http://www.dft.gov.uk/publications/dsa-safe-responsible-driving-category-b-syllabus>) which are aligned.
6. A recognised method of course and trainer evaluation (such as the Kirkpatrick 4 level model¹⁹) will be operated to confirm, as a minimum, that

¹⁶ For example:

(a) The Federation of Drug & Alcohol Professionals (FDAP) Code of Practice -

http://www.fdap.org.uk/code_of_practice.php;

(b) Models of care for alcohol misusers (MoCAM) -

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4136809.pdf;

(c) NOMS Offender Management Model (OMM) – Alcohol Interventions Guidance -

<http://www.alcoholpolicy.net/2010/02/noms-alcohol-interventions-guidance-.html>

¹⁷ Children and Young Persons Act 1933.

¹⁸ World Health Organisation accept the chronological age of 65 as being 'elderly' or 'older person'.

¹⁹ Kirkpatrick D, (1994) Evaluating Training Programmes. Berrett-Koehler Publishers Inc.

NOT PROTECT

Reaction (level 1) and Transfer of Learning (level 2) will have taken place, demonstrating that each offender will have gained a basic level of understanding.

Course Delivery Arrangements

Applicants must be able to evidence that:

1. Trainers hold a relevant adult learning qualification or have relevant experience.
2. They would be capable of delivering sufficient courses to meet demand in all specified geographical areas covered by their approval.
3. The training environment is and remains conducive for learning to take place.

Course Administration Arrangements

Applicants must evidence how they would:

1. Ensure that suitable processes and procedures will be in place to provide referral opportunities (e.g. counselling services) for those who require additional longer term support.
2. Ensure that accurate records will be kept relating to course administration.

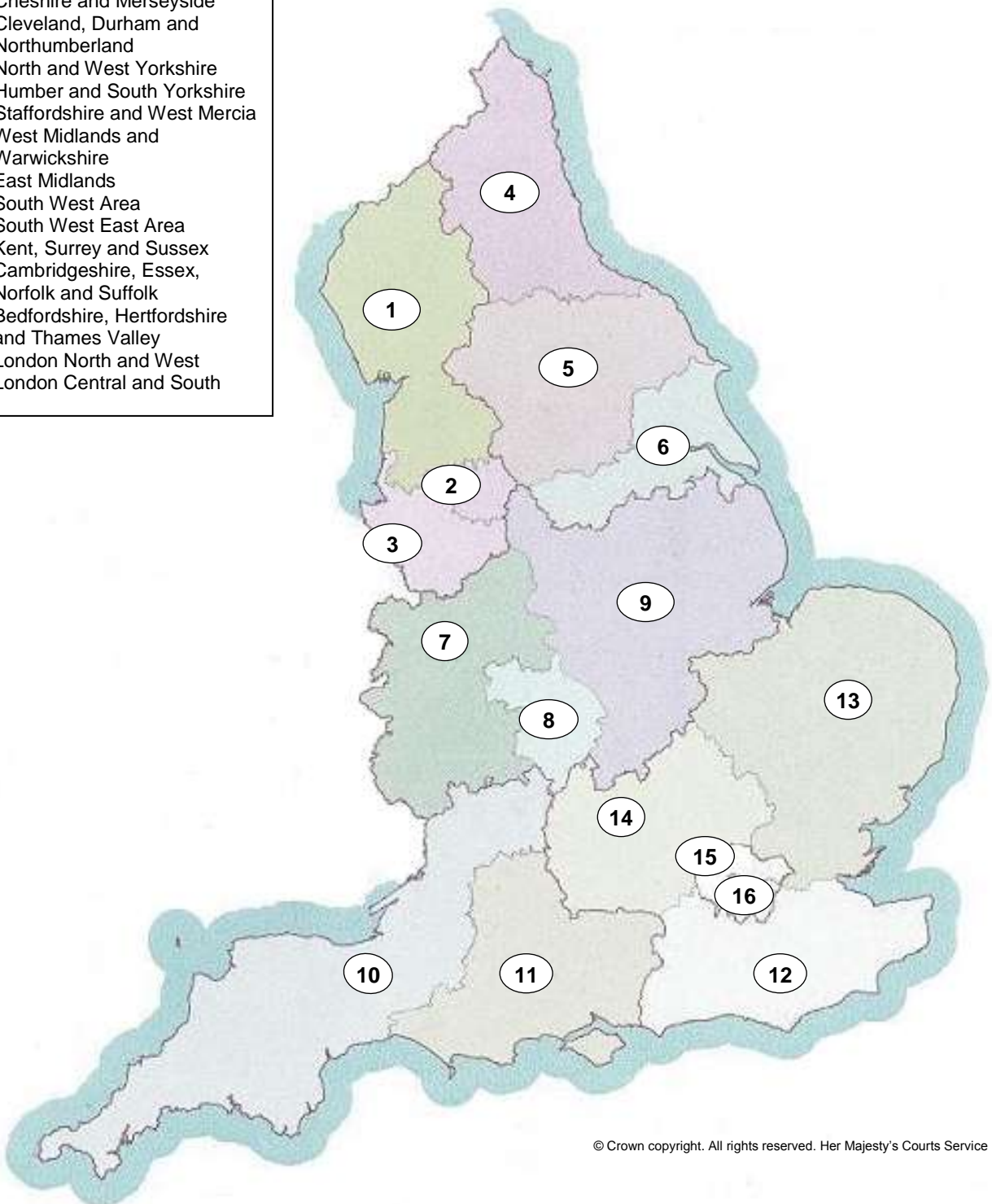
'Appropriate Persons' Criteria for Providers

1. That key personnel (e.g. owner, Managing Director, Finance Director etc) are, and remain, 'appropriate persons'.

Court Areas (England)

Drink Driver Rehabilitation Scheme – Specified Geographical Areas (England)

Area Legend	
1.	Cumbria and Lancashire
2.	Greater Manchester
3.	Cheshire and Merseyside
4.	Cleveland, Durham and Northumberland
5.	North and West Yorkshire
6.	Humber and South Yorkshire
7.	Staffordshire and West Mercia
8.	West Midlands and Warwickshire
9.	East Midlands
10.	South West Area
11.	South West East Area
12.	Kent, Surrey and Sussex
13.	Cambridgeshire, Essex, Norfolk and Suffolk
14.	Bedfordshire, Hertfordshire and Thames Valley
15.	London North and West
16.	London Central and South



Crown and Magistrates' Courts in England (by area)

Area 1 (Cumbria and Lancashire)

Accrington Magistrates' Court	Kendal Magistrates' and County Court
Barrow-in-Furness Crown, Magistrates' and County Court	Lancaster Crown Court
Blackburn Magistrates' Court	Lancaster Magistrates' Court
Blackpool Magistrates' Court	Leyland Magistrates' Court
Burnley Crown Court	Ormskirk Magistrates' Court
Carlisle Magistrates' Court	Preston Crown Courts
Carlisle Crown Court	Preston Magistrates' Court
Chorley Magistrates' Court	Reedley Magistrates' Court
Fleetwood Magistrates' Court	Workington Magistrates' Court

Area 2 (Greater Manchester)

Bolton Crown Court	Rochdale Magistrates' Court
Bolton Magistrates' Court	Salford Magistrates' Court
Bury Magistrates' and County Court	Stockport Magistrates' Court
Manchester Crown Courts	Trafford Magistrates' Court and Altrincham County Court
Manchester Magistrates' Court	Wigan and Leigh Magistrates' Court
Oldham Magistrates' Court	

Area 3 (Cheshire and Merseyside)

Birkenhead Magistrates' Court	Liverpool Crown Court
Bootle Magistrates' Court (South Sefton)	Liverpool Magistrates' Court
Chester Crown Court	Macclesfield Magistrates' Court
Chester Magistrates' Court	Runcorn Magistrates' Court
Crewe Magistrates' and County Court	St Helens Magistrates' and County Court
Knowsley Magistrates' Court*	Warrington Crown Court
Knutsford Crown Court	Warrington Magistrates' Court

Area 4 (Cleveland, Durham and Northumberland)

Bedlington Magistrates' Court	Newcastle-Upon-Tyne Magistrates' Court
Berwick-Upon-Tweed Magistrates' and County Court	Newton Aycliffe Magistrates' Court
Consett Magistrates' Court	North Tyneside Magistrates' Court
Darlington Magistrates' Court	Peterlee Magistrates' Court
Durham Crown Court	South Tyneside Magistrates' and South Shields County Court
Gateshead Magistrates' and County Court	Sunderland Magistrates' Court
Hartlepool Magistrates' and County Court	Teesside Crown Court
Newcastle Crown Court	Teesside Magistrates' Court

Area 5 (North and West Yorkshire)

Batley and Dewsbury Magistrates' Court*	Northallerton Magistrates' Court
Bradford Crown Court	Pontefract Magistrates' Court*
Bradford Magistrates' Court	Scarborough Magistrates' Court
Halifax Magistrates' Court (Calderdale)	Selby Magistrates' Court*
Harrogate Magistrates' Court	Skipton Magistrates' and County Court
Huddersfield Magistrates' Court	York Crown Court
Keighley Magistrates' Court (Bingley)*	York Magistrates' Court
Leeds Crown Court	Wakefield Magistrates' Court
Leeds Magistrates' Court	

Area 6 (Humber and South Yorkshire)

Barnsley Magistrates' Court	Grimsby Magistrates' Court
Beverley Magistrates' Court	Hull Crown Court
Bridlington Magistrates' Court	Hull and Holderness Magistrates' Court
Doncaster Crown Court	Rotherham Magistrates' and County Court
Doncaster Magistrates' Court	Scunthorpe Magistrates' and County Court
Goole Magistrates' and County Court*	Sheffield Crown Court
Grimsby Crown Court	Sheffield Magistrates' Court

Area 7 (Staffordshire and West Mercia)

Burton-Upon-Trent Magistrates' Court*	Stafford Crown Court
Cannock and Seisden Magistrates' Court	Stafford Magistrates' Court
Hereford Magistrates' Court	Stoke-on-Trent Magistrates' Court*
Kidderminster Magistrates' and County Court	Telford Magistrates' Court
Newcastle-Under-Lyme Magistrates' Court	Worcester Crown Court
Shrewsbury Crown Court	Worcester Magistrates' Court
Shrewsbury Magistrates' Court	

Area 8 (West Midlands and Warwickshire)

Birmingham Crown Court	South Warwickshire Justice Centre (Leamington Spa)
Birmingham Magistrates' Court	Stratford-Upon-Avon Magistrates' Court*
Coventry Crown Court	Walsall Magistrates' Court
Coventry Magistrates' Court	Warley Magistrates' Court
Dudley Magistrates' Court	Warwick Crown Court
North Warwickshire Justice Centre (Nuneaton)	Wolverhampton Crown Court
Solihull Magistrates' Court	

Area 9 (East Midlands)

Boston Magistrates' and County Court	Lincoln Crown Court
Buxton Magistrates' and County Court	Lincoln Magistrates' Court
Chesterfield Magistrates' Court	Loughborough Magistrates' Court
Corby Magistrates' Court	Mansfield Magistrates' Court
Derby Crown Court	Northampton Crown Court
Derby Magistrates' Court	Northampton Magistrates' Court
Grantham Magistrates' and County Court	Nottingham Crown Court
Hinckley Magistrates' Court	Nottingham Magistrates' Court
Kettering Magistrates' Court	Skegness Magistrates' and County Court
Leicester Crown Court	Spalding Magistrates' Court
Leicester Magistrates' Court	Wellingborough Magistrates' Court

Area 10 (South West Area)

Barnstaple Crown, Magistrates' and County Court	Isle of Scilly
Bath Magistrates' and County Court	Newton Abbot Magistrates' Court
Bodmin Magistrates' and County Court	Plymouth Crown Court
Bridgwater Magistrates' Court*	Plymouth Magistrates' Court
Bristol Crown Court	Stroud Magistrates' Court
Bristol Magistrates' Court	Swindon Crown Court
Camborne Magistrates' Court*	Swindon Magistrates' Court
Cheltenham Magistrates' and County Court	Taunton Deane Magistrates' Court
Chippenham Magistrates' Court	Torquay Magistrates' Court
Exeter Magistrates' Court	Truro Crown Court
Exeter Crown Court	Truro Magistrates' Court
Gloucester Crown Court	Worle Magistrates' and County Court
	Yate Magistrates' Court

NOT PROTECT

Gloucester Magistrates' Court

Yeovil Magistrates' Court

Area 11 (South West East Area)

Aldershot Magistrates' Court

Poole Magistrates' and County Court

Alton Magistrates' Court*

Portsmouth Crown Court

Andover Magistrates' Court*

Portsmouth Magistrates' Court

Basingstoke Magistrates' Court

Salisbury Law Courts

Bournemouth Crown Court

Southampton Crown Court

Bournemouth Magistrates' Court

Southampton Magistrates' Court

Dorchester Crown Court

Weymouth Magistrates' Court

Fareham Magistrates' Court

Winchester Crown Court

Newport (Isle of Wight) Law Courts

Area 12 (Kent, Surrey and Sussex)

Brighton Magistrates' Court

Guildford Crown Court

Canterbury Crown Court

Hastings Magistrates' and County Court

Canterbury Magistrates' Court

Haywards Heath Magistrates' Court*

Chatham Magistrates' Court

Horsham Magistrates' and County Court

Chichester Crown Court

Lewes Crown Court

Chichester Magistrates' Court

Maidstone Crown Court

Crawley Magistrates' Court

Maidstone Magistrates' Court

Dartford Magistrates' Court

Margate Magistrates' and Thanet County Court

Dover Magistrates' Court

Sevenoaks Magistrates' Court

Eastbourne Magistrates' and County Court

Worthing Magistrates' and County Court

Folkestone Magistrates' Court

Area 13 (Cambridgeshire, Essex, Norfolk and Suffolk)

Basildon Crown Court

Harwich Magistrates' Court*

Basildon Magistrates' Court

Huntingdon law Courts

Bury St Edmunds Crown and Magistrates' Court

Ipswich Crown Court

Cambridge Crown Court

Ipswich Magistrates' Court

Cambridge Magistrates' Court

Kings Lynn Crown and Magistrates' Court

Chelmsford Crown Court

Norwich Crown Court

Chelmsford Magistrates' Court

Norwich Magistrates' Court

Colchester Magistrates' Court

Peterborough Crown Court

Epping Magistrates' Court

Peterborough Magistrates' Court

Great Yarmouth Magistrates' Court

Southend Magistrates' and County Court

Harlow Magistrates' Court

Witham Magistrates' Court*

Area 14 (Bedfordshire, Hertfordshire and Thames Valley)

Aylesbury Crown Court

Milton Keynes Magistrates' and County Court

Aylesbury Magistrates' Court

Newbury Magistrates' and County Court

Banbury Magistrates' and County Court

Oxford Crown Court

Bedford and Mid-Beds Magistrates' Court

Oxford Magistrates' Court

Bicester Magistrates' Court*

Reading Crown Court

Bracknell Magistrates' Court

Reading Magistrates' Court

Hatfield Remand Centre

St Albans Crown Court

Hemel Hempstead Magistrates' Court*

St Albans Magistrates' Court

Hertford Magistrates' Court

Slough Magistrates' and County Court

High Wycombe Magistrates' and County Court

Stevenage Magistrates' Court (Danegate)

Luton Crown Court

Watford Magistrates' Court

Luton Magistrates' Court

Maidenhead Magistrates' Court

Area 15 (London North and West)

Brent Magistrates' Court	Highbury Corner Magistrates' Court
Brentford Magistrates' Court	Isleworth Crown Court
Ealing Magistrates' Court	Redbridge Magistrates' Court
Enfield Magistrates' Court	Snaresbrook Crown Court
Feltham Magistrates' Court	Stratford Magistrates' Court
Haringey Magistrates' Court*	Uxbridge Magistrates' Court
Harrow Crown Court	Waltham Forest Magistrates' Court
Havering Magistrates' Court	Wimbledon Magistrates' Court
Hendon Magistrates' Court	Wood Green Crown Court

Area 16 (London South and Central)

Belmarsh Magistrates' Court	Inner London Crown Court
Bexley Magistrates' Court	Kingston-Upon-Thames Crown Court
Blackfriars Crown Court	Richmond-Upon-Thames Magistrates' Court
Bromley Magistrates' Court	Southwark Crown Court
Camberwell Green Magistrates' and Youth Court	South Western Magistrates' Court
Central Criminal Court	Tower Bridge Magistrates' Court*
City of Westminster Magistrates' Court	Thames Magistrates' Court
Croydon Crown Court	West London Magistrates' and County Court
Croydon Magistrates' Court	Woolwich Crown Court
Greenwich Magistrates' Court	

* Indicates the court is due to be closed on or before 1 September 2014 (further details can be found at: <http://www.justice.gov.uk/about/hmcts/courts.htm>)

Expression of Interest Form

Expression of Interest in the Provision of DDRS Training

1. Organisation Details

a) Name and address

Full name and postal address of your organisation. If a registered company, please provide registration number and registered address.

b) Address for correspondence

Please provide a correspondence address, if different from that at (a) above.

c) Main contact person for the purposes of this expression of interest

Please provide name, position and contact details (phone, e-mail, etc).

2. Delivery Capability and Capacity

a) Is the organisation experienced in providing DDRS courses? Yes / No

- If "No" what experience does your organisation have of delivering behavioural/attitudinal change training to adults?
- If you have no such experience, why do you believe your organisation is suited to delivering this type of training?

b) Please enclose a copy of the organisation's most recent annual report.

c) Proposed geographic delivery areas

Please indicate in which of the proposed 'specified geographic areas' your organisation is interested in delivering DDRS training, by using the check boxes below (please refer to Annex D and Annex E).

- 1 2 3 4 5 6 7 8 9 10 11 12 13
14 15 16 17 18 19 20 21 22

We may request further information in order to help us reach a decision.

3. Confidentiality

If your expression of interest contains information that you consider should be held confidential you are advised to clearly identify such information and indicate the reason(s) why you consider the information should be held confidential.

Please note that information held by DSA is subject to request(s) under the Freedom of Information Act 2000. DSA also has other obligations in relation to information, such as reporting to Parliament and a duty to consult other interested parties at any time during the process.

DSA may also release summary information about the organisations that are successful in their application for DDRS course approval.

I confirm that the information (and any accompanying documentation) submitted is, to the best of my knowledge, accurate. I am authorised to submit this expression of interest on behalf of the above organisation.

Signature: _____ Date: _____

Please complete this form and return to:

Driving Standards Agency (Post Test Operations)
The Axis (4th Floor)
112 Upper Parliament Street
Nottingham NG1 6LP

Email: DDRAdmin@dsa.gsi.gov.uk

If you have any queries regarding the completion of this form, please call us on 0115 9366241.

**DSA CONSULTATION PAPER: NEW APPROVAL
ARRANGEMENTS FOR DRINK-DRIVE REHABILITATION
COURSES**

REPLY FORM

An electronic version of this consultation and reply form are also available online at: <http://www.dft.gov.uk/consultations/dsa-2011-01/>

Alternatively, you may complete this reply form and email it to consultations@dsa.gsi.gov.uk

or post it to:

DSA Policy Unit, The Axis, 112 Upper Parliament Street, Nottingham NG1 6LP

The last date for the receipt of responses to this consultation is 4 January 2012

Please Note: DSA is unable to consider any views submitted anonymously. Please complete your name and address below:

Name:

Title: Mr/Mrs/Miss/Ms.

Address:

.....
.....
.....

Postcode:

Telephone number:

email address:

Organisation (if applicable)*

.....

* Please complete Organisation details box below

Organisation details									
Please tick one box from the list below that best describes you/your organisation:									
small to medium-sized enterprise (up to 50 employees)	large company	representative organisation	trade union	interest group	local government	central government	police	member of public	other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Other:									
If you are responding on behalf of an organisation, how many views are represented by this response?									

How were these views gathered?

Please tell us what you think of the proposal by ticking one of the boxes below. If you wish to comment further, please do so in the space provided.

Please note: DSA will only take account of any comments if you have ticked the relevant box indicating the strength of your support.

If you need more space for your comments, please continue on a separate sheet. Clearly cross-reference your comments to the relevant proposal and securely attach the sheet to the remainder of your response.

Disclosure of information

The Driving Standards Agency (DSA) is an executive agency of The Department for Transport (DfT) (the data controller). Your personal data will be processed by DSA for the purpose of administering the consultation and help Ministers to reach an informed decision on the proposals.

Freedom of Information – Publication of Responses

In line with our policy on openness, it is our intention to make available the responses we receive. We will publish them on our website – <http://www.dft.gov.uk/dsa/> - at the end of the consultation period, unless you specifically ask us not to do so. You should also be aware that we might have to disclose your response if asked to do so as part of a request for information made under the Freedom of Information Act 2000. You may ask that your response is kept confidential, but we will only be able to do this if withholding the information is consistent with the obligations under that legislation. Please note that a confidentiality disclaimer generated by an IT system in e-mail responses will not be regarded as a confidentiality request. If third parties ask for hard copies of responses, we will make a reasonable charge for processing and copying.

Personal data is not disclosed to, or shared with, any third parties other than in accordance with the Data Protection Act 1998. For further information, please see our privacy notice on our website – <http://www.dft.gov.uk/dsa/>. Details of DfT's / DSA's registration with the Information Commissioner can be viewed on the Data Protection Public Register on the Commissioner's website – www.ico.gov.uk. DfT's registration number is Z7122992.

If you **do not want** your reply to be made publicly available – please tick the box below

I do not want my reply to be made publicly available

Please explain why you want your response to remain confidential

CONSULTATION PROPOSALS

Proposal 1: Do you agree with the proposal that course approvals be issued for specified geographical areas?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 1A: If you agree with Proposal No. 1, do you agree with the proposed specified geographical areas?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 2: Do you agree that the approval period for a Drink-Drive Rehabilitation course should be seven years?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 3: Do you agree that the SoS's costs of considering applications for approval should be recovered by charging a flat rate fee?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 3A: Do you agree that the flat rate fee should be £1,000 for each application submitted?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 3B: Do you agree that the SoS's ongoing costs of managing and quality assuring DDRS courses should be recovered by charging a per capita fee per offender who completes a course?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 3C: Do you agree that the per capita fee per offender who completes a course should be £7?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 3D: Do you agree that the per capita fee should be paid to DSA monthly?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 4: Do you agree the maximum fee that can be charged for a DDRS course should remain at £250?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
Comments:					

Proposal 4A: Do you agree the minimum fee (currently £150) for a DDRS course should be abolished?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 4B: Do you agree that course providers should be permitted to recover course fees from the offender in advance of the course or in instalments, provided that full payment is made before completion of the course?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 5: Do you agree that the proposed transitional arrangements are sufficient to allow course providers adequate time in which to discharge existing commitments and to put the new arrangements in place?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 6: Do you agree that DDRS course providers should be required to use first class post and obtain (and retain for inspection) a proof of posting receipt from the carrier for each Notice of Non-Completion issued?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 7: Do you agree that, in the case of course withdrawals (for all cases except those of serious misconduct) the notice should take effect not less than 14 days after the date on which it was served?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Proposal 7A (Asked on behalf of the Tribunal Procedure Committee): Do you agree that the General Regulatory Chamber Rules are suitable for the handling, as 'transport cases', of DDRS appeals against decisions by the SoS?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

The rest of the questions deal with feedback about the consultation and the Impact Assessment and other general comments

GENERAL COMMENTS: Please use this section if you wish to make any general comments about the proposals contained in this Consultation Paper

Comments:

INITIAL IMPACT ASSESSMENTS: If you think any of the estimated costs or benefits referred to in the Initial Impact Assessment are incorrect please provide alternatives in the box below

Comments:

INITIAL IMPACT ASSESSMENTS: Do you have any other comments about the Initial Impact Assessment?

Comments:

CONSULTATION CRITERIA: Do you feel that this Consultation Paper meets the consultation criteria at Annex B?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree

Comments:

Is there anything you particularly liked or disliked about the format of the Consultation Paper?

Comments:

THANK YOU FOR COMPLETING THIS REPLY FORM