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REPORT / SUMMARY DECISION SHEET

PURPOSE: COMMISSIONER DECISION

Timing: Urgent / Pressing / Routine
(Specify date required and why, where possible)

Title: Driver Retraining Courses

Category of Decision / Business Area Impact: Crime Prevention

Executive Summary:

The National Driver Offender Scheme (NDORS) has been in operation nationally since 1991.

This is a mechanism through which Police Forces can make a discretionary offer to offenders who commit road traffic offences to undertake retraining as an alternative to receiving a fine and/or points on their licence. Nationally there are some 1.2 million users per year.

There are currently six courses accredited by NDORS aimed at retraining /education. These are:

- National Driver Alertness Course – for those involved in RTCs – without due care and attention
- Speed Awareness Course – inappropriate driving Speed
- Motorcycle RIDE Scheme – anti social / reckless driving
- Your Belt – Your Life – positives of wearing Seat Belts
- What's driving us – e.g. using mobile phones / jumping red lights
- Driving for Change – incident or offence caused by driving style / performance

The current contract for the NDORS courses was awarded in January 2009. This contract provides "Speed Awareness" and "National Driver Alertness" courses through a private service provider. This is a collaborative contract with South Wales Police and Gwent Police which is due to expire on the 31st May 2014.

Discussions in relation to the future provision of courses were initially had at Policing Board on 31st January 2014. The Commissioner requested that further work be done to explore future delivery options and to investigate opportunities to commission driver offender retraining.

On 10th March 2014, the Commissioner informed the Chief Constable that should Dyfed-Powys Police Force (DPP) be able to deliver the service cheaper than any alternative (and cheaper by £50,000 or more to reflect the additional risks taken from running the courses internally), then the Commissioner would agree to DPP carrying out the service.

After carrying out his investigation, the Chief Constable brought back a proposal that demonstrated that Dyfed-Powys Police Force could provide a better value service than could be obtained through the collaborative commissioning process. The figures presented were based on historic referral and course completion data and demonstrated a saving of nearly £100,000 against the collaborative contract. On this basis, the Commissioner approved that DPP carry out the service.

Dyfed-Powys Police Force would also be able to offer other courses (in addition to the NDORS courses) to meet any other needs identified locally.

In support of a decision by the Commissioner to commission driver retraining courses from the Chief Constable, a Service Level Agreement (SLA) has been established as outlined in the Appendix.

Note that the Appendix contains the body of the Agreement made between the Commissioner and the Chief Constable.

Recommendation:

That the Commissioner internally commission driver retraining courses from the Chief Constable and approve the issue of the service level agreement attached in the Appendix.

Police and Crime Commissioner for Dyfed-Powys

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the NOLAN Principles for Conduct in Public Life.

The above has my approval.

Signature:



Date: 10.03.14



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DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

Agreement

between

**The Police and Crime Commissioner for
Dyfed-Powys**

and

**The Chief Constable of Dyfed-Powys Police
Force**

**For the Provision and Administration of
Driver Retraining Courses**

Agreement

The Police and Crime Commissioner for Dyfed-Powys (afterwards known as the “**Commissioner**”) has agreed that **The Chief Constable of Dyfed-Powys Police Force** (afterwards known as the “**Chief Constable**”) will deliver driver retraining courses across the Dyfed Powys Force area. The Chief Constable shall also fully manage the referral, booking, attendance and training processes for drivers invited to attend a course.

This Agreement shall initially cover a period from **1st May 2014 to 30th April 2015**. **The Commissioner may decide to grant an extension to this contract.**

Aim - The aim of the driver retraining courses is to improve the attitude, driving skills and road awareness of road users thereby leading to an overall reduction in the number of driver offences and road casualties on our roads.

The Commissioner will determine the fee payable for each course offered in Dyfed-Powys. All income received from the driver retraining courses will be separately identifiable and remain under the control of the Commissioner.

In order to achieve the aims of the Commissioner, the Chief Constable must deliver courses that are fit for purpose, professional, engaging and available to all regardless of race, gender, religion or disability. In order to achieve this, the Commissioner would expect to see:

Employment of Staff – Policies and procedures for the selection of staff should be thorough and instructors delivering courses should be suitably qualified. A serving police officer must not deliver training on behalf of the Chief Constable without the express advance permission of the Commissioner.

Courses Offered – Courses should be offered at a range of venues across the Dyfed-Powys Police Force area. Courses during the evening and at weekends should also be offered. Course completion must take place in line with national guidelines on timescales. Referrals for courses from all other Police Forces participating in the national arrangement shall be accepted.

Collection of Fees – Course fees are set by the Commissioner. The Chief Constable must collect course fees on behalf of the Commissioner. The Chief Constable shall provide a range of payment methods for participants including Credit/Debit Card, staged payments, cheques and cash. Staged payments and cheques must be completed and cleared prior to the participant attending a course. That said, any default in the payment of fees shall not constitute failure to complete the course. It will be a matter for the Chief Constable to recover their loss from the course participant concerned.

Refunds – For NDORS courses, the Chief Constable must adhere to the NDORS Manual of Guidance on Status and Refunds. For other courses, the

Chief Constable shall submit his refund policy to the Commissioner for approval.

Course Administration Fees – To the extent that a course being delivered is an NDORS course, a fee of £5 per course participant shall be payable to NDORS/RSS to cover their costs of developing the course and maintaining the national database.

Payment to the Referring Force – Where a course participant attending a Dyfed-Powys course has been invited to attend a course, a payment of £35 per course participant shall be made by the Chief Constable to the referring force.

Development of New Courses - The Chief Constable is to investigate and assess the alternative provision of courses (outside of NDORS/RSS) and make a recommendation, in writing **by the 1st November 2014**, to the Commissioner as to the most appropriate and cost effective courses and administrative mechanism.

Specific Requirements - The Chief Constable must aim to provide, without making an additional charge to such participants, courses suitable for participants:

- a. with specific disability, language, ethnic or religious needs;
- b. who wish to train in automatic vehicles, on motorcycles or who have specific mobility needs;

Welsh Language Provision – The Chief Constable must:

- a. offer courses in both Welsh and English; and
- b. send all correspondence to participants in both Welsh and English;
and
- c. provide the online or telephone booking system in both Welsh and English.

Maximum Number of Participants - The maximum number of course participants attending any one NDORS course should not exceed the prescribed number as decreed by the National Strategic Development Group. The Commissioner shall set the maximum number of participants that may attend any other (non NDORS) courses offered.

Participant Files - All documentation relating to a course participant must be collated and stored in a participant file. Documentation must include all correspondence, medical and skills assessment records if applicable, course instructor comments and participant feedback. All documentation must be kept for a period of three years and must comply with the Data Protection Act 1998.

Database System - Details of course participants referred to the Chief Constable and who complete NDORS courses must be entered on DORS in accordance with Clause 24 of the ACPO code of Connection Appendix 3.

Legislation - The Provider shall carry out its services in line with current recognised good practice including, but not limited to, acting in accordance with the requirements of the:

- a. Welsh Language Act 1993;
- b. Human Rights Act 1998;
- c. Data Protection Act 1998;
- d. Age Discrimination Act 2004;
- e. Equality Act 2010;
- f. Health and Safety at Work Act 1974.

Monitoring and Evaluation - The Chief Constable shall maintain proper records to enable the Commissioner to verify service provision and to monitor the service in accordance with **Appendix A** of this Agreement.

Internal Performance Monitoring Framework – The Chief Constable must establish a performance monitoring framework that ensures all Instructors are adequately monitored and also provided with feedback that allows them to continuously deliver successful courses that are fit for purpose and that meet the driver retraining needs identified.

As part of this framework, every Instructor must be independently assessed at least annually by the Chief Constable. This independent assessment must be carried out by a suitably qualified and experienced trainer who does not deliver courses in Dyfed-Powys for the Chief Constable.

A record of the review process, outcomes, conclusions and feedback from the Instructor must be documented and retained on file and be available to the Commissioner on request. Any Instructor failing to meet the required standard should immediately be withdrawn from delivering further courses until an appropriate re-training programme has been successfully completed.

Financial Records - The Chief Constable shall maintain a proper set of financial accounts of its activities in relation to the services provided under this Agreement.

Insurance – the Chief Constable must ensure that there are adequate insurances in place to cover any on-road element of training (where applicable).

Representations and complaints - The Chief Constable shall operate a procedure for dealing with representations and complaints about the service, and shall ensure that course participants are aware of and that it is readily

Appendix

accessible to them. The Chief Constable must collate all information, notes and documentation relating to a dispute for presentation to the Commissioner. The Commissioner will decide on the course of action to be taken.

Budget for Services – The Commissioner shall provide a budget for the Chief Constable as detailed in **Appendix B** to provide the services in this Agreement.

