

Security Classification:		<b>NOT PROTECTIVELY MARKED</b>	
Disclosable under FOIA 2000:		<b>Yes</b>	
Author:	<b>Ian Aspinall</b>	Force / Organisation:	<b>RSS</b>
Date Created:	<b>20.April 2009</b>	Telephone:	<b>01277 632578</b>



**Association of Chief Police Officers of England,  
Wales & Northern Ireland**

## NATIONAL DRIVER OFFENDER RE-TRAINING SCHEMES

### NATIONAL DRIVER IMPROVEMENT SCHEME GUIDANCE NOTES

**Status:** This Uniformed Operations Business Area Guidance has been developed to improve our effectiveness and quality of service for the National Driver Offender Re-Training Schemes and has been agreed at ACPO Cabinet. This Guidance is Not Protectively Marked and is fully disclosable Under the FOIA 2000 has been registered and audited in line with the ACPO requirements and is subject to Copyright.

**Implementation**

**Date:**

15 June 2009

**Review Date:**

1 April 2010

Copyright © 2009. All rights reserved. Association of Chief Police Officers of England, Wales and Northern Ireland. Registered number: 344583: 10 Victoria Street, London. SW1H 0NN.

## Version 5

# THE NATIONAL DRIVER IMPROVEMENT SCHEME

## INTRODUCTION AND INFORMATION

### 1. A CONSTRUCTIVE ALTERNATIVE TO PROSECUTION

- 1.1 The National Driver Improvement Scheme finds its origins within the North Report (the Road Traffic Law Review 1988) whose author, Dr Peter North, pointed out that "It must be in the public interest to rectify a fault rather than punish the transgressor" and said "Re-training of traffic offenders may lead to an improvement in their driving, particularly if their training is angled towards their failings." He went on to recommend a pilot of one day's re-training in basic driving skills for offenders.
- 1.2 Following a short-lived experiment by Nottinghamshire Constabulary in the 1980s (which was a development of its pioneering Vehicle Rectification Scheme), Devon County Council and Devon & Cornwall Constabulary, together with the Crown Prosecution Service in Devon, developed what was at that time known as the Driver Rectification Scheme, the emphasis being on the rectification of the driver's faults. The scheme was launched in mid 1991. Devon County Council undertook to provide driving courses for those offenders who had come to police attention for offences of driving without due care and attention where a collision had occurred. The courses address driver behaviour and provide remedial instruction tailored to individual needs.
- 1.3 The Driver Improvement Scheme has never been put on the statutory footing envisaged by Dr North but finds its legal authority in the discretion entrusted to the police who still decide whether to institute proceedings for offences. It has been argued that the scheme usurps the courts' authority but there is perhaps an analogy with other diversionary schemes; the aim is to correct driver behaviour in much the same way that the Vehicle Defect Rectification Scheme ensures that a defective tyre, for example, is replaced or a Drugs Rehabilitation Scheme seeks to ensure that a drugs using burglar is properly treated so that he does not offend again.
- 1.4 The course is an alternative to prosecution only for careless driving offences where a driver's mistake, rather than intent or dangerousness, has led to a collision. It is designed to correct poor driving behaviour arising from errors of judgement without the need to bring the case to court. Evidence of recklessness or deliberate action will result in a prosecution. The consequences of a collision could in theory be disregarded once the offender's error has been corrected but in the public interest the course should not be offered where serious injury or death has been caused.
- 1.5 As a disposal, the course is no soft option for the offender. Attendance on the one and a half day course attracts a fee payable by the offender (or 'client' as they will become) as well as the time and effort involved. The service provider can make arrangements to accept credit card payments or staged payments in advance of the course, if the cost is a problem.

- 1.6 Following the perceived success of Devon's Scheme, which was cited as "best practice" by Her Majesty's Inspector of Constabulary in 1994, other police forces adopted the scheme. The scheme also won the Prince Michael of Kent Road Safety Award in 1996. It again received favourable mention in HMIC's Thematic Inspection of Road Policing and Traffic 1999 and in that same year the Lynda Chalker Award Road Safety Award was given jointly to the Devon County Council and Devon & Cornwall Constabulary for developing the National Driver Improvement Scheme. The scheme received further favourable comment in the Government's document 'Tomorrow's Roads – Safer for everyone' as part of the Road Safety Strategy for Casualty Reduction to 2010.
- 1.7 It is common practice for offenders who have their collision in one force area to be offered the choice of undertaking the course nearer to their home if their police force operates a scheme as part of the National Driving Improvement Scheme.
- 1.8 There is a National Steering Group, chaired by a member of The Association of Chief Police Officers Roads Policing (ACPO)(RP). Also included are representatives from the Home Office, Department for Transport (DfT), The Association of National Driver Improvement Service Providers (ANDISP), Local Authority Road Safety Officers Association (LARSOA), Her Majesty's Inspectorate of Constabularies (HMIC) and The Parliamentary Advisory Council for Transport Safety (PACTS). The group's overall aim is to achieve standardisation of the schemes and to disseminate good practice. ANDISP have been recognised by ACPO (RP) as the authoritative body for ensuring consistency in service delivery nationwide and insurance of standards by monitoring and evaluation of schemes. ANDISP accommodates service providers from the public and private sector alike.
- 1.9 The research project commissioned by the DfT Road Safety Division broadly concluded that Driver Improvement Schemes are a better method of disposing of the type of offender it captures, as it forces offenders to question their assumptions regarding the causes of their collision, whereas a court appearance offers little to confront these behaviour motivations. From research undertaken to date it appears that this pre-court intervention is more effective than a fine or even disqualification until re-test (a sentence which is rarely given in any event).
- 1.10 The course not only offers practical tuition by Instructors who are qualified Approved Driving Instructors who have received additional training in delivering the National Driver Improvement Scheme, but a pointed (and often uncomfortable) examination of drivers' attitudes, particularly towards speeding. The Driver Improvement Course is a constructive and pragmatic intervention, which contributes towards the achievement of an aim we all share - greater road safety.

## **2. INTENTION**

- 2.1 It is the intention of the Driver Improvement Scheme to remove from the criminal justice system those drivers<sup>1</sup> who by a driving error have offended against Section 3 of the Road Traffic Act 1988 and offer them a course of rehabilitation at an approved Driver Improvement Centre. Where there is evidence that the person's driving amounts to more than an error of judgement, the case should be referred for prosecution.
- 2.2 It may also be considered that a person involved in a road collision could benefit from such a course. Consideration may be given to introducing that driver to the

---

<sup>1</sup> Motorcyclists should NOT be referred to this scheme and should be diverted to the National RIDE Scheme.

Driver Improvement Course as a voluntary referral without further recourse to the police administrative system, once the offer has been made.

- 2.3 This scheme is not primarily commercial, but it has to be recognised that there will be variations in the amount charged across each police force. On financial considerations, it should always be a more viable option than a court appearance, as this may attract an unnecessary refusal of the offer of a course.

### **3. METHOD**

- 3.1 Where an offender comes to notice because of an incident or collision, the officer reporting must submit the collision/prosecution file as soon as possible. The officer may make comment regarding the driver's suitability for inclusion in the scheme. It must be borne in mind that post traumatic stress may influence any reply made by an offender to a suggestion that he/she may be offered the option of a course operated by this scheme.

- 3.2 It is important that officers refrain from informing any party in collision or incident that no further action will be taken against them. That decision is the sole responsibility of the decision-maker.

### **4. DECISION MAKING PROCESS**

- 4.1 Decision-makers should consider the following before recommending an offender for a place on the Driver Improvement Scheme:

- Driving without Due Care and Attention - Section 3 Road Traffic Act 1988.
- The test to be applied for careless driving is when a driver departs from the standard of driving, which would be exercised by a reasonable, prudent, competent driver in all the circumstances of the particular case. If a person's driving falls far below that standard, charges under Section 2 Road Traffic Act 1988 should follow.
- The decision to offer an offender a place on a Driver Improvement Course should be based on a subjective test regarding the individual's driving which led to the offence. It is usually unjustified to place an offender before the court mainly because of the consequences and aftermath of a collision or incident. There are, however, exceptions to this rule, especially if the incident causes serious or fatal injury to a third party. It is difficult to be prescriptive regarding a definition of 'serious' but it must include any injuries, which at the time were perceived to be life threatening or hospitalisation for seventy-two hours. If the person's driving is bordering on dangerous (Section 2 Road Traffic Act 1988) a prosecution should follow.

- 4.2 The following criteria apply in deciding whether to offer a course: -

1. There must be a reasonable chance of a successful prosecution.
2. There must not be any other offences to be dealt with by prosecution, e.g. no insurance.
3. A course cannot be offered within 3 years of any previous offence that was dealt with by a Driver Improvement Course.
4. The driver is the holder of a full current driving licence or possesses a certificate of competence to drive (\* the service providers have agreed to accommodate a diverse range of vehicles and drivers

5. The driver is prepared to pay the course fee (this condition is a matter between the service provider and the individual. The police will not enter into negotiations regarding an individual's ability to pay nor will the subsequent default of a payment constitute a failure to complete the course).
- 4.3 A decision-maker should not discriminate as to age, ability, or the distance involved for the driver to attend the course. The course venue is a matter of choice for the individual driver.

## **5. INCIDENTS NOT SUITABLE FOR PROSECUTION BUT WHERE THE DRIVER MAY STILL BENEFIT FROM A COURSE**

- 5.1 Following the examination of a file it may transpire that any party involved in a collision/incident may benefit from this course without the consideration of prosecution upon default. A facility exists whereby the decision-maker may invite any such individual to refer themselves for such a course; these files will be dealt with by an official "no further action" letter. These referrals will not be subject of the 3 year rule and, therefore, no requirement will be made on the Police to check if an offender is on the DORS database. The details will not be entered on DORS and will be dealt with by manual administrative process. It will be a matter between the referring Police force and the chosen service provider.

## **6. NATIONAL DATABASE**

- 6.1 Pivotal to the development of the Driver Improvement Scheme (and to further research) is the ability to retrieve data in relation to drivers offered the course. Before making a formal offer of a Driver Improvement Course, a check must be made with the DORS Database to ascertain whether or not the driver is eligible for inclusion on a course within the "three year rule" described above. This data is retained for 7 years from the date of completion and thereafter de-personalised.

## **7. THIRD PARTY NOTIFICATION**

- 7.1 Where a third party has been involved in a collision, they should be made aware of the intention to offer the offender the course.
- 7.2 This is to embrace the spirit of the Victim's Code of Practice and enable the police decision-maker to consider the views of a victim.
- 7.3 A letter attached as Appendix 'A' explains the rationale for this course of action. If there is no response to the letter after seven working days the offer may proceed. In the case of representations being made the decision MUST be reconsidered and those considerations must be articulated in writing to the victim together with the result of the reconsideration.
- 7.4 It is difficult to prescribe when a decision will have to be changed as a result of a response from the victim. The victim must make it clear from the outset that it is his/her wish to object to the Driver Improvement Course offer and they wish the offender to be prosecuted.
- 7.5 A persuasive influence should be where there are exceptional circumstances not known to the decision maker at the time of deciding to offer the course, such as when the victim has or is likely to have suffered substantial long term personal loss or injury or serious financial loss. Mere retribution will not amount to a valid reason to change a decision nor will consideration to expediting an insurance claim. This process must not be seen as a bargaining tool for the victim.

Consideration must always be given to the fact that the offender has committed what amounts to an error of judgement and that rehabilitation will address these shortcomings more effectively than prosecution.

- 7.6 It is emphasised the final decision to place an offender on the Driver Improvement Course still rests with the police decision-maker. Problematic cases will be referred to a senior decision maker who will review the evidence, the attendant circumstances and the representations from the victim before making a final arbitration.

## **8. EMERGENCY SERVICE DRIVERS**

- 8.1 Whilst there is no reason in principle why offers should not be made to emergency service drivers following on-duty incidents, these cases pose a particular dilemma in so far as a higher standard of driving than can be offered by the Driver Improvement Scheme may be trained for and expected.
- 8.2 It may be that in-house remedial driver training is more appropriate under the circumstances than the Driver Improvement Scheme. This is a matter for individual Chief Constable's discretion. It will be appropriate to refer emergency service vehicle drivers to the scheme when the incident occurred in a "Non Emergency" mode. The guidelines must not be a vehicle for unwitting discrimination against emergency service drivers and other professional drivers who too have access to fleet driver training facilities.

## **9. FAST TRACK FILE PROCEDURE**

- 9.1 Experience has shown that the ability to make a decision on an individual's liability in an incident can be made at a very early stage in the decision making process. The facility should exist for a decision-maker to offer this course to an offender commensurate with the evidence available, without the need to interview the individual in relation to his or her part in the incident. In the event that a person contests the offer of a course, disputing his or her liability, a full file can be prepared following the original offer and prior to the matter being referred to the Crown Prosecution Service.
- 9.2 It is important that files are dealt with as quickly as possible because a period of five months from the date of incident is allowed for an offender to complete the course. It is good practice for the police to refer a driver to a service provider within a period of six weeks from the date of the incident to avoid running up against the six months limitation of proceedings.

## **10. COURSE ADMINISTRATION**

- 10.1 Examples of correspondence connected with this scheme can be seen at Appendix 'B' and is recommended as a standard template.
- 10.2 Following the victim consultation process, the offender will be contacted by post with the standard letter accompanied by the information leaflets regarding the course offer, choice of venue, aims and objectives of the course and payment of course fees.
- 10.3 The offender has fourteen days to acknowledge receipt of the offer and the intention to accept the course. Should the offender fail to acknowledge receipt or accept the course within fourteen days then prosecution will follow, save for very

exceptional circumstances. Ordinarily, no further negotiation will take place outside this period.

## **11 Medical Conditions (including eyesight)**

- 11.1 From time to time the offer of an invitation to attend a course may be declined by an individual on the basis of a "medical condition".
- 11.2 The Police are always at liberty to enquire from the offender the ability to prove the alleged condition by supportive medical evidence from a GP or other registered medical practitioner or a disclaimer from the offender for the Police to make reasonable enquiries into that condition which may affect his/her condition to attend a course. A sample form of words is contained in Appendix C. Should a medical condition be revealed during the course the service provider will complete POLNOT D792 and refer the matter to the originating Police Force.
- 11.3 Should that medical condition defined with the definition of prescribed medical conditions under Section 97 of the Road Traffic Act, then notification of that condition should be made by using POLNOT D7 or D792 .
- 11.4 For any confirmed medical condition, consideration should be given to making reasonable adjustments to accommodate the individual concerned. Such adjustments could include "One to One" tuition and should generally be given with either no additional or minimal increased costs to the individual. To this end ANDISP have made adjustments to the National DIS / SPEED AWARENESS COURSE Models. Negotiation should take place between the Police and the Service provider to this effect.
- 11.5 Following all attempts to make reasonable adjustments that still do not attract the offender to the course, then resort must be made to the original conditional offer and a full audit trail of correspondence and decision making should be made for future reference.

## **12. THE DRIVER IMPROVEMENT COURSE/SERVICE PROVISION**

- 12.1 As ACPO (RP) have acknowledged the Association of National Driver Improvement Service Providers, it is a requirement that any service provider is a member of that Association. The constitution of ANDISP and its aims and objectives ensure consistency in service delivery, monitoring and evaluation and data transfer. This allows inter-police force referrals in order that an offender in one police area may elect a course in another. It is recommended that any police force participating in the scheme formalises the relationship between the police force and the service provider by a Contract, Memorandum of Understanding, or other formative document.
- 12.2 When a driver accepts a course, a letter is then sent from the police to the service provider or the local driver-training centre operating such a scheme, if the offender resides outside the force area. The service provider will correspond with the offender and allocate a suitable course date.
- 12.3 Any negotiations between the offender and the service provider regarding course dates, fees and so forth will not be the responsibility of the police. Any such matters will be addressed to the respective service provider.
- 12.4 On successful completion of the course, the service provider will inform the Scheme Administrator at the relevant Criminal Justice Unit of the result. A final letter will be sent to the offender and the file will be endorsed accordingly prior to filing.

### **13. COURSES NOT COMPLETED WITHIN SIX MONTHS**

- 13.1 Occasionally there will be exceptional circumstances where a course cannot be completed within six months of the offence occurring. One option of ensuring compliance with the offer against prosecution is for summonses to be drawn prior to the expiration of the six-month's limitation on proceedings and an adjournment sought. Each case within this category must be discussed with the Crown Prosecution Service, who will give guidance and advice as the issue of "abuse of process" may arise.

### **14. NON-IMPROVED DRIVER**

- 14.1 There are occasions when a driver has been offered, has accepted and undertaken a National Driver Improvement Course at an authorised Course Delivery Centre and upon completion, in the opinion of the service provider, has shown no real improvement in his/her driving ability.
- 14.2 If such a driver is considered to be presenting a continuing risk to members of the public and himself/herself, should he/she be allowed to drive? The service provider will undertake to give constructive feedback to any such offender, offering various options including the option of further driver training (at the expense of the driver) or suggesting voluntary surrender of his/her driving licence. Should a service provider terminate the course, other than for mischievous behaviour, then that termination will NOT constitute a failure to complete the course – the matter will be referred back to the police with a full explanation as to why such termination occurred.
- 14.3 It will be the responsibility of the Criminal Justice Unit to contact the driver and clearly reinforce the overall concerns regarding this continuing risk and the likelihood of further incidents. This must be noted on the file.
- 14.4 Should the driver fail to voluntarily surrender his/her driving licence it will be inappropriate, owing to double jeopardy, to refer the matter for prosecution but the police will have to assess the risk and decide on appropriate action in each case.

### **15. MISCHIEVOUS OR NON-COMPLIANT DRIVER**

- 15.1 Should a driver who has been referred to a service provider demonstrate wilful non-compliance or wilful misbehaviour whilst on the course, the service provider reserves the right to expel him/her from the course and refer the issue back to the police for prosecution. No refund of course fees should be given and the service provider will report in writing to the police, the reasons for the expulsion. Prosecution for the original offence will normally follow.

### **16. GRIEVANCE PROCEDURES**

- 16.1 Should there be any grievance between the driver and the Service provider, it is incumbent on the service provider to operate a grievance procedure and provide to the police a summary of the investigation. It will be a matter for the police to decide any course of action to be taken and the decision shall be final and binding on all parties.

## **17. CROWN PROSECUTION SERVICE**

- 17.1 It is advisable that in each police force area a member of the Crown Prosecution service who is familiar with the principle of Driver Improvement is nominated for liaison purposes.

---

**The contents of this document have been audited and comply with the provisions of the Human Rights Act 1998**

© Association of Chief Police Officers (2009)

**SECTION 5 - APPENDICES**

**Appendix A**  
**ACPO Workbook**

**SECTION C - ACPO EQUALITY IMPACT ASSESSMENT TEMPLATE (DIVERSITY AUDIT) AS AGREED WITH THE CRE**

**C1 Identify all aims of the guidance/advice**

<b>C.1.1 Identify the aims and projected outcomes of the guidance/advice:</b>
To provide clear guidance of an alternative disposal option in relation to Minor Speeding Offences
<b>C.1.2 Which individuals and organisations are likely to have an interest in or likely to be affected by the proposal?</b>
All Police Forces in England & Wales, N Ireland and Scotland. The Association of National Driver Improvement Scheme providers, Department For Transport. Driving Standards Agency. Media Agencies. Road Safety Groups.

**C2 Consider the evidence**

<b>C.2.1 What relevant quantitative data has been considered?</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.2.2 What relevant qualitative information has been considered?</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
C.2.3 What gaps in data/information were identified?	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.2.4 What consideration has been given to commissioning research?</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A

**C3 Assess likely impact**

<b>C.3.1 From the analysis of data and information has any potential for differential/adverse impact been identified?</b>	
Age	N/A

Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.3.2 If yes explain any intentional impact:</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.3.3 If yes explain what impact was discovered which you feel is justifiable in order to achieve the overall proposal aims. Please provide examples:</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.3.4 Are there any other factors that might help to explain differential / adverse impact?</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A

#### C4 Consider alternatives

<b>C.4.1 Summarise what changes have been made to the proposal to remove or reduce the potential for differential/adverse impact:</b>
Scheme is prescribed to be non-discriminatory
<b>C.4.2 Summarise changes to the proposal to remove or reduce the potential for differential/adverse impact that were considered but not implemented and explain why this was the case:</b>
N/A
<b>C.4.3 If potential for differential/adverse impact remains explain why implementation is justifiable in order to meet the wider proposal aims:</b>
N/A

#### C5 Consult formally

<b>C.5.1 Has the proposal been subject to consultation? If no, please state why not. If yes, state which individuals and organisations were consulted and what form the consultation took:</b>	
Age	N/A
Disability	N/A
Gender	N/A

Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.5.2 What was the outcome of the consultation?</b>	
Age	N/A
Disability	N/A
Gender	N/A
Race	N/A
Religion / Belief	N/A
Sexual Orientation	N/A
<b>C.5.3 Has the proposal been reviewed and/or amended in light of the outcomes of consultation?</b>	
None	
<b>C.5.4 Have the results of the consultation been fed back to the consultees?</b>	
None	

## **C6 Decide whether to adopt the proposal**

<b>C.6.1 Provide a statement outlining the findings of the impact assessment process. If the proposal has been identified as having a possibility to adversely impact upon diverse communities, the statement should include justification for the implementation:</b>
N/A

## **C7 Make Monitoring Arrangements**

<b>C.7.1 What consideration has been given to piloting the proposal?</b>
Pilot currently underway in 3 forces until 31 March 2008
<b>C.7.2 What monitoring will be implemented at a national level by the proposal owning agency and/or other national agency?</b>
Reviewed after 4 months.
<b>C.7.3 Is this proposal intended to be implemented by local agencies that have a statutory duty to impact assess policies? If so, what monitoring requirements are you placing on that agency?</b>
N/A

## **C8 Publish Assessment Results**

<b>C.8.1 What form will the publication of the impact assessment take?</b>
<i>It is recommended that for publication on the ACPO website, the impact assessment be attached to the completed document as the first appendix. On the ACPO Intranet, the whole workbook will be attached to assist in the preparation of local audits.</i>

**APPENDIX 'B'**

**VICTIM NOTIFICATION LETTER**

## **SAMPLE VICTIM NOTIFICATION LETTER**

Dear

**INCIDENT AT  
DATE**

I refer to the recent road traffic incident in which you were involved and I write to let you know the course of action I intend to take. From a consideration of the facts, I have concluded that Mr/Mrs XXXXXXXXXXXXXXXXXXXXXXXXXXXX was sufficiently blameworthy to justify further police action and in view of this, I intend to make an offer of attendance at a Driver Improvement Course.

If the driver in question chooses this option he/she must agree to:

- Compulsory attendance at an intensive training course over one and a half days.
- Payment of a the course fees
- Satisfactory completion of a practical driver assessment.

If the driver refuses the option of a Driver Improvement Course then he/she will usually be prosecuted. At the conclusion of the course, a warning letter will be issued to the driver advising that should he/she be involved in a similar incident within three years of the course, a prosecution will follow.

Experience nationally in recent years has shown these courses to be a positive and productive option, with proven benefits to road safety. While there is sufficient evidence in this case to justify a prosecution, there is no provision in law for a Magistrate to order such retraining and the imposition of a fine and penalty points will not do anything to correct poor driving habits.

I intend to commence this course of action, but wanted to let you know first. If you feel there are any exceptional circumstances or facts, which might not have emerged in the police investigation, which might cause me to reconsider my decision, please let me know immediately. If I have not heard from you within seven days of receipt of this letter, I shall progress with the offer.

Finally, I do hope you have got over the worst effects of the incident.

Yours sincerely

**APPENDIX 'C'**

**SAMPLE CORRESPONDENCE IN RELATION  
TO OFFER AND DISPOSAL**

## **SAMPLE OFFER LETTER –National Driver Improvement Course**

Dear Sir/Madam

### **PLEASE READ CAREFULLY**

**YOU MUST ACT ON OR REPLY TO THIS LETTER WITHIN XXX DAYS or by XXXXX  
(Insert critical date)**

### **Incident at (XXXXXX Time Date Location)**

You have admitted to being the driver of XXX (*insert vehicle details*) that was involved in the above incident.

XXXXXXX Constabulary is committed to road safety and participates in the National Driver Improvement Course, aiming to improve the education of drivers who have committed a minor infringement of the Road Traffic law.

On the evidence available to me, I believe that you may have committed an offence contrary to Section 3 of the Road Traffic Act 1988 by:

- Driving without due care and attention

Or:

- Without reasonable consideration for other road users.

If proceedings were to be brought, it would be a matter for the Magistrates' Court to decide whether or not you have broken the law.

I consider it appropriate to offer you an opportunity to attend a Driver Improvement Course. I am certain you will benefit considerably from your attendance on this course and ultimately be a safer driver. This is an alternative to proceedings against you in the Magistrates' Court for driving without due care and attention or reasonable consideration for other road users. Court proceedings can result in fines, penalty points and possible disqualification from driving, A Magistrates Court cannot offer this opportunity without an order from them to disqualify a driver until he/she has successfully passed a learner-driving test

If you accept this offer, you will be expected to pay to attend a course; fees vary but are generally between £135-£200 depending on the location. This charge will cover the Police costs and the cost of the course.

Attendance will last for 1 ½ days and will take place in a classroom with some practical elements of on - road driving under the tuition of a Driving Standards Agency qualified instructor. There is no pass or fail, however, if you comply and complete the course successfully, at the end of the course you will not incur any penalty points or be fined in relation to this incident.

Please do not be offended by this offer; if you consider you are not liable, i.e. not guilty of the offence, you should carefully consider whether to accept this offer.

This offer is not available if you have previously attended a Driver Improvement Course within the last three years from the date of another similar offence that led you to attend a course or if further road traffic offences are being considered against you.

Courses are available in this force area at XXXXX. (*Insert details or leaflet*) You also have the choice of attending a course outside of this force area and the leaflet enclosed gives you details of those venues and how to contact a course provider.

If you elect to take the course and you have access to the internet, you may register your choice on line at [www.dors.police.uk](http://www.dors.police.uk) by entering your driving licence number..

If you do not have access to the Internet and wish to take up this offer in this force area, please telephone (*Insert Contact name and telephone number*) who will assist you in making the arrangements to attend a course. If you wish to go elsewhere, please refer to the enclosed list of National course providers and contact them directly on the number published in the leaflet.

DO NOT send any money to the Police. Your course fees will be arranged when you book a course and further information will be sent to you by the course provider.

**I must stress you will have to complete the course by (XXXXX Date.) Therefore, it is vital you act immediately to book a course Failure to complete a course as directed will render the offer as invalid and the matter will be dealt with as explained below**

If you accept this offer, a condition of attendance and completion will be that you produce a photocard driving licence and the counterpart.(if a UK Licence holder) If a Photocard driving licence cannot be produced you will be required to produce your paper licence together with other photographic identification.)

Failure to produce a driving licence or photographic identification may disqualify you from participating on the course and the matter may be referred to the Crown Prosecution Service for the commencement of criminal proceedings.

If you complete the course you will not be allowed to take another National Driver Improvement Course within 3 years of the date of this offence.

### **Data Protection Act 1988**

In deciding to offer you this course we have checked your details against a national database to establish if you have completed a similar course within the last 3 years of this offence.

If you decide to accept the course, the course provider you choose will be given your driving licence number by us and they will ask you to give additional information so they can process the course booking.

If you complete the course, your details relating to this course will remain on file for road safety research purposes for a further 7 years from the date of the offence, after which any personal reference to you will be erased. Your details will not be released to any other parties except a Police Force if they are considering making an offer of a course in the future. YOUR PERSONAL DETAILS WILL NOT AT ANY TIME BE MADE AVAILABLE TO THE PUBLIC.

If you fail to complete the course or if the offer is withdrawn your personal details relating to this matter will be erased from the national database.

### **ATTENDANCE AT COURT**

You have the right to have your case heard at Court if you choose not to accept this offer. If you wish to take up this option you will be summoned to Court at a later date. You will not be offered a Driver Improvement Course if found guilty by the Courts and you may have Court costs added to your fine.

If you do not respond to this offer or fail to complete a course the option for your attendance at court may be invoked automatically.

I am of the opinion that your attendance at a Driver Improvement Course will be beneficial to you, which is why this option has been offered. I must emphasise that not all drivers who come to the attention of the police are offered this opportunity.

Yours faithfully

#### **SAMPLE WARNING LETTER (OPTIONAL)**

Dear Sir/Madam

I have received notification that you have successfully completed a Driver Improvement Course. Thank you for taking part and I hope that you have benefited from the experience.

As you have now fully complied with the conditions of the Driver Improvement Scheme, I must advise you that if you are involved in a similar incident or accident within the next three years, serious consideration will be given to placing you before a court. I am now closing the file in relation to this matter and I encourage you to develop your driving skills and have a safe motoring future.

Yours faithfully

**SAMPLE FINAL LETTER TO THIRD PARTY**

Dear Sir/Madam

**INCIDENT AT / ON**

As a result of the involvement of Mr / Ms XXXXXXXXXXXXXXXXXXXX in the above incident, he/she attended a Driver Improvement Course as an alternative to prosecution of one and a half days duration his/her own expense on XXXXXXXXXXXX.

I have been notified that Mr / Ms XXXXXXXXXXXXX successfully completed the course.

As a result of his/her attendance on the course, I am now closing the file. Should he/she be involved in a similar incident within the next three years, the police would ordinarily refer the matter for automatic prosecution.

You may wish to bring the contents of this letter to the attention of your insurers.

Yours faithfully

## **Appendix 'D'**

**Medical forms for use when notifying DVLA**

**SAMPLE WORDING TO ACCOMPANY OFFER LETTER**

**NATIONAL DRIVER OFFENDER RE-TRAINING SCHEME  
MEDICAL FITNESS TO DRIVE**

You are reminded that it is a legal obligation for you to notify, at any time, the Driver and Vehicle Licensing Agency (DVLA) of any medical condition which may affect your fitness to drive. Failure to inform DVLA is a criminal offence.

If you have a medical condition which may affect your fitness to drive and have not already informed DVLA, you should speak to your doctor who will be able to advise you whether you need to inform DVLA. You must also inform DVLA if they have already been told about a medical condition affecting your fitness to drive but it has become worse since your last licence was issued

You are also reminded that you must be able to read a standard size number plate (with glasses or corrective lenses if necessary) from 20.5 meters (67 feet) or 20 meters (65 feet) where narrower characters (50mm wide) are displayed.

Further information on medical conditions and driving is available from [www.direct.gov.uk/driverhealth](http://www.direct.gov.uk/driverhealth) .

If you require further advice you can ring the Drivers Medical enquiry line on 0870 6000 301



Driver and Vehicle  
Licensing Agency

**NATIONAL DRIVER OFFENDER RETRAINING SCHEME**  
**Notification of a possible medical condition in**  
**relation to road safety and driving**

D792

---

**A) Personal Details**

- 1) Drivers Full Name \_\_\_\_\_
- 2) Address \_\_\_\_\_
- 3) Date of Birth \_\_\_\_\_
- 4) Driver Number (if known) \_\_\_\_\_
- 5) Licence type: Full  Full (with restriction)  Provisional  LGV/PCV

**B) Reason for Referral to the NDORS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C) Does the driver declare a history of any of the following?**

- Blackout  Fit/Convulsion  Diabetes  Confusion   
Heart  Mobility Problems  Mental Health  Stroke

Problems with Vision  Please specify \_\_\_\_\_

Could the driver read a car number plate (with glasses or corrective lenses if necessary) from 20.5 metres (67 feet) or 20 metres (65 feet) where narrower characters (50mm wide) are displayed? YES  NO

Does the driver appear to be affected by any other medical condition? If YES, please comment below

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**D) The Assessment**

Date of Assessment: \_\_\_\_\_

Areas of concern: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Physical Assessment: \_\_\_\_\_

\_\_\_\_\_

Behavioural Assessment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Understanding: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Overall Impression: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**E) Additional Details**

- 1) Has the option to voluntarily surrender the driving licence been discussed?  
YES  NO

If "YES" and the driver is willing to undertake this immediately please enclose the completed and signed Declaration of Surrender (Page 3) with the driving licence and this form.

2) Referring Police Force/Constabulary \_\_\_\_\_

Contact Name & Address \_\_\_\_\_

\_\_\_\_\_

Telephone Number \_\_\_\_\_

\_\_\_\_\_

---

NB. These notifications are treated as priority by the DVLA as the individual has legal entitlement to continue driving pending medical enquiries. Please send completed forms immediately back to the referring Police Force.

Enclosure Checklist: Driving Licence

Declaration of Surrender



**Driver and Vehicle  
Licensing Agency**

Declaration of Surrender

---

**Please tick ✓ relevant box(es)**

I confirm the voluntary surrender of my entitlement to drive.

Ordinary (Group1) Vehicles

Vocational (Group2) Vehicles

You may re-apply for the reinstatement of your driving licence. However, before you do so may it is suggested you consult your GP who should be able to advise how the standards of fitness to drive apply in your case.

Full Name (in capitals): \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Driver Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Date:

---