

LEGAL
UPDATE

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D-CPC consultation launched

REGULATION

The Department for Transport has launched a consultation about proposed reforms to the Driver Certificate of Professional Competence qualification.

It follows the review into D-CPC which took place between November 2021 and January 2022 in response to acute driver shortages in the road haulage and passenger transport industries.

DfT is seeking views on options for how the D-CPC qualification is maintained and, in the case of returning drivers, regained, taking advantage of the greater autonomy to regulate following EU-exit.

Potential measures being considered include:

- reducing minimum course lengths to enhance flexibility of delivering periodic training
- the option of new periodic test as an alternative to



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periodic training, which will be delivered by the Driver and Vehicle Standards Agency (DVSA)

- an accelerated route for former drivers to return to the sector more easily.

If implemented, reforms will establish a National D-CPC for use in Great Britain and possibly Northern Ireland should its ministers agree (as D-CPC is a devolved matter).

The existing regime, International D-CPC, will remain for travel to, from or within the EU, including the Republic of Ireland, and will continue to be recognised for journeys within the UK.

You can read and respond to the consultation via www.is.gd/nidove as well as read through the D-CPC review report (www.is.gd/etuyih). The closing date for the consultation is 27 April.

Fact File

WHEN THEY'RE NOT DRIVING

DVSA says that it regularly receives questions from drivers and operators regarding the current recordkeeping requirements for drivers' hours. In particular, it reports often being asked what drivers must record when they have not been using their vehicle for some time.

This might be for a short period such as a holiday or where they have not driven an in-scope vehicle for a few months. This could be because a driver is returning to the industry or where someone has been working in another part of a transport company.

In September 2022, the Department for Transport (DfT) issued additional guidance on how bus, coach and HGV drivers should record the hours they spend on 'other work', available via www.is.gd/jilaha. This sets out what needs to be recorded. Further detailed guidance is available for HGV drivers via www.is.gd/uyalop or www.is.gd/beboru.

REGULATORY

Managing defect reporting

How do you know that your drivers are completing their walk-around checks? Are you confident that your drivers are completing their checks properly?

An 'S' marked PG9I is a prohibition for a defect that renders the vehicle immediately dangerous, and which indicates a significant failure in the operator's maintenance systems.

Such a prohibition could potentially be avoided if a driver had completed their

walk-around checks properly. BACK Academy's online course, 'BACK under the Bonnet - Effective Management of Vehicle Maintenance' (www.is.gd/izoder) is taking place on 11 May.

EMPLOYMENT

National minimum wage

The Department for Work and Pensions has published its annual rate increase for 2023/2024, which takes effect this month. The annual increases to the minimum wage and national living wage are listed, organised by

employee age, as follows:

- 23 and over - £10.42 (previously £9.50)
- 21-22 - £10.18 (previously £9.18)
- 18-20 - £7.49 (previously £6.83)
- 16-17 and apprentices - £5.28 (previously £4.81)

Statutory sick pay (SSP) will increase to £109.40 per week (previously £99.25). Statutory maternity, paternity, adoption, shared parental and parental bereavement pay will increase to £172.48 per week (previously £156.66)

ENFORCEMENT

Seatbelt buckle guard warning



DVSA says: "We have been made aware of PSV operators using seatbelt buckle guards. They are often used on school or local authority transport. Fitting buckle guards to a seatbelt breaches the Road Vehicle (Construction and Use) Regulations 1986, regulation 48(4)." Since their use could bring a roadside prohibition, DVSA advises avoiding them.