

## Response of the RHA to the DVSA Consultation

### “Changes to HGV and bus driving tests and allowing car drivers to tow a trailer without an extra test”

31 August 2021

#### Summary of the consultation

The Driver & Vehicle Standards Agency is proposing to three changes to driver licence testing. The aim is to speed up the training and testing for drivers of large goods and public service vehicles.

The three changes are:

#### **1. Remove the current staging requirements for licence acquisition.**

The staging requirements proposal will allow a driver to apply for a provisional licence for category C and C+E at the same time. The driver can then decide which test to take, C or C+E. If the driver passes the test in an articulated lorry, they would be granted a licence for C, C+E, C1 and C1+E. This new process eliminates the need for multiple tests and the issuing of multiple licences on the way to a C+E entitlement. It does not reduce or change the skills needed to obtain a licence.

#### **2. Allow alternative arrangements for the testing of reversing manoeuvres**

The proposal is to allow the testing of manoeuvres to be assessed by nominated and authorised trainers rather than DVSA examiners. This part of the test involves an off-road reversing exercise and, for drivers being tested with articulated vehicles, a test to show that the driver can safely un-couple and re-couple the trailer to the towing vehicle.

#### **3. Abolish the car driver trailer towing test**

The proposal being considered is to remove the requirement for car drivers to take a B+E test (car and trailer) if they want to tow a trailer.

The full details of these proposals can be found on the .gov website<sup>1</sup> [here](#).

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<sup>1</sup> <https://www.gov.uk/government/consultations/changes-to-hgv-and-bus-driving-tests-and-allowing-car-drivers-to-tow-a-trailer-without-an-extra-test/changes-to-hgv-and-bus-driving-tests-and-allowing-car-drivers-to-tow-a-trailer-without-an-extra-test>

## General Comments

1. The RHA supports the first two proposals dealing with changes to staging of HGV driving licences and the testing of manoeuvres. However, the third measure to abolish the car driver towing test is opposed however we have an alternative suggestion in that area that we believe will create a similar outcome while fully supporting road safety training objectives.
2. There is a chronic shortage of lorry drivers in the UK. By the Government's own figures there is a shortage of 76,000 drivers. Every day, our members report lorries laid up because there are no drivers available. Today this is seen by us as a crisis. We welcome that the Government recognises this and is starting to act.
3. We believe the proposed changes to licence staging is a positive step. It simplifies the system, takes out delays and unnecessary bureaucracy, and ensures that driving and safety standards are maintained. It allows prospective drivers to focus on the training they need that suits the career path they are taking.
4. The manoeuvring test changes will also allow greater examiner productivity and, with proper accountability systems, will continue to support the effective training of drivers so they can operate vehicles safely.
5. We do not support the proposal to abolish the car trailer test. We believe that anyone towing a trailer must be trained to do so and be able to demonstrate they have the skills to handle trailers safely. To that end our suggestion is that the authorised trainers should be authorised to conduct the test on behalf of DVSA. (Similar to the principles that govern car and van MOT's).
6. The measures proposed will have an impact, but there needs to be more. The crisis is real, now publicly visible and needs both short-term and long-term action.
7. In addition to implementing proposals 1 and 2 we ask for the following immediate reforms of the UK Driver Certificate of Professional Competence system. These urgent measures are needed to increase driver availability now.
  - an extension of validity of Driver CPCs expiring for the rest of 2021 to April 2022,
  - allow drivers who have expired Driver CPC's in the last 3 years to obtain Driver CPC validity for 12 or 24 months if they undertake 1 or 2 Driver CPC training modules,
  - allow drivers with valid Driver CPC to extend their CPC validity for 12 or 24 months if they undertake 1 or 2 Driver CPC training modules, and
  - Instigate a review of the Driver CPC to improve the quality, effectiveness, and operation of the system.
8. The current delay to authorising of the Class C lorry driving apprenticeship is simply unacceptable. The apprenticeship is needed. It is especially galling as the sector has paid well over half a billion pounds in apprenticeship levy contributions and has

only been able to draw down 20% of that so far, in part due to Government Department obstruction over the last few years. This needs immediate action to authorise the apprenticeship.

9. The RHA has also highlighted a range of other measures where the Government has a key role to play. Some are short-term such as temporary worker visas for lorry drivers, reform of the shortage occupation educational level rules and use of the Youth Mobility Scheme. Others are longer-term around training and apprenticeships, and the provision of safe secure parking for drivers.
10. But the driver shortage is not just for the Government to resolve. Industry needs to play its part too. Promotion of the occupation, improving productivity and treatment of drivers at collection and delivery points, more flexible working are all issues that need attention for the sector.
11. The RHA for its part will be stepping up and redoubling our efforts to address these issues.

## Responses to the Questions

**Questions 1. and 2. Are questions about who is responding to the consultation.**

**Question 3. Have you encountered any problems in driver recruitment in the past 24 months?.**

12. Yes.
13. As a trade body, we have been inundated with feedback from members highlighting increasing problems with recruitment of drivers over the last 18 months.
14. The suspension of testing in 2020 caused severe problems for many, compounded by the loss of EU nationals, changes to the IR35 rules, lack of apprenticeships at the right levels, slow and cumbersome bureaucracy around the testing system, Driver CPC rules and a host of other factors have all contributed to the driver shortage.
15. In 2021 we have seen the problems escalate to the point now where we believe the problems exist throughout all sectors and in all parts of the UK.

**Question 4. Are there any other areas related to driving test rules and licensing arrangements which may act as a barrier and discourage people from considering professional lorry driving as a career choice?**

16. Yes.
17. The bureaucracy is especially frustrating for those going through the system where candidates are in effect waiting around while paperwork and licenses are processed before being able to proceed to a next step. This adds time and cost that reduces the attractiveness of the occupation.

## **Questions on amendment 1 – removing the current staging requirements for licence acquisition.**

**Question 5. To what extent do you agree or disagree with the proposal to remove the staging requirements for vocational driving licences?**

18. Strongly agree.

**Question 6. To what extent do you agree or disagree that a driver who successfully passes a category C+E or D+E test should also be granted entitlement to drive a vehicle in categories C, C1+E and C or D1, D1+E and D respectively?**

19. Strongly agree.

**Question 7. Asks about what benefits, costs, risks or dis-benefits do you think would result from this flexibility?**

**Do you think any benefits would result in this flexibility?**

20. Yes.

**Question 7(a). Please explain your answer below.**

21. The benefit of the system is a simpler quicker system of qualification to C + E. This is achieved while keeping the training and qualification standards to the same level. Lags that currently exist for bureaucratic reasons will be eliminated by the proposed change.
22. Drivers who wish to train to C only are free to continue to do so. Those that achieve C + E keep the flexibility to operate at C if they wish to do so. C + E qualified drivers will be sufficiently qualified to drive at C under this system.
23. It is worth making this critical point, there is no reduction in the training and qualification standards that will be applied under this proposed system. Standards are maintained.

**Question 7(b) Do you think any dis-benefits would result in this flexibility?**

24. No.

25. The skills training and qualification levels are maintained by this system, so we see no disbenefits from it.

**Question 7(c). Do you think any costs would result in this flexibility?**

26. No.

27. There is nothing that would add costs. C & D licences without the +E will still be available for those who want to do just C & D, so no additional costs result from the new flexibility. There will be savings doing the +E elements.

**Question 7 (d). Do you think any risks would result in this flexibility?**

28. No.

29. The standards and skills required to pass a licence test will be maintained by the proposed system – there is no dilution of the skill levels so we see no additional risks being introduced by the change.

**Question 8. To what extent do you agree or disagree that drivers should still be able to take a category C test even if they have been granted entitlement to drive by passing a C+E test?**

30. Agree.

31. The proposal for the direct to C+E includes all the skills needed for a C entitlement. It is unnecessary, complicating, and bureaucratic to create inflexibilities into the driving licence system to require a C test, especially a requirement that has no safety benefit. However, if a driver wants to do it, there should be no impediment in doing so.

**Question 9. How much additional demand would you expect there to be if the staging requirement is removed?**

32. This proposal is about speeding the process and making it more user centric. It is about creating extra capacity into the system for more tests overall to be available.

33. We expect test overall demand to increase when more testing becomes available as the current system itself puts candidates off – we have had feedback from members on many occasions that the staging and delays in the current system is putting candidates off and obstructing entry into the occupation.

34. We expect the simplification will result in increased demand for C + E tests and training because the system for that will be much more user friendly.

**Question 10. As a prospective employer, do you agree or disagree that drivers should continue to demonstrate competence by taking a category C or D test before a C+E or D+E tests?**

35. Strongly Disagree.

36. The C+E and the D+E tests will include all that is required to achieve category C or D standard. The point is to simplify and speed the licence acquisition while maintaining driving standards, the multi-tier staging test simply slows this down and makes it more expensive.

**Question 11. Do you consider there to be any concerns for road safety should the government implement this measure?**

37. No.

38. The training programme to gain the C+E licence would still incorporate driving and becoming competent in a Category C vehicle. This doesn't mean that the candidate needs to be tested at Category C as they will be tested in the larger, more complex (both in terms of configuration and handling) articulated C+E vehicle which would by design demonstrate competence in the less complexed Category C vehicle.

**Question 12. Do you think this would impact trainers, in terms of their existing fleet of training vehicles and costs?**

39. Yes.
40. Training fleets will still need Category C vehicles as part of the route to C+E training and test as well as for those who will only train to Category C. There will be a greater demand for C+E vehicles, but these are readily available, and we see no issue with increasing the fleet to meet demand.

**Question 13. To what extent do you agree or disagree that the rules for qualified drivers accompanying provisional licence holders need to allow a C+E or D+E qualified driver to supervise a C or D provisional licence holder, without having taken a C or D test?**

41. A qualified Category C+E Driver (with appropriate training experience) will be competent in both driving and supervising a driver with a provisional licence in a Category C vehicle having acquired competence in driving a larger more complex vehicle. The Category C vehicle is smaller, lighter and more straightforward to prepare and manoeuvre - Category C+E reversing is an acquired skill that can be counter intuitive to a rigid vehicle driver.

**Question 14. To what extent do you agree or disagree that the restriction which prevents a category C licence holder who is under 21 from holding provisional C+E entitlement until they have held their C licence for 6 months should continue?**

42. Strongly Disagree.
43. A provisional licence allows supervised training to take place, we see no logical reason to prevent supervised training of C+E based on age. All Category C licence holders should have by right, a provisional licence for C+E to allow training to take place.

**Questions on amendment 2 – considering alternative arrangements for the conduct of the reversing manoeuvres.**

**Question 15. To what extent do you agree or disagree with the proposal to enable the reversing manoeuvres and the coupling exercise to be conducted by an authorised third party?**

44. Strongly Agree.

**Question 16. Do you consider there to be any barriers for training organisations to provide an assessment? (Please supply supporting evidence where possible).**

45. No.

46. The Training provider is ideally positioned to prepare and assess the candidate for the reversing exercise and the coupling / uncoupling exercise. This could be conducted in much the same way the Motorcyclists are assessed for their CBT by training providers (compulsory basic training) to determine a skillset before the next stage of training. Some sort of quality assurance should be considered i.e. random assessor inspections by independent or DVSA inspectors.

**Question 17. Who do you think is best qualified to be authorised to assess the manoeuvres?**

47. Existing or new HGV trainers who have gained their assessor qualification – this could be via the DVSA assessment day.

48. Any End Point Assessor (EPA) organisations will already be assessing candidates as part of the apprenticeship programme to determine whether the apprentice has passed their apprenticeship. These organisations should automatically be authorised.

49. Also, for consideration would be those training organisations who have gained ISO9001 accreditation.

50. Since the dissolution of the DVSA Instructor register two privately run registers have been established. These and other organisation may have a role to play in terms of validating a quality standard of instructor competence, that will need to be determined. In principle any experienced driver trainer who can demonstrate capability in instruction and assessment techniques should be able to carry out the manoeuvre's element of the test.<sup>2</sup>

**Question 18. What sort of scheme do you think would best support this**

**arrangement?** - A scheme that is as light touch as possible for authorisation and ongoing assurance, with minimal involvement from DVSA, or A fully regulated scheme with provision for formal quality assurance checks, removal of authorisation and an appeal mechanism, or Other (please specify)

51. Other.

52. Authorisation and assurance is essential for road safety – we don't see that "minimal involvement of DVSA" is compatible with that. Regulation of the scheme needs to be sufficient to provide the assurance needed – the second option described above looks like an over-bearing system is being suggested by DVSA, the ability to remove authorisation is important but that does not require an excessive regulation and intervention by DVSA.

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<sup>2</sup> The web version of this paragraph was amended on 2 September. This is the paragraph submitted.

53. We believe that the right balance would look like “A scheme that is as light touch as possible for authorisation, with provision for assurance checks, removal of authorisation if not managed properly by the examiners and an appeal mechanism”
54. To facilitate quick and accountable implementation consideration could be given to the manoeuvres being recorded for audit purposes – this could be done without great burden if required.

**Question 19. Do you consider there to be any concerns for road safety should the government implement this measure?**

55. No.
56. The relevant skills will be taught and tested. With authorisation and accountability we see no road safety risk if this is implemented.
57. The candidate will have to pass a test in a C+E vehicle which is bigger and more complex than a Category C. The Category C vehicle will form part of the training programme to step up to the Category C+E. The greater amount of training will be focussed on the larger more complex vehicle rather than trying to get two tests passed when one in the larger vehicle will test competence

**Questions on amendment 3 – allow car drivers to tow a trailer without the need for an additional test.**

**Question 20. To what extent do you agree with the proposal that car drivers should be allowed to tow a trailer without the need for passing a B+E test? (please explain)**

58. Strongly disagree
59. The reason for the tests is to ensure that drivers have been trained to deal with difficulties of handling and manoeuvring trailers. It is not acceptable for road safety to totally abolish this test. If the test is abolished in its entirety many will simply not bother with any training at all.
60. We believe there is a solution that will work for road safety and free up the resources as envisaged by DVSA. That would be to delegate the testing to trainer authorised by DVSA to undertake the task. With appropriate rules and assurances in place, road safety can be assured. (the test could even be recorded for audit purposes without great burden for further assurance if required). An alternative would be to model the system on the one used for motorcycle CBT. It does not need to be onerous, but it is essential we have a system.

**Question 21. How much, on average, does a B+E training course cost a driver?**

61. This depends on regions, but generally between £500 and £900.

**Question 22. What benefits or dis-benefits are there for a driver if they don't need to take a B+E test?**

62. We see no benefits, none. Drivers will be a risk to themselves and all other road users if they have not been trained and required to reach a defined standard.
63. It is essential that drivers receive the training needed for the vehicles they will operate on public roads.

**Question 23. Please explain how this will impact your business?**

64. We expect the impact will be negligible.

**Question 24. Do you think drivers would continue to want to take some training, even if a test is not required?**

65. No.
66. We believe most drivers will take a chance given that they will only tow occasionally. It is likely many will DIY the skill training by looking at a couple of online videos for guidance. Ending the test ends the training requirement - we do not believe that is responsible given that there is the opportunity to cover this easily.

**Question 25. Do you consider there to be any implications for the insurance industry?**

67. Don't know.
68. That question is best answered by the insurance industry.

**Question 26. Do you consider there to be any concerns for road safety should the government implement this measure?**

69. Yes.
70. As explained above, we have serious concerns about ending the testing for B + E. There is no need for DVSA examiners to do the tests, it would be simple, quicker and almost certainly less expensive for the consumer if the testing was delegated to examiners authorised by DVSA.

**There are a couple questions in the introductory paper that do not appear to be fully covered in the questions formally asked in the survey. These are:-**

- **Does passing a C test first give drivers and their employers reassurance they have some experience of driving and manoeuvring a large vehicle on a public road and in operational situations?**
- **Would operators have more confidence in a driver if they had qualified via the existing staging route?**

71. Both the C training and test and C+E training and testing provide the skills to manoeuvre large vehicles. A C+E trained and tested driver will have the skills needed to drive a rigid vehicle.
72. There is a misunderstanding about the staging system – it is not mandatory for anyone passing at C to drive anything before moving on to C+E. Experience is gained by driving vehicles, not through the licence acquisition itself. There is much more to lorry driving than the test – that is why most companies ensure new drivers work with experienced drivers for a period early in their careers.

## **Background about the RHA**

73. The RHA is the leading trade association representing road haulage and distribution companies who operate HGVs and van commercially. Our 8,000 members operate near to 250,000 HGVs out of 10,000 Operating Centres. Members range in size from single-truck firms to those with thousands of vehicles.
74. These road transport companies provide the people and businesses of the UK with the goods upon which we all depend. From food and clothing through to medicines, car parts and construction material.
75. Without lorries and vans delivering good to businesses and consumers the economic and social wellbeing of the country would be seriously impacted.
76. Recently the RHA has initiated a coach operator membership for those operating non-scheduled passenger services using vehicles with a capacity of more than 16 seats.
77. The RHA proactively encourages a spirit of entrepreneurialism, compliance, profitability, safety and social responsibility. We do so through a range of services, such as advice, representation, and training.

## **Final Comments**

78. Any changes must continue to support road safety while improving the throughput of the system for licence acquisition. The RHA believes the proposals relating to amendments 1 and 2 do maintain that commitment to road safety.
79. As was stated early in our response, we believe the problem of the shortage of HGV drivers needs urgent government intervention. Not just on the testing regime being considered here, but also on Driver CPC and the UK apprenticeship and training system too.

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