Driver Certificate of Professional Competence (DCPC)

27 April 2023

Summary

- Industry supports efforts to reform the DCPC, rather than to repeal it, as it offers drivers a professional qualification and continuous professional development.
- The proposals for reformed training reflect industry concerns and introduce flexibility into the scheme in terms of course length and e-learning, whilst maintaining the objective of 35hrs of periodic training.
- Logistics UK strongly disagrees with the proposals for a periodic test to remove all requirements for mandatory training to take place.
- The divergence between I-DCPC and N-DCPC could have unintended consequences in the supply of training modules for the former, which could lead to issues for international operators.
- The proposals for returning drivers reflect proposals from Logistics UK on how to bring drivers back in a flexible manner.
- Changes to allow for temporary exemptions; recognition of non-UK qualifications; enforcement through the electronic record are sensible and welcomed.

About Logistics UK

Logistics UK is one of the country's largest business groups, supporting, shaping and standing up for safe and efficient logistics. We are the only organisation representing the entire logistics sector.

We represent a sector delivering an increasingly innovative, productive and sustainable system of essential national infrastructure. This system ensures the availability of the products that households, businesses and public services rely on every day, and is supporting the UK's transformation for the future. Our membership of over 20,000 includes global, national and regional businesses and SMEs spanning the road, rail, sea and air industries as well as the buyers of freight services, such as retailers and manufacturers.

Response to consultation

Driver CPC – appetite for reform

Logistics UK and its members supported the introduction of the DCPC regime in 2009 and continue to support its aim of offering commercial drivers a valid qualification and continuous professional development (CPD) with the inclusion of periodic training following the initial test. We believe the goal of completing 35hrs of CPD over a five-year reference period to be a suitable target for drivers, should they wish to maintain this qualification and entitlement to drive professionally.

Directive 2003/59/EC required the periodic training element to be completed in five non-divisible blocks of seven hours, with a subsequent relaxation to permit a bloc to be split over a 24hr period. We have consistently held the opinion that this rigid structure is not conducive to effective training and does not allow for inclusion of some form of assessment, but we recognised that, as a member of the European Union (EU), the Department for Transport (DfT) was limited in the extent to which any change could be brought about.

We welcome the opportunity to respond to this consultation on the potential for domestic reform of the driver training regime in Great Britain (GB), and possibly in Northern Ireland (NI). However, we remain concerned over potential unintended consequences of such reform as GB diverges from the current legal framework that matches that of the EU. This point will be developed later in this response as we respond to each of the proposals for change.

Logistics UK does not support calls for the abolition of the DCPC.

Ways of renewing DCPC

The consultation outlines the possible future three ways to renew the DCPC for GB based drivers (and possibly NI drivers if authorities there approve). Logistics UK is concerned there is an emphasis placed in the document on the financial cost element of each of the possible reforms, notably focusing on the cost difference between periodic training and the periodic test proposals, as this could encourage positive responses to one or more of the options. While cost is a consideration for businesses, the overriding objective should be road safety.

Logistics UK recognises the obligations the UK agreed to under annex 31, part B, section 1 of the Trade and Cooperation Agreement (TCA) with the EU and therefore supports the continuation of the existing DCPC regime, which could be rebranded as the International DCPC (I-DCPC). Our members who perform international transport will continue to require this qualification to drive commercially in the EU and it is vital that this remains an open avenue for these drivers. We also support the Department's plan to continue to allow the I-DCPC to be recognised as a valid entitlement to drive for drivers who perform transport operations exclusively in GB.

With the vast majority of commerical drivers in GB driving exclusively domestic routes, it is therefore entirely sensible for a reformed qualification to be established specifically for this cohort of drivers, which answers some of the valid criticisms of the more rigid I-DCPC. Logistics UK agrees with the establishment of the National DCPC (N-DCPC) as a valid method of renewing the entitlement to drive, in the five years following the initial test.

N-DCPC – proposals for reformed training

Logistics UK appreciates DfT's recognition that the current rules on periodic training, i.e. five blocks of seven hours of training, do not necessarily lead to optimal learning and therefore welcomes the proposals contained in the third conclusion of the *DCPC Review Final Report* that would give more flexibility in training requirements by removing the requirement for courses to be a minimum of seven hours.

More importantly we welcome the move to end the requirement that courses that are split into two parts must be completed across two consecutive days, so modules can remain 7hrs in total but delivered in blocks of 3.5hrs but not necessarily within 24hrs. This simple change will deliver a number of advantages for drivers, operators, and training providers:

- **Drivers** would find it less burdensome having 3.5hrs of training in one sitting. It would also mean that a normal 7-hour module won't be extended to 8hrs due to drivers needing an additional hour for breaks.
- **Operators** would find it far easier to schedule many drivers (in most sectors) after a short shift or at weekends; being only 3.5 hours long.
- **Training providers** on the whole already currently offer CPC training sessions with 2 distinct topics within each module, giving both am and pm topics, as many (not all) often struggle to fill a complete 7hr session with just one subject matter without adding additional material which some drivers complain is not relevant.

The EU is also reviewing the DCPC framework Directive and could also propose lifting this artificial 24hr restriction on split training modules. If this takes place, this N-DCPC could remain a valid training module for the I-DCPC. Logistics UK asks that the government engages in dialogue with the European authorities within the Specialised Committee for Road Transport, established in Article 468 in the TCA, to manage this future divergence to keep disruption to a minimum.

Training modules being offered on the market would still need to be approved by DVSA (JAUPT) to ensure content matched the syllabus requirements, as laid down in the annex of the rules and this would ensure drivers are still trained on the content deemed necessary in law for the subject being undertaken.

Logistics UK also agrees with the fourth conclusion of the Review paper to reform e-learning to increase the flexibility available for those who wish to incorporate this style of learning into their periodic training. The option to retain full classroom based periodic training means that those drivers who are not comfortable with e-learning will still have access to face-to-face training. There will be greater choice in the training market without being at the expense of one method or another.

We have argued against mandated course content since the inception of DCPC and are encouraged to see the DfT continue to agree with our view that if it were to be mandated it would be too prescriptive. We support DVSA continuing to work to address concerns of relevance of course content, however, as a means of continually improving the training offer provided by the market.

Logistics UK supports Conclusion Six of the Review paper on 'Outcome based learning' and is ready to work with DfT/DVSA to help encourage the re-focusing of training from prescriptive course completion to include some form of summative assessment at the end of the training module. Our opposition to the inclusion of a 'pass/fail' test at the end of the module remains in place. Our members have made it clear in past reviews of the DCPC regime that "*if you wanted to create a driver shortage the way you would do it would be to make the DCPC periodic training awarded on the basis of a test".* This position is based on comments made by members, over many years, that drivers do not wish to feel like they are under examination with a 'failure' label being attached to them if they were not to be successful in passing the exam.

Conclusion on reformed training

The proposals laid down in the section on reformed training are sensible, thought out, and respect the calls from the sector that wishes to keep the training regime in place but reform it to ensure it better matches driver and industry needs. Logistics UK fully supports this section of the consultation.

N-DCPC – proposals for periodic test

Logistics UK rejects entirely this new proposal for renewing the N-DCPC entitlement, as an alternative to the reformed periodic training route. Removing the periodic training element of the rules that govern Driver Training is not a relaxation/easement that Logistics UK members support.

Our membership has been vocal in expressing to us their belief that this could have significant impacts on the sector and on the aims of the DCPC regime overall. The DfT consultation paper itself states "*The periodic test may result in significantly less training being offered and therefore available overall".* Responsible operators will always ensure their drivers receive training for the job that they perform, with the DCPC qualification acting as the formal representation of this. Irresponsible operators and drivers will try to avoid mandated training and this periodic test offers them the opportunity to cut down on all training but with the possibility that, on passing a 90min test, they are awarded the right to drive a heavy goods vehicle up to 44 tonnes for the next five years, as opposed to having to complete 35hrs of training. This situation must be avoided, and road safety should not left up to "*other on-the-job training…[that] could help maintain standards mitigating the loss of these courses."*

One benefit from the current DCPC regime is that drivers, possibly after discussion with operators, are free to choose the five modules they wish to sit. Responsible drivers and employers will choose those that are relevant to the specific sector in which they operate or help reinforce/update the basic safety knowledge a driver requires on a day-to-day basis. Logistics UK members always state they finance the training for the role the driver is currently performing and not for the next job. A periodic test of 50 questions, no matter how well drafted, will always mean that the driver will need to answer questions on areas of no concern to them as the test needs to cover the entire driver community. This would result in a misallocation of time and resource as the driver would need to revise subjects that are of no relevance to the driving they perform.

Logistics UK members have warned that this test option could see another wave of departures from the driver community, which is only just recovering from the acute shortage of drivers over the past 2 years, as, when faced with a pass/fail test that could see their ability to work removed, many older drivers might decide to leave the sector rather than take an exam.

Conclusion on periodic test

Logistics UK and its members strongly disagree with the periodic test option under the proposed N-DCPC and does not support it being taken forward.

Possible unintended consequence of divergence of I-DCPC and N-DCPC

DCPC training is provided by the private market, in response to demand for training modules, based on the syllabus established in law. Should the DfT establish the N-DCPC under the reformed periodic training route, this would lead to new modules being developed and approved that match the new, flexible requirements outlined in the consultation.

The vast majority of drivers based in GB perform only domestic journeys, therefore it is not incorrect to assume that many of these drivers will take the reformed training pathway under N-DCPC rather than the I-DCPC so training providers will shift their training provision to meet this new demand accordingly.

This could result in a significantly reduced supply of training courses that meet the I-DCPC standard of seven hours in length, which could, in turn, increase the price of training and therefore again reduce the demand – a vicious cycle that could lead to the entire removal of training module provision from the market. This could result in a GB-based operator who has international contracts and drivers to perform the transport operations not being able to fulfil contracts as there is no training available for the driver to achieve the I-DCPC.

A parallel example to this has already taken place in the training market for the Transport Manager CPC (TMCPC), following the entry into force of Regulation 1071/09 that saw the ability to sit only the modules required for the National TMCPC removed, in place of one single examination for the Standard International TMCPC. Logistics UK successfully argued for specific reference to be included in the Regulation, with the aim that holders of the National TMCPC would only need to pass the international modules for their TMCPC to be recognised as valid for international operations. This is reflected in Article 21(2) of Regulation 1071/09. Today, it is almost impossible to find a training provider who only offers the international modules of the TMCPC, with the result that any National TMCPC holder now needs to resit the entire qualification again should their circumstances change and require the holding of the full International TMCPC.

Proposals for returning drivers

As part of our response to the acute driver shortage, our members have discussed options of how to attract qualified drivers, with a lapsed DCPC, back into the sector to help ease the shortage.

The first clear message is that easements put in place should not be seen as a watered-down version of the DCPC, or DCPC-lite. Any form of 'return to driving' module should be of the same rigorous standard as other DCPC modules on the market, and, in this instance alone, could contain mandated elements to ensure the returning driver is brought fully up to speed with any changes in safety-critical legislation, e.g. drivers hours; load security.

Some members are supportive of re-taking the initial qualification tests again, but most would support the one year driving for seven hours training proposal – 'a day for a year'. This offers a sensible balance that would allow some drivers to re-start driving to cover exceptional periods of demand but who had no intention of driving for the full five-year period. The ability to then compete the remaining 28 hours would allow those who wish to continue driving the possibility to do so.

Changes to allow for short term extensions and exemptions in exceptional circumstances

Logistics UK supports the proposals to grant DfT extensions and exemptions in case of exceptional circumstances, as per the situation during the COVID-19 pandemic.

Recognition of non-UK qualifications

Logistics UK supports the DfT's approach here to take legal powers to allow exchange or recognition to be agreed via regulations in the future. We also support the government's position to continue to recognise DCPCs obtained anywhere within the EU and other specified countries such as Switzerland at present.

Electronic Driver Qualification Cards (DQC)

Logistics UK, from the outset of DCPC, asked for enforcement to be performed from the electronic record, with physical enforcement via the Code 95 on the driving licence. We are therefore pleased that DfT has agreed with us and therefore we support it.

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