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Dear Mr Humphrey,

Public Accounts Committee – Inquiry into Driver Vehicle Agency 2019-20

Thank you for your correspondence of 1 March 2021 following the evidence session at the Public Accounts Committee on 18 February 2021.

With regard to the issue you have raised in respect of some members of the public experiencing difficulties booking MOT appointments I have outlined the current position below.

Following the failure of the vehicle lifts in January 2020, the Driver & Vehicle Agency (DVA) issued Temporary Exemption Certificates (TECs) for some vehicles, for a period up to 12 months. The DVA is now testing all these vehicles where the TEC is due to expire as they are now due to be tested. However, in order to comply with COVID-19 restrictions the DVA has introduced a number of measures to ensure staff and customers are safe and this has reduced its testing capacity.

To manage capacity, the Minister for Infrastructure, recently announced that from 26 March 2021, existing TECs applied to private cars, light goods vehicles and motorcycles aged 4-9 will be extended by a further four months from the date the existing exemption ends. Four year old cars and motorcycles and three year old light goods vehicles due a first time test will have a four month TEC applied from the date their first MOT is due. New TECs or extensions to existing TECs will be applied automatically to allow vehicles to be taxed. Customers do not need to do anything until they receive a reminder notification from the DVA to present their vehicle for test.

From 26 March 2021 testing for older vehicles including all private cars, light goods vehicles and motorcycles that are aged 10 to 39 years old will be brought forward to ensure these vehicles can be tested before their existing TECs expire. Further TEC



extensions will not be applied to these vehicle categories to ensure that any road safety concerns in these older vehicles are inspected and rectified through the MOT testing process.

The DVA is delivering vehicle testing at all 15 of its test centres. While there is sufficient capacity for customers to book a vehicle test appointment, it may not always be possible to book a test at their preferred test centre, and they may have to travel to an alternative centre to secure a test before their current test pass certificate expires.

The DVA has recently extended the period in which MOT reminder letters are issued from 5 weeks to 6 weeks prior to the test due date, increasing to seven weeks in mid-June. This should provide customers with a broader selection of test appointment dates. Customers are advised to wait until they receive their reminder before booking a test, either by using the online facility or by phoning the booking line on 0345 247 2471.

The DVA makes additional vehicle test slots available daily at most centres and further slots may also become available due to cancellations. Customers are able to change existing appointments to a different test centre and time if a slot becomes available. The DVA is also offering vehicle test appointments on a Sunday at most test centres, and has started to release additional vehicle test appointments at most test centres for 17 March, 5 April, 6 April and 3 May 2021. Testing is not normally available on these public holidays. Following conversion of an adjoining building at the Newbuildings test centre, additional testing capacity is available to meet demand in the north-west.

The DVA encourages customers to check the booking system daily as vehicle slots become available at short notice. For those customers who are unable to secure a test date and whose MOT is due to expire within five days or has already expired, they should contact DVA customer services at dva.customerservices@infrastructure-ni.gov.uk and the DVA will seek to secure an urgent appointment for the customer.

Like all public facing services, the Covid-19 restrictions mean that the DVA will continue to adapt its services to ensure that they can be provided safely and they would ask customers for their patience at this difficult time. The DVA will continue to be guided by the latest public health and scientific advice as they work towards the resumption of normal services.

All of the above information is available for customers via the NI Direct website at <https://www.nidirect.gov.uk/articles/coronavirus-covid-19-and-motoring> and is regularly updated to reflect the very latest position.

With regard to the Committee's additional questions from the recent evidence session, I have provided an answer to each of these as follows:

- **Were periodic risk assessments carried out on each of the 55 lifts in the test centres and how often did this happen?**

The DVA routinely conducts risk assessments (annually plus when significant changes are introduced into the environment) with regard to the entire test centre environment, which includes the presence of customers and staff in the centres, and staff using all equipment, including the lifts. **In addition**, every lift is subject to a periodic planned and preventative maintenance programme comprising 8 weekly service and 6 monthly maintenance and calibration. An independent insurance inspection is also conducted in line with the 6 monthly maintenance programme.

- **Did the computer system not record the number of lifts as MOTs were being carried out? If not why was this information not considered essential?**

No. The computer system records the number of tests conducted per lane but does not record the number of cycles each lift performs. The manufacturer's recommended lifespan of a lift is based on full lift cycles carrying maximum loads, whereas, DVA's usage means that lifts are not always fully extended, plus the vast majority of load cycles are significantly below the maximum load the lift is designed to carry. Therefore, the number of lift cycles alone was not considered to be the determining factor to inform a lift replacement programme. Instead, the DVA relied upon the robust planned preventative maintenance programme, as described above, to provide assurance that all lifts continued to be safe to operate.

- **It is our understanding that the advice given to the department was to 'sweat' the assets, i.e. the 55 Lifts, to the absolute life end – how does this adhere to the H&S responsibilities and duty of care to the DVA's staff?**

The advice to sweat the assets, and DVA's acceptance of the advice, was in the context that there was a rigorous maintenance and inspection regime in place. This provided assurance to DVA that the lifts remained safe to operate, with the contract providing the provision to replace any equipment that was deemed no longer fit for purpose or beyond repair. Where the rigorous maintenance and inspection regime identified any concerns, the Agency has always ensured action is taken, including the replacement of equipment as necessary. This reflects our absolute focus on ensuring the health and safety of both staff and customers.

- **Further information and clarity is sought on why the department took no legal action regarding the contractors and their failings.**

The legal advice obtained by DVA was that legal action would, even if successful, be costly and protracted. Given the impact of the disruption to services and the need to restore services as quickly as possible, the most cost-effective option for DVA was to negotiate with the contractor for replacement of the lifts at a discounted price to be delivered as soon as possible. The DVA negotiated an 18% discount on the purchase of the replacement lifts. In addition, the contractor at their own cost opened an additional production line to increase their capacity for manufacturing the new lifts, hence delivering them earlier.

- **Why did the DVA not apply basic business principles of having a replacement plan for essential capital assets which reflected the different usage levels of the lifts across the test centres? When did TUS make the department aware of their H&S concerns regarding the 55 lifts and what action was taken as a result of this?**

The DVA had a high level replacement plan in place, to have all equipment (including the lifts) replaced as part of the implementation of a new test centre network. A contract for the provision of new vehicle testing equipment was awarded to a new supplier in March 2019 with the intention of completing the equipment refresh as part of the implementation of a new test centre network.

Given the collapse of the Assembly, there was a delay in decisions on the new test centre network. Central Procurement Directorate (now known as Construction & Procurement Delivery) reconsidered previous advice provided to the DVA and recommended that the vehicle testing maintenance services should be considered for reprocurement and a business case subsequently recommended continuation of the MAHA contract by means of direct award. The MAHA contract was extended to cover the period from April 2017 to March 2020 and then again until 31 March 2024.

MAHA completed a condition survey of all their vehicle testing equipment in October 2018, confirming the equipment was generally in good condition and remained serviceable for the term of the contract. The DVA took assurance from this survey and the robust planned preventative maintenance regime that was in place believing that the existing equipment would remain serviceable and safe to operate until the new equipment was rolled out. An additional safeguard was that the contract provided for the replacement of any items of equipment, including any lifts that were deemed beyond repair.

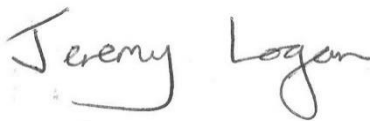
TUS's first recorded enquiry was at the regular quarterly Whitley meeting with DVA management on 7 January 2020. They were aware of a cracked lift in Lisburn, and asked how many other faults on lifts had been reported. They were advised that the Health & Safety team had been asked to investigate all lifts and an update would be given at the next meeting as investigations were still ongoing.

- **Did DVA staff/TUS raise any matters regarding H&S concerns prior to the cracks being found in the lifts during the inspections? If so when was this and what action was taken as a result?**

In relation to the cracks in the lifts, neither DVA staff nor TUS raised any concerns prior to these being identified during the inspections carried out under the planned and preventative maintenance programme.

I hope my responses above address the additional queries raised by the Committee.

Yours sincerely,



Jeremy Logan
Chief Executive