

THE SUITABILITY OF EX-OFFENDERS TO APPLY TO JOIN OR REMAIN ON THE REGISTER OF APPROVED DRIVING INSTRUCTORS

The Driving and Vehicle Standards Agency (DVSA) uses the services of the Disclosure and Barring Service (DBS) to obtain criminal record certificates which DVSA uses to assess the suitability of persons applying for inclusion or retention on the Register of Approved Driving Instructors. We will also use the information contained on criminal record certificates to verify the timely declaration of new and previous offences to the Registrar by applicants and those on the Register.

DVSA complies fully with the DBS Code of Practice and undertakes to treat all applicants for registration fairly. We undertake not to discriminate unfairly against any subject of a criminal record certificate on the basis of a conviction or other information revealed.

DVSA is committed to the fair treatment of Potential Driving Instructors (PDIs) and Approved Driving Instructors (ADIs), regardless of race, gender, ethnicity, religion, sexual orientation, age, physical/mental disability or previous criminal background. We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

Having a criminal record will not necessarily bar you from being accepted as a Potential or Approved Driving Instructor.

Before reaching a decision on whether or not a person is “fit and proper”, we will assess the risk that they are likely to pose to their pupils by considering factors such as:

- Whether the offence is relevant
- The seriousness of any offence
- The length of time since the offence occurred
- Whether there is a pattern of offending behaviour
- Whether their circumstances have changed since the offending behaviour
- The circumstances surrounding the offence and any explanation.

However applications from those convicted of serious violent, sexual, financial or drugs offences are unlikely to be successful, regardless of when the offences were committed. We are also unlikely to accept applications from those whose name is, or has been, on the Sex Offenders Register, or from those who are or have been banned or barred from working with children.

All registration application forms for Potential and Approved Driving Instructors and supporting information will contain a statement that a criminal record check will be required as part of the suitability, or “fit and proper”, criterion.

We guarantee that information listed on a criminal record certificate will only be seen by those who need to see it as part of the suitability assessment process. We will ensure that all those in DVSA who are involved in that process have been suitably trained to identify and assess the relevance and circumstances of offences. We will also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, such as the Rehabilitation of Offenders Act 1974.

We undertake to give applicants the opportunity to correspond with us about the nature and circumstances of offences before refusing registration or removing an ADI from the Register. We will ensure that applicants who do not agree with the information on their criminal record certificate are advised of the correct procedures to dispute the report with

the issuing body. No decision on an applicant's suitability will be taken until any such dispute is resolved.

We will make every subject of a criminal record certificate aware of the existence of the DBS Code of Practice and make copies available on request.

If the Registrar decides to refuse to let you join or remain on the Register you can appeal against his decision. You make your appeal to the independent First-Tier Tribunal (Transport), which used to be called the Transport Tribunal. This process is set out in The Road Traffic Act of 1988. Full details of how to appeal will be sent with the letter containing the Registrar's decision.

For further information or advice, contact DSA at:

Email: crt@dsa.gsi.gov.uk

Tel: 0121 556 5570

Write to:

DVSA Criminal Records Team
Wednesbury Driving Test Centre
Knowles St
Wednesbury
WS10 9HN

Website: gov.uk/dvsa

Other useful websites:

Disclosure and Barring Service
gov.uk/dbb

NACRO
nacro.org.uk

NSPCC
nspcc.org.uk