



Vehicle & Operator Services Agency

**From: Information Access**  
inform@vosa.gov.uk

Information Access Team  
Room BA1  
Berkeley Annex  
Croydon Street  
Bristol  
BS5 ODA

Tel: 0300 123 9000  
Fax: 0117 954 2546

Our Ref: **F0002398**

Date: 22nd February 2010

---

Dear

## **FREEDOM OF INFORMATION ACT 2000**

I refer to your correspondence of 25<sup>th</sup> January 2010 requesting information, which we have dealt with under the terms of the Freedom of Information Act 2000.

I am aware that you asked for the following information;

1. How many Authorised Examiners and Nominated Testers received Contemplated Withdrawal Letter.
2. How many Authorised Examiners and Nominated Testers got a no further action from the Contemplated Withdrawal Letters.
3. How many authorised Examiners and Nominated Testers got a Final formal warning from the Contemplated Withdrawal Letters.
4. How many Authorised Examiners and Nominated Testers got Disqualified from the Contemplated Withdrawal Letters
5. How many Authorised Examiners and Nominated Testers went on to appeal the Disqualification and also how many were successful.
6. How many appeals/inverted appeals were conducted and how many resulted in disciplinary

Is it possible to tell me how many of the representations were made by trade organisations such as RMI, MOT Club, MVRA, CVTS.

With respect to the information requested at points 1 to 4 this information is not held in a format that could be extracted within the cost limit and this would lead to a refusal under Section 12 of The Act. However, rather than apply the exemption of the Act, VOSA has looked at other ways to provide the information that you have

requested whilst staying within the appropriate limits as set for Government departments.

In respect of your points 1 to 5, the figures have been taken from the pilot that has taken place over the last year in respect of the centralisation of VOSA's MOT disciplinary action. This pilot has been limited to the activity recorded across VOSA in respect of the re-inspection of recently tested motor vehicles recorded as activity VT55 or from the Compliance Survey which randomly selects vehicle testing stations to be visited.

VOSA is able to provide information in response to point 5 which relates to all appeals against disqualification as this is recorded for inclusion in VOSA Annual Effectiveness Report.

VOSA is also able to provide some of the information in respect of point 6 of your request where it relates to the number of appeals/inverted appeals conducted as this is also information that collated for publication in VOSA's Annual Effectiveness Report. VOSA is not able to provide data in respect of how many resulted in disciplinary action but does collate for publication in the Effectiveness Report the number of Authorised Examiners that are withdrawn and Nominated Testers disqualified.

In respect of your final question which relates to representations submitted by trade bodies, for which you have provided some examples, VOSA's response relates solely to disqualification cases that have been dealt with by MOT Appeals section.

You will be aware that it is VOSA's usual practice to report in complete financial years in line with the Annual Report, Business Plan and Effectiveness Report. In response to your request the figures provided relate to the 2009 calendar year.

1. 203 Authorised Examiners and Nominated Testers received Contemplated Withdrawal Letters following VT55 or MCS actions ( re-inspection of recently tested motor vehicles).
2. 4 Authorised Examiners and 4 Nominated Testers had no further action following the submission of their representations in response to Contemplated Withdrawal Letters.
3. 158 Authorised Examiners and 148 Nominated Testers got a Final formal warning from the Contemplated Withdrawal Letters.  
3.(a) Additionally, 10 Authorised Examiners and 10 Nominated Testers received advisory warning letters.
4. Cessation decisions were sent to 2 Authorised Examiners and 9 Nominated Testers in respect of these activities. At the time of this response final outcomes are still to be made in respect of 31 Authorised Examiners and 31 Nominated Testers.
5. Of the Authorised Examiners and Nominated Testers involved in actions following VT55 or MCS disciplinary action none of the decisions were the subject of a statutory appeal.  
5.(a) In respect of VOSA's overall MOT disciplinary work the number of statutory Appeals submitted was 75; 25 - Authorised Examiners and 50 - Nominated Testers. The number of appeals allowed was 17; 5 - Authorised Examiners and 12 - Nominated Testers.  
Of these statutory Appeal cases, 4 of the Nominated Tester allowed appeals were submitted by trade organisations such as those listed in your query.

6. The number of VT19 and VT19Is (appeals/inverted appeals) conducted during the period 1 January to 31 December 2009 is 909. Of those cases, disciplinary outcomes recorded as Authorised Examiner withdrawn is recorded in 90 cases and Nominated Testers recorded as disqualified in 115 cases.

If you have any queries about this letter, please contact us, quoting reference **F0002398**.

If you are unhappy with the response provided, you may ask for an internal review. To request an internal review, please write to:

VOSA Corporate Office,  
Berkeley House,  
Croydon Street,  
Bristol,  
BS5 0DA

or email [vosa.corporateoffice@vosa.gsi.gov.uk](mailto:vosa.corporateoffice@vosa.gsi.gov.uk)

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner ([www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:

The Information Commissioner's Office  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire  
SK9 5AF

Yours sincerely

VOSA Information Access