For Information Purposes Only

National Driver Offender Retraining Scheme
Overview of Future Governance Arrangements

Introduction

The National Driver Offender Retraining Scheme (NDORS), ‘the Scheme’, provides a mechanism through which police forces across the UK can make a discretionary offer to offenders who commit some road traffic offences. This offer is to undertake retraining as an alternative to receiving a fine and/or points on their licence. Both police forces and society benefit financially from the existence of the Scheme, as well as helping to make UK roads safer for users and pedestrians. Over the past few years the scope and use of the Scheme by police forces and the take up by public has increased considerably. However, the existing governance and administrative arrangements are no longer adequate to support the Scheme’s throughput which is nearing 1.2 million users per year.

To ensure that the Scheme is afforded appropriate long term governance and control and that the administration is transparent to the public and government, the intent is to establish two linked public entities to manage all aspects of the Scheme’s operations. This change will realise the following benefits:

- Fully transparent operations to the public and government
- Operations regulated by Companies House and the Charity Commission
- Cost avoidance by police forces and local authorities
- Clear mechanisms to ensure quality and operational efficiencies are secured
- Transparent mechanism for the development and funding of road safety initiatives
- Independently determined fees

Operational Intent

The intent is to revert the core administration of the ‘Scheme’ back to public control. To accomplish this, a not-for-profit private company will be created; this will be known as UK Road Offender Education Ltd (UK ROEd).

UK ROEd will be the business arm of a charity known as the Road Safety Trust (RST). The police forces in England, Wales and Northern Ireland, through their Chief Constables/PCCs, will be the exclusive members of this charity.

For all intents and purposes UK ROEd will act as if it was a public body and be subject to the National and EU procurement rules and public reporting requirements.

In the event that UK ROEd generates a financial surplus this will be gifted to the charity who will arrange for this to be directed to worthy road safety initiatives.

Scheme Governance

Execution of the Scheme will reside, on a daily basis, with directors of UK ROEd. They will take direction from the Board of Trustees, one of whom will be a serving police officer who will represent the views of the membership. Police forces, as members, will be afforded decision rights so that their interests are recognised.
Scheme Administration - additional information

New Entity Operations
Public bodies are permitted, under case law known as the Teckal principle, to obtain services from "in-house" sources provided that the commissioners, in this case police forces, exercise overall control over the governance and the operating structure. Moreover, services must be run for the benefit of commissioners and the public. As the exclusive members of this new entity, individual police forces will be afforded through the company articles, ultimate control over how the Scheme is administered. It is proposed that the new entity will be formed by the creation of an incorporated charity (the Road Safety Trust), which will use a wholly owned subsidiary company (UK ROEd Ltd) to act as the business arm for the administration of the scheme. The charity and its business arm will operate on a not for profit basis. If UK ROEd generates any surplus it will donate this to the Road Safety Trust who will make financial awards to road safety initiatives. As a public body the Charity and its subsidiary will produce financial documents in accordance with CIPFA requirements and pass these to the Treasury for audit purposes.

Charity Trustees
The charity’s board of trustees will be made up of a serving senior police officer and a number of other trustees, up to eleven, with an interest in improving road safety in the UK. The police force trustee will liaise directly with police forces and represent the views of the membership. The additional trustees will provide independent scrutiny and challenge of the scheme and police intentions. Collectively these additional trustees will also act as the panel that will decide which road safety initiatives should be supported from charity funds, following receipt of a valid and agreed application. The Charity will encourage trustee applications from the public and following a sift; the candidates will be put to the members for their consideration. Trustees will not benefit financially from their involvement.