



transport

highways

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HOW TO BECOME AN APPROVED DRIVING INSTRUCTOR

GUIDANCE NOTES



Isle of Man
Government

Reillys Ellan Vannin

Are you in a position to be an Instructor?

The Department of Transport administers the Register of Approved Driving Instructors. All driving instructors on the Island must be registered with the Department and have passed all of the qualifying examinations before they can teach anyone for money or 'money's worth'. Before you can apply to have your name entered onto the register you must also satisfy certain legal minimum requirements. The main requirements to teach people to drive for a living are set out below. The first two requirements must be met in order to apply for the qualifying examination

You must have held a full UK or Isle of Man driving licence for a continuous period of at least four years

Note: Your licence period must be continuous. After any disqualification the period of four years starts again. If you currently have more than 5 penalty points it is possible that your application will be refused. If you are unsure if you will meet the requirements you need to consult the Registrar.

You must be a 'fit and proper person'

This relates to criminal convictions not spent under the Rehabilitation of Offenders Act 2001.

An Approved Driving Instructor or Trainee Instructor occupies a position of trust in that in the course of carrying out their role they are placed in a one-to-one situation with pupils from an age of 16.

Character Check

Before a potential instructor can be granted a Trainee Licence, you must sit Part A and Part B of the qualifying examination to be included on the Register as a trainee. The Registrar will upon initial receipt of an application to undertake Part A (theory test) request details of criminal convictions from the Criminal Records Office. This is because processing checks can take some months. In the meantime you may continue to work towards passing Part A and Part B of the Approved Driving Instructor Examinations, on the understanding that no guarantee is given as to registration if the Police checks produce evidence that leads the Registrar to refuse a trainee licence and no fees will be refunded.

If there is evidence of recent or recurring convictions, the Registrar may request additional checks.

The purpose of the check is to verify any criminal convictions declared at the time of application and to establish for other convictions which have not been declared.

Failure to declare criminal convictions will be taken into account in the determination of the "fit and proper" criteria.

References

You will also need to provide details of two people whom you have known for at least two years (not relatives) who will be prepared to provide character references for you. One of these should be your present or past employer, or someone who has known you in a professional capacity.

Need For Registration

The Register of Approved Driving Instructors (ADI) and the licensing scheme for trainee instructors are administered under the provisions of the Road Traffic Act 1985 by the Department of Transport. The Motor Cars (Driving Instructors) Regulations 2007 came into effect from 1st July 2007 and replace the entire 1980 regulations.

It is an offence for anyone to give professional instruction (that is instruction paid for in money or 'money's worth' by or in respect of the pupil) in driving motor cars unless:-

- (a) his/her name is in the Register of Approved Driving Instructors; or
- (b) he/she holds a trainee's "licence to give instruction" issued by the Registrar.

You must pass a three-part examination to become an ADI

The examination consists of theory, driving and practical teaching ability. The exams are taken on separate occasions.

To be entered in the Register of Approved Driving Instructors you must pass all three parts of the Qualifying examination within a two-year time period, starting from the day your application is approved, and have paid the requisite registration fee. To obtain a trainee licence you must pass the first two parts of the qualifying examination, submit a copy of your 40 hours training record and pay the requisite fee.

Further details of qualifications for registration

1. Anyone who wants to be an Approved Driving Instructor (ADI) must:-
 - Hold a "full" (i.e. not provisional) driving licence for periods amounting in the aggregate to at least 4 years out of the 6 years preceding the date of his/her application (any period after passing the driving test during which a provisional licence for another vehicle category is held may be counted towards the 4 years out of 6 years);
 - not having been under a disqualification for driving in any part of the 4 years preceding the date of his/her application;
 - be a fit and proper person to have his/her name entered in the Register. (Non – motoring convictions and motoring convictions including those not resulting in disqualification are taken into account in assessing an applicant's suitability);
 - pass the Register qualifying examinations:-
 - Part A - Theory Test
 - Part B - Practical driving ability and fitness
 - Part C - Instructional ability and fitness

The examinations are to be passed in this order and all must be passed within a period of 2 years. During this 2 year period you will be allowed three attempts at passing each of the three tests comprising the examination. If you fail any one of them on the third attempt, you will fail the entire examination forthwith, notwithstanding that the two year period may not have elapsed.

A candidate who fails the entire examination, whether by running out of time or by failing any one test on the third attempt will not be eligible to take the examination again until one year has elapsed from the date on which he last failed it.

Details of the examination, including the syllabus, are given in the Motor Cars (Driving Instructors) Regulations 2007, SD243/07.

How to apply

Application forms can be obtained from Highways Division, Department of Transport, Sea Terminal Building, Douglas, Isle of Man, IM1 2RF. Tel 01624 686688 or may be downloaded from <http://www.gov.im/transport/highways/DandV/forms.xml>

Completed forms with the appropriate fee made payable to Isle of Man Government should be returned to the Isle of Man College, Homefield Road, Douglas, IM2 6RB.

Trainee licences to give instruction - qualification

If you wish to acquire practical experience in giving instruction with a view to undergoing the qualifying examination for admission to the Register without committing the offence referred to in paragraph 2¹, you may be granted a trainee licence after passing Part B examination. There is a requirement for a trainee to receive not less than forty hours training from a registered driving instructor. This requirement is designed to ensure that you are not a complete novice when embarking on giving paid tuition.

Licences have a limited duration of 6 months and a maximum of two trainee licences may be issued within the overall timescale of 2 years to complete the examinations to become an Approved Driving Instructor.

Trainee licences are not an alternative to registration and it is not essential to have held a licence before becoming registered – you may wish to take all 3 parts of the examination without having acquired a trainee licence.

Trainee licence conditions

The conditions under which a licence is granted are that:-

- 1) the holder is authorised to give professional instruction only from the address specified on the licence;
- 2) there must be at least one Approved Driving Instructor working at the specified address, for every licence holder employed there;
- 3) for the first Licence of 6 months the licence holder must be under the direct personal supervision² of an Approved Driving Instructor for at least one-third of the total time for which the holder gives driving instruction under the licence³;

¹ Of Schedule 4, Road Traffic Act 1985

² "Direct personal supervision" implies a close measure of control of the trainees' work by the supervising ADI. For example, a preliminary briefing before the trainee gives a lesson to a pupil would not count as direct personal supervision; the supervising ADI must accompany the trainee during the lesson.

³ This condition does not apply to the second of the two consecutive licences.

- 4) the licence holder must keep a record of the instruction he/she gives and the supervision he/she receives during the 6 months. The completed record must be signed by the licence holder and countersigned by the supervising ADI; it must be produced on demand to an authorised officer of the Department and kept for 6 months after completion unless previously surrendered.

Termination of trainee licence

The Registrar may revoke a licence if:-

- any of the conditions subject to which it was granted are not met; or
- the licence was issued by mistake or procured by fraud.

Fees

<i>1</i> <i>Item</i>	<i>2</i> <i>Matter in respect of which application is made</i>	<i>3</i> <i>Amount</i>
1	Submission for part (a) of the examination	£50
2	Submission for part (b) of the examination	£50
3	Submission for part (c) of the examination	£50
4	Entry to the register following passing of the examination	£150
5	Entry to the register without passing the examination by virtue of an exemption prescribed by or under Schedule 4 to the Act	£150
6	Retention of name in the register	£75
7	A temporary licence	£75

Refund of fees

It is not possible to receive a refund for a missed examination appointment without giving at least 3 clear days' notice of your inability to attend. Only in very exceptional circumstances will the Department be prepared to consider refunding the fee otherwise. It is not possible for the Department to refund fees for registration or licences issued.

Appeals

If you are aggrieved by the Registrar's refusal of your application for registration you have a right of appeal to the Department of Transport within 28 days of the Registrar's notice of his/her decision. Before refusing to renew, or deciding to terminate a registration, the Registrar is required to notify you of his/her intention and you are entitled to make representation to him/her within 28 days with a view to reversing the decision. If the Registrar confirms his/her decision, you have the right to appeal to an independent person, appointed by the Department, also within 28 days.

A trainee instructor can appeal to the Department against a refusal of his/her application for a licence within 14 days of the Registrar's notice of his/her decision. The same abovementioned procedure applies.

Note, the Department has the power, if it so decides, to charge the appellant with the cost of the appeal.

LEGAL PROCEDURES

The details given in these Guidance Notes are for information and do not purport to set out the precise legal requirements, which are given in the Road Traffic Act 1985, The Motor Cars (Driving Instructors) Regulations 2007, SD 242/07 and The Motor Cars (Driving Instructors) (Fees) Regulations 2007 SD 243/07.

For further information contact -

Highways Division
Department of Transport
Sea Terminal Building
Douglas
Isle of Man
IM1 2RF

Tel 01624 686687