



Response from:
 The Motor Schools Association of Great Britain
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THE ORGANISATION

The Motor Schools Association of Great Britain (MSA) makes the following response to DSA Consultation Document: *The Driving Instruction (Suspension and Exemption Powers) Act 2009 – Compensation Scheme*.

WHO WE REPRESENT

The MSA is the national trade association for driving instructors and schools founded in 1935. Members of the association are in the main Driving Standards Agency Approved Driving Instructors (ADI). We also have a partnership with the Institute of Large Goods Vehicle Driving Instructors (ILGVDI) and represent their interests together with those of potential driving instructors (PDIs) and a number of bus/coach instructors and motorcycle instructors. Our current membership database is just over five thousand four hundred.

HOW WE GATHERED VIEWS

In order to gather the views of MSA member’s details of the consultation were circulated, via the relevant chair, to all of the ten MSA committees of the regions and nations of Great Britain. Details of the consultation were published in our news magazine *Newslink* and on the associations web site at www.msagb.com. In addition the information was transmitted to followers of the MSA on Twitter. In *Newslink* we published an indication of our intended response and invited members to comment a number have done that and influenced this response.

PUBLICATION OF MSA COMMENTS

We are content for our response to this consultation to be published by DSA.

CONSULTATION PROPOSALS

Proposal 1: Do you agree with the proposal to include a time limit of two years for claims to be made?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
X					

Proposal 2: Do you agree with the proposal to require claims to be submitted in writing with relevant supporting documentation?					
totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
X					

Proposal 3: Do you agree with the proposal to allow DSA to request reasonable further information or documentation from the claimant, and to make payment of compensation conditional upon its provision?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
X					

Proposal 4: Do you agree with the proposal to allow DSA to seek the consent of the claimant for reasonable enquiries to be made of third parties, and for payment of compensation to be conditional on such consent being given?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
X					

Proposal 5: Do you agree with the proposal to allow DSA to assess the amount of compensation to be paid in respect of income lost, to be based upon either:
 Option A - the actual amount lost; or
 Option B - fixed daily rates

Option A	Option B
X	

Comments:

We would like to press for provision that an interim payment be made, within one month of a valid compensation claim being made. We are asking for this additional provision for two reasons.

1. It has been suggested that The Wheels of Justice Grind Exceedingly Slow. If an ADI has been wrongly suspended for a lengthy period he will need some compensation urgently in order to restart his business.

2. In addition it may be that a threat of delaying payment might be used in order to reach a lower compensation figure e.g. "We have your claim for £10,000 and it may take two years to process if you accept £5,000 we will send you a cheque tomorrow."

Proposal 6: Do you agree with the proposal for the amount of compensation to be paid in respect of non-income losses to be based upon the actual losses incurred by the claimant?

totally agree	largely agree	slightly agree	slightly disagree	largely disagree	totally disagree
X					