

20.05.08	Section 3 Vehicle Testing Scheme
	Operating Instructions
	14 – MOT Files

14. MOT Files - Overview

14.1 General Policy

14.2 GVTS Files

14.3 VTS Files (VT28)

14.3.1 Front Cover Information

14.3.2 File Content

14.4 Refused AE Applications

14.5 NT Files (VT28A)

14.5.1 NTs facing Disciplinary Action

14.5.2 Deceased NTs

14.5.3 Front Cover Information

14.5.4 File Content

14.6 NT Paperwork

14.7 Refused NT Applications

14.8 Multi-Site AEs

14.9 VE MOT Files

14 | **MOT Files - Overview**

This section gives instructions and information on how to maintain

MOT files. The details given are to be regarded as best practice and must be followed wherever possible. It should be noted that as well as aiding ease of use of the files, the information given also enables VOSA and its staff members to meet the requirements of the DPA.

14.1

General Policy

There are 3 types of MOT files:

- VTS files (VT28) – to hold all documents relating to each individual VTS
- NT files (VT28A) – to hold all documents relating to each NT.
- Master file for each multi site AE.

Due to the long term nature of MOT Testing Scheme Records, VOSA has been granted a Lord Chancellor's Instrument (LCI) which permits the retention of active records beyond 30 years. It is therefore important that all files are kept in good order and properly managed in accordance with the following guidance:

- All documents contained in the files will be attached using treasury tags.
- All documents held within the files must be filed in strict date order.
- All documents (including internal file notes etc.) must be filed as quickly as possible following receipt or creation.
- Each document must be numbered (folio numbers) in sequence as it is placed on file.
- Keep original documents, there should be no duplicate documents within a file except where a document has to be retained in a VTS and NT file.
- All documents contained in an envelope or plastic wallet should be identified individually (e.g. photographs) and a reference list should be attached showing the number and order of documents contained within.
- Master files may only be removed from the office when an appeal against the intent to refuse an application for Authorisation/application/designation, an appeal against Cessation for disciplinary reasons or a request for review of a Formal Warning has been lodged and the file needs to be sent to MOT Appeals Branch, or with the permission of the AM or SVE.
- All correspondence must be placed on the appropriate master file.
- Where a document is pertinent to both an NT and a VTS, a

copy should be placed on each file (e.g. a mystery shopper report).

- For disciplinary casework the case papers for both the AE and NT should be placed on the VTS file with a copy of the documents relevant to the NT case being placed on his file.
- Any casework resulting in disciplinary action should be sectioned off within the file e.g. a case folder within the file.
- Each time a file is passed to a person for consideration/review etc. the file movement column on the front cover should be annotated with the date and the person's name.
- When a file is removed from the filing system a file location marker card should be inserted in its place. On the card record the date the file is removed, who has possession of the file and for what reason.
- All primary documents relating to the Approval of a VTS and the approval of an NT must stay on the relevant file for the entire life of the file. All other documents must be retained for a period of 5 years and then destroyed by shredding.
- To comply with the provisions of the Data Protection Act VOSA must not keep details of references and conviction on file. VOSA needs to ensure that a record is kept on file that details of references and convictions have been seen and are satisfactory. A note should be made on the VT7 form to confirm this.

Note: When it is intended to refuse an application for Authorisation, Approval etc because of unsatisfactory references or convictions, the references and conviction details should be retained on file for the duration of any appeal review. Thereafter they should be managed in accordance with these instructions (see [14.4](#) – AE/VTS Applications subject to Appeal and [14.7](#) – Refused NT Applications).

- If the file contains Health and Safety information that for instance is important to staff safety and thereby needs to be kept for longer than the normal 5 year retention period, a record must be made on file to show that the information has been reviewed and risk assessed as still relevant.
- Files must be weeded on a regular basis in accordance with the VOSA'S Records Management Policy.
- Dead files must be retained for 5 years and then destroyed by shredding.

If there is any doubt about MOT file management or whether a document(s) should be retained, confirmation must be sought from the Area Manager or RTPG.

14.2 GVTS Files

Information and administration processes falling within The MOT Scheme that are applicable to a GVTS, are maintained by Area Office 24. No files holding information regarding a GVTS and/or its testers must be kept within an Area Office.

14.3 VTS Files (VT28)

A VTS file (VT28) should be used to hold all documents relating to each individual VTS. The VT28 contains guidance on the inside cover on the storage of information within the file so that all files are standard in the order in which information is stored. A summary of this information is also set out below.

There must only be **one** master file in use, no documents should be filed separately or duplicated on a second file except where they are placed on an NT file. VE's may keep minimal records to assist them in monitoring the operation and administration of The MOT Scheme (see [14.9](#) - VE MOT Files).

Where it is necessary to create a follow-on file mark the first file as being Number 1 of 2 and mark the second file as being Number 2 of 2. The front cover file information must be clearly printed on both files. The numbered documents should continue to be ordered sequentially.

If the VTS falls under the Authorisation of a single site AE the VTS file will also contain all papers relating to the AE.

14.3.1 Front Cover Information

On the front cover of the file clearly write the following information:

- VTS number in the box provided
- AE number
- Trading name of the business
- Site address in full (inc. postcode)
- Separate correspondence address, if applicable
- Site telephone number
- Date the file was created
- Area Office number

A VTS file relating to a multi-site AE must include a reference to the Area Office holding the AE Master File.

Note: Go to Appendix 2.4 - [VT28A](#) for Replacement VT28 front cover sheets.

14.3.2

File Content

On the left hand side of file attach the following:

- MOT File Fly Sheet (refer to Appendix 2.2 - [MOT File Flysheet](#))
- Copy of VT9
- Copy of Opening hours
- Planning permission
- Diagrams of bay layout within VTS
- Diagram of VTS and surrounding Area
- Proof of ownership/lease/rental agreement
- Partnership agreement
- Current VT7
- VT01 (if the VTS falls under the control of a multi-site AE a copy of the VT01 will be filed, while the original will be held on the AE Master File)
- Levels certificate for head lamp tester
- Photographs of current layout
- AEDM application for course
- Certificates of Conformity for equipment
- Authorisation letter
- MOT Computerisation data cleansing papers

All of these documents are to be retained for the duration of the file.

On the right hand side of file attach the following:

- VE Activity Reports
- Disciplinary Letters
- Representations
- NFA letters
- Advisory letters
- General letters from the AE
- Appeal letters, including supporting documents
- Satisfactory incognito letters
- Incognito reports
- Complaints and supporting documents

Disciplinary casework should be separated off in a case folder

within the file.

The documents above should be filed in date order and numbered sequentially. They must be retained for a period of 5 years and then destroyed by shredding.

14.4 Refused AE Applications

Following the issue of a notice of intent to refuse, all the application paperwork should be managed as follows:

- If no appeal is received within the statutory 14 working day appeal period, file copies of the notice of Intent to Refuse and follow on letter confirming refusal should be kept for 1 year and then securely destroyed.
- If an applicant appeals, the appeal is disallowed and the refusal of the application confirmed, references and details of conviction should be returned to the applicant immediately after he has been notified of the outcome of the appeal. The remaining application paperwork should be kept for 1 year from the date of the appeal decision and then securely destroyed. This period is in keeping with the published time scales for Judicial Review and PCA applications. If the applicant asks for paperwork to be returned to him during that time e.g. plans, a copy should be made and placed on file before returning the original.
- If an applicant appeals, the appeal is allowed and the application progresses to Authorisation, references and details of conviction should be returned to the applicant in the normal way when the VT9 letter is issued. Refer to section 4.19.1 – [Return of References](#).

14.5 NT Files (VT28A)

An NT file should be used to hold all documents relating to each individual NT. A plain file cover can be used with a VT28A sheet affixed to the front (refer to Appendix 1.1). The Area Office should create the file when they receive the VT78 application form (and any associated papers) from Training Services. This will normally be after the applicant has attended part 1 of the Nominated Tester Training course and requires a practical demonstration test, or when the application is being referred to the Area Office to issue a notice of intent to refuse the application.

The NT files should be stored in alphabetical order in a designated filing cabinet.

VE's may keep minimal records to assist them in monitoring the operation and administration of The MOT Scheme (see [14.9](#) - VE

MOT Files).

14.5.1 NTs facing Disciplinary Action

Where an NT works for two VTS which are in different Enforcement Area boundaries there should be only one office file. That office should be the one that covers the Enforcement Area of the NT's home address, as recorded in MOT Computerisation.

It is very important for the Area Offices to liaise closely with regards to disciplinary action and credit points. Where disciplinary action is taken checks must be made at that time to verify that the NT's listed VTS(s) are all within the AO boundary. If they are not, a further check should be made to verify that the home address is still within the AO boundary.

Where another AO has a connection, enquiries must be made of them to check whether they have file information. They should also be informed that the file will be sent to them at the conclusion of the current disciplinary action if the home address is within their boundary.

'Dormant' NTs

If an NT ceases to be actively involved in MOT testing annotate the file cover as 'UNASSOCIATED - *effective date*' after the last entry in the column recording the file movements. If the NT subsequently becomes active again the file cover should similarly be marked 'ASSOCIATED - *effective date*'. These are important annotations that will assist in the effective management and weeding of files.

14.5.2 Deceased NTs

Place the written notification on the relevant VTS file(s) and securely destroy the NT file and all NT paperwork. Refer to section 16.14 - [Deceased NTs](#) for further guidance.

14.5.3 Front Cover Information

On the front cover of the file clearly write the following information:

- NT's full name
- Home address in full (inc postcode)
- Driving licence number
- Unique MOT Computerisation User ID number
- Date the file was created
- Area Office number

14.5.4 File Content

On left hand side of file attach the following:

- [MOT File Flysheet](#) (refer to Appendix 2.2)
- Original application form
- Copy of pass certificate issued by the Area Office
- MOT Computerisation data cleansing papers
- On the right hand side of file attach the following:
- All documents recording training events attended
- VE Activity reports directly relating to the NT
 - MOTSA/MOTDSA where there is information directly relating to the NT's testing activities (e.g. advice given on documentary shortcomings)
 - Mystery Shopper reports
- Complaints and supporting documents
- Advisory letters
- Disciplinary letters
- Representations
- Appeal letters including supporting documents
- Copies of all general correspondence/file notes etc.

Disciplinary casework should be separated off in a case folder within the file.

Every item of correspondence and document produced must be placed on file without exception. The documents above should be filed in date order and numbered sequentially. With the exception of some training documents (see 14.6 below) the documents above should be retained for a period of 5 years and then destroyed by shredding.

14.6 NTT Paperwork

Following approval as an NT the following guidance applies to NT training paperwork.

Completed Application Form:

Keep the original application form for the duration of the file.

Certificates of Vocational Qualification:

Any original certificates should be returned to the tester.
Copies of vocational certificates should not be kept.

Practical Examination Assessment Paper:

Keep the practical examination assessment paper until the next refresher.

Copies of Pass/Fail Letters to the AE and NT:

The Pass letter stays on the NT file until the next refresher.
The Fail letter stays with the NT and appropriate AE file for 5 years.

14.7 Refused NT Applications

Following the issue of a notice of intent to refuse approval as an NT, the application paperwork should be managed as follows:

- If the applicant does not appeal the application paperwork should be kept for 1 year from the date of the letter confirming refusal and then securely destroyed.
- If the applicant appeals and the appeal is disallowed and refusal of the application confirmed, the application paperwork should be kept for 1 year from the date of the appeal decision and then securely destroyed.
- If the applicant appeals and the appeal is allowed the application will progress to NTTA or the appropriate initial NTT course. The paperwork relating to the intent to refuse and the appeal falls within the normal 5 year period for retention of documents and files.

Note: If an NT declares convictions, the details should be managed in the same way as refused AE applications (see [14.4](#)).

Paperwork relating to intent to refuse at any other stage of the NT approval process (failed NTTA, NTTA course Part 1 or unsatisfactory demonstration test) should be retained for 5 years.

14.8 Multi-Site AEs

The Lead Area Office must maintain a separate AE Master file for each multi-site AE. These files must contain the following:

- Current VT01 (the content of which will be reviewed at quarterly meetings)
- List of Authorised signatures for each company
- List of convictions during the approval process or when VOSA are notified of any new conviction only (once the AE has been Authorised or when the AM considers any new convictions do not impact on an existing Authorisation, the details of these supplied to VOSA must be returned). Where necessary the conviction record will be brought to the attention of RTPG for consideration of group sanctions.

- A document summarising the above documents must be produced and copied to the AE for attachment to any subsequent VT01 application forms.
- Disciplinary correspondence – copies of all Formal Warnings and Withdrawal correspondence issued to the multi-site AE and/or the Approved VTSs. An Area Office that issues such correspondence must send a copy to the Lead Area Office for inclusion on the master file.
- General correspondence – all other correspondence.

14.9

VE MOT Files

To comply with the principles of the Data Protection Act - especially those on excessive amounts of data, the keeping of data for longer than necessary and the need to keep data current – the amount of ‘data’ held by a VE should be kept to a minimum. If a VE wishes to keep a personal file it is recommended that he follows the guidance below. VE files used for VTS visits should contain only the following information:

- Last MOTSA/MOTDSV
- Copy of site details as Approved
- Copy of last VT01
- Copy of VT9
- Details of anything which needs following up since the last visit e.g. poor Mystery Shopper.

All these documents should fit into a plastic wallet that could then be filed in a lever arch file covering other VTSs and NTs within the VE’s zone. This will not replace the master file, but simply replicate items on the master file that are needed for the VE’s ongoing work. It is essential that VE personal files be kept up to date and contain only the information listed above.