



Highway Inspections Training and Accreditation

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Contents

Contents	1
1. Introduction.....	2
2. The Need.....	4
3. Training Components.....	5
3.1. Records	5
3.2. Training Courses.....	5
3.3. Supervised Working.....	7
3.4. Random Checks	7
3.5. Reviews.....	7
Appendix A – Annual Inspectors Report.....	9

1. Introduction

- 1.1. The key aspects to successfully defending claims for alleged failure of an Authority to comply with its duties under the Highways Act 1980 (Sections 41 and 58) are six-fold:
- (i) An Authority must adopt the requirements and advice contained in the industry's Code of Practice for Maintenance Management [*Delivering Best Value in Highway Maintenance. Code of Practice for Maintenance Management – July 2001*] (COP).
 - (ii) An Authority must adapt the contents of the COP to suit its own specific needs and circumstances and having established its own standard, comply with it.
 - (iii) An Authority must undertake a Risk Assessment of all areas of the COP it adopts, especially where it has departed from the recommendations of the COP.
 - (iv) An Authority must document and publicise the key elements of its local version of the COP either as a matter of public awareness or as a minimum, when required in a claims case.
 - (v) An Authority must implement and maintain a suitable management system to keep records of its inspection regime with a fully documented defect and repair history.
 - (vi) An Authority must employ suitably trained and experienced competent inspectors and keep records of their involvement in the inspection process.
- 1.2. The suggested recommendations of the COP are explicitly not mandatory on Authorities but each has a reasonable discretion to respond to its involvement. Authorities do however have certain legal obligations under the Highways Act 1980 with which they need to comply and which will, on occasion, be the subject of claims or legal action by those seeking to establish non-compliance by the Authority. It has been recognised that in such cases, the contents of the COP may be considered to be a relevant consideration. In these circumstances, where Authorities elect in the light of local circumstances to adopt policies, procedures or standards differing from those suggested by the COP, it is essential for these to be identified together with the reasoning for such differences. In short, Authorities are recommended to adopt the principles of the COP, adapt them as necessary based on local circumstances and apply them consistently.
- 1.3. In today's litigious Society with its inherent Claims Culture, it is important to operate a full and complete robust Highway Inspection process to enable any sort of defence against claims. Although the achievement of perfect conditions on the highway is not considered achievable, it is expected that the

implementation of a full and complete inspection regime will reduce the level of claims significantly.

- 1.4. Apart from the management system, another key factor concerns the ability and competence of the Inspector. Anyone undertaking this work must be competent for the task, have sufficient experience to assess the risk posed by a defect and have been fully trained for the job. It is essential that a formal training course for Inspectors is applied, that an inspector's performance is closely monitored and appropriate documentation is kept which can be produced as evidence in a claims case. If competence is demonstrated and 'proof of presence' established then the records held on the system relative to a specific date and location should be accepted unreservedly.
- 1.5. This document considers the formulation of such a training regime with a view to producing documented 'fit for purpose' employees and appropriate records of their relevant training and experience.

2. The Need

- 2.1. Recommendation R8.10 of the COP states:

” All personnel involved in the highway maintenance should demonstrate levels of competence commensurate with their responsibilities, preferably through professional or non–vocational qualifications (NVQ and SVQ). Authorities should ensure that necessary training and support is provided for such competence to be maintained and updated “

As far as it is known at present, there is no NVQ relevant specifically to Routine Highway Safety Inspections being offered by any academic or training organisation.

- 2.2. In order to undertake his/her work effectively, it is essential that a Highway Inspector is fully aware of his/her role in the inspection regime established by an Authority. An appropriate knowledge of the requirements of the COP is needed together with a full understanding of the modifications, if any, that have been applied to fit local circumstances. It is equally important that, as far as possible, inspection techniques and judgements are being applied consistently by different inspectors within an Authority.
- 2.3. In order to defend claims, an Authority is required to demonstrate that the inspection frequencies it has decided are appropriate to its network are being adhered to and that inspections are completed on time. Furthermore, it is necessary to show that any defects encountered are being rectified or made safe within the prescribed time period determined by an inspector who is following the guidelines in the adopted version of the COP. Whereas the inspection frequencies are a matter of fact established by proof of presence of an inspector at a particular time and date, the presence and severity of a defect are a matter of judgement by the inspector and rely on him/her having the competence to make those judgements. In the case of Highway Safety Inspections, this competence can only be established based on the opinion of a third-party who may be from an external organisation or a colleague.
- 2.4. At the beginning of a new training/accreditation scheme, each inspector will have a different work history. The starting point for any formal records will therefore need to be the documentation of all relevant employment and experience that an inspector has had together with a synopsis of any formal training already received. It is unlikely that this would replace the newly proposed course which will be based on the latest edition of the COP and will therefore be new to most Authorities. The contribution an experienced inspector could make to this new process however, should not be underestimated although it may be necessary for an ‘old dog’ to learn ‘new tricks’ especially where new technology is being introduced.

3. Training Components

3.1. Records

3.1.1. A set of personal records in the form of an Inspector's Logbook should be kept and fully maintained for each inspector. This should contain as a minimum:

- The name, position and employee number for the Inspector.
- A description of the Inspectors role in the inspection regime together with details of his/her supervisor(s) and any staff for which he/she is responsible.
- A history of the inspectors work and experience prior to a base-date which is the date that the Training/Accreditation scheme is first implemented.
- Details and content of all Training Courses, Review Meetings and other formal events attended by the Inspector.
- Any certificates awarded because of attendance at such courses.
- Details and quantity of any inspections carried out under supervision following the attendance at a formal Training Course. The amount required may vary according to an Inspectors previous experience.
- The findings of any Spot Checks undertaken together with any recommendations made by the checker.
- An annual report of all inspections undertaken by an Inspector. This would be produced by the Authority's chosen management system and a suggested format is given in Appendix A.
- Details and outcome of any Claims in which the Inspector has been involved.

3.2. Training Courses

3.2.1. Up to 3 formal Training Courses may be needed for each Inspector depending on his/her role in the inspection process. These would cover:

- (i) The Code of Practice as adopted by the Authority and the Inspection Methodology to be adopted by all Inspectors (Inspection Training Course).
- (ii) The use of the Authority's method(s) of data collection and associated software.
- (iii) The use of any relevant parts of the Authority's chosen management system.

These might be undertaken at the same time but could also be added as an Inspectors role expands or develops.

- 3.2.2. In addition, each Inspector should attend a Health and Safety course related to working adjacent to a live highway as offered by City and Guilds or individual Authorities. This is outside the scope of this document.
- 3.2.3. An initial suggestion for the contents of the Inspection Training Course is as follows:
- Statutory obligations under Sections 41 and 58 of the Highways Act 1980.
 - The principles and objectives of the LAA Code of Practice.
 - Risk Management.
 - Variations from the LAA Code of Practice as adopted by the Authority.
 - Roles and Responsibilities.
 - The objectives of the Training/Accreditation scheme.
 - The Network.
 - Inspection objectives and Performance Standards.
 - Inspection types and frequencies.
 - Defect definition and recording.
 - Priorities and response times.
 - Treatments and recording.
 - Utilities and Third Parties.
 - The Management System.
 - The Review Process and ongoing Monitoring.
- 3.2.4. At the end of the course, the Inspector should complete a simple exam paper in multiple-choice format to show he/she has understood the key points and which will be appended to their individual Inspector's Logbook.
- 3.2.5. Other courses to cover the operation of data collection and management system software will be needed and should be organised in association with the relevant suppliers. Again a short exam paper to confirm an understanding of the relevant basic concepts should be included.

3.3. Supervised Working

- 3.3.1. Following the initial training, each Inspector should be accompanied by a third-party whose role is to ensure that the correct working procedures are being followed and that there is some consistency between inspection areas. For establish Inspectors, this third-party could, short-term, be an external consultant and in the longer-term, once the regime has been fully established, a senior Inspector from within the Authority acting as a Mentor. For new staff, any other suitably experienced Inspector could fulfil the role of Mentor. Provided an Inspector meets the required standards, he/she should be issued with a Certificate of Competence duly signed by the third-party and a Supervisor which again will reside in the Inspector's Logbook.
- 3.3.2. Periodic repetition of his exercise should also be undertaken to ensure that an Inspector does not acquire 'bad habits' which are outside the adopted inspection procedures and also to continue to ensure consistency. The interchanging of Inspectors between areas for occasional inspections should also be considered, again with a view to maintaining a consistent approach.

3.4. Random Checks

- 3.4.1. In order to eliminate any accusation that an Inspector may work differently when he/she is on his/her own to when he/she is supervised, a number of random Spot Checks on an Inspectors work should be made. This would be done by listings the Route and Defects found by a recent (previous day) survey and checking that:
- All relevant defects have been recorded. (To check for under-recording).
 - All defects that have been recorded should have been recorded. (To check for over-recording).
 - All defect attributes are correct and appropriate.
 - That all locations are clear and correct.

As the inspections are subjective in nature, care should be taken to ensure that checkers are not over-zealous in their approach and a judgement of whether the Inspector being checked has been reasonable in his/her approach recorded. Any findings from the checks should be recorded and discussed with the Inspector and his/her Supervisor before being recorded in the Inspector's Logbook for future reference.

3.5. Reviews

- 3.5.1. Regular review meetings should be held, initially at monthly intervals but less frequently as the regime becomes established. Their purpose would be to strive for consistency by 'comparing notes' and discussing specific matters that have arisen. These meetings should be minuted and any specific actions decided upon should be documented and where appropriate added to the Inspector's Logbook. All matters such as Spot Checks, area exchanges and

Claims investigated should be discussed.

- 3.5.2. A formal Annual Review should also be undertaken for each individual inspector and reports such as the example shown in Appendix A, an Annual Inspectors Report, should be considered. Producing reports of this kind will identify any discrepancy between the number of defects being recorded by Inspectors and also the Priorities being assigned. These may be due to differences in the nature of the Inspectors areas but also may identify inconsistencies which could be rectified.

Appendix A – Annual Inspectors Report

The following is an example of a report that could be produced by an Authority's chosen management system and which would be used as part of an Inspector's Annual Review under the proposed Training/Accreditation scheme.

Annual Inspectors Report for John Reid				
Route 76 – Meadow Ward				
Section	Length	Inspections	Defects Found	Defects Outstanding
Acacia Avenue	205	4	1	0
Baytree Road	147	4	2	0
Cowslip Way	86	1	0	0
Daffodil Road	564	12	8	0
Eagle Street	432	4	2	1
Foxglove Lane	132	4	1	0
Goat Close	57	2	0	0
Harebell Road	239	4	2	0
Indiana Crescent	361	12	1	1
John Street	501	4	1	0
King Street	456	12	2	0
Lily Way	58	1	2	0
Marigold Way	192	4	3	0
Nutwood Close	238	1	2	1
Orchid Way	172	1	4	0
Plum Drive	28	4	0	0
Quince Close	160	2	3	0
Rose Lane	281	4	4	0
Sunflower Way	73	2	6	1
Tulip Way	79	2	3	0
Union Street	275	4	1	0
Violet Way	173	2	0	0
Well Street	211	4	0	0
Xylose Close	193	2	2	0
Zoo Road	738	4	2	2
TOTAL	6051	100	50	6 (12%)

Inspections completed on time	97 (97%)
Inspections Late	2 (2%)
Inspections Not Done	1 (1%)

Number of Defects/Km	8.26
Priority 1	25 (50%)
Priority 2	10 (20%)
Priority 3	1 (2%)
Priority 4	3 (6%)
Priority 5	11 (22%)