

## S331: Administer statutory parking and traffic appeals

**Overview:** Process documentation and respond to statutory appeals against parking penalty charge notices (PCN) including those following a successfully filed statement of truth on grounds 1, 2, 3 or 4. This standard covers the statutory appeals process. Civil parking notice (CPN) appeals for which there is no statutory process are covered in standard 329 Administer challenges, representations and CPN appeals. Civil parking notice means any parking or traffic notice issued in relation to any contravention or infringement of contract under current legislation.

**Links:** Specialist: Legal

**Specific skills:**

- Accuracy
- Evaluating
- Presenting yourself
- Researching
- Analysing
- Letter writing
- Problem solving
- Using technology
- Communicating
- Managing time
- Quality checking
- Decision-making
- Organising
- Recording

### Performance Indicators

#### Prepare case evidence

1. Record that you have received the statutory appeal notification or revocation order
2. Take action to suspend the enforcement process during the investigation
3. Check the details of the documentation you have received for accuracy and consistency and notify the appropriate person of any discrepancies
4. Make sure that you understand the grounds on which the customer is appealing or the statement of truth has been filed
5. At all stages comply with current organisational and legal requirements
6. At all stages carry out work within the given deadline for the case

#### Investigate the case for statutory appeal and decide how to proceed

7. Make sure all necessary evidence is present, accurate, valid and reliable
8. Identify and obtain any additional items of evidence that are needed
9. Where necessary consult other people to obtain further information
10. Refer any matter which is beyond the limits of your responsibility to the appropriate person
11. Review all evidence; make and record a decision on the basis of the evidence
12. Where the decision is not to contest the statutory appeal or the statement of truth, make sure that the adjudicator and appellant or respondent are informed and that the decision has been recorded properly
13. At all stages comply with current organisational and legal requirements

#### Contest the statutory appeal

14. Prepare a case summary in accordance with organisational guidelines and relevant codes of practice
15. Collate, label and present documentation in the

### Knowledge & Understanding

- A. The services that you are responsible for and the limits and scope of your responsibilities and authority in providing these services
- B. The services for which you are responsible
- C. Your organisation's policies, procedures and constraints that affect services in your area of responsibility
- D. The rules that apply when you are dealing with statutory appeals (e.g. Codes of Conduct, Code of Practice)
- E. How to interpret Traffic Regulation Orders
- F. The current legislation that applies when you are dealing with statutory appeals (e.g. Traffic Management Act 2004)
- G. The requirements of the Data Protection Act and its implications for your role
- H. The specialist software used by your organisation for the recording and processing of statutory appeals
- I. How to identify evidence that is sufficient, reliable and valid
- J. What information has to be provided and how to check that it is accurate
- K. The grounds on which someone may appeal
- L. The grounds on which someone may file a statement of truth
- M. The importance of acting within the given deadline for the case and the consequences of failing to do so
- N. The limits of your responsibility in investigating statutory appeals and to whom matters outside your authority should be referred
- O. What evidence is needed and why
- P. How to identify and obtain evidence that you have not been provided with
- Q. Who to consult if further information is needed
- R. How to prepare a case summary
- S. How to present a case summary and why it is important to present it in this way

format required by the appeals service

16. Make sure copies of documentation are provided to all relevant people
17. Make sure that you are prepared to respond to requests for further information including when a statutory appeal is referred by an adjudicator to an independent person to consider mitigation
18. If you attend the hearing, ensure that you are fully conversant with the case and that you comply with the Code of Conduct for personal attendance

**Respond appropriately to the outcomes of the statutory appeal**

19. On receiving notification of the outcome of the statutory appeal, update all records in accordance with organisational and legal requirements
20. Proceed with the case as appropriate to the outcomes of the statutory appeal
21. Review and consider the adjudicator's feedback; take appropriate actions

- T. How to prepare the documentation for a case that is not to be contested
- U. Your organisation's requirements for the presentation and organisation of documents for a statutory appeal hearing
- V. How to prepare yourself for a hearing, if you have to attend one yourself
- W. The Code of Conduct which regulates how to behave if you attend statutory appeal hearings yourself
- X. The kinds of further information that might be requested
- Y. What actions to take to close a case
- Z. How to arrange for refunds of fees to be paid
- AA. The records (paper and electronic) that need to be updated to record the outcome of the statutory appeal and how to do this
- BB. Who to inform of the outcomes of a statutory appeal and why
- CC. The courses of action that are available to the appellant
- DD. The courses of action that are available to the respondent
- EE. What actions to take to reactivate the recovery process