

ASTPAR6.4.3

Assess and make decisions regarding challenges and appeals relating to parking charges



Overview

This standard is about assessing and making decisions regarding challenges to parking charges levied by, or on behalf of, your organisation. Such 'challenges' can include both formal and informal challenges and representations as well as appeals. It includes reviewing the basis for the challenge/appeal, assessing its merit and taking the appropriate actions as a result of your assessment.

This standard addresses the work of those who might decide to progress cases through to courts/tribunals, but does not address the work of court/tribunal officials.

There is one element:

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Target group

This standard is recommended for those whose responsibilities include reviewing and assessing challenges/appeals relating to parking charges, and making decisions regarding how these might be progressed.

This standard has been developed by the British Parking Association.

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Performance criteria

- You must be able to:*
- P1 record the receipt of the challenge/appeal, and take the appropriate actions promptly relating to the case's progress, in line with your organisation's procedures
 - P2 establish that all matters relating to the issuing of the parking charge have been carried out correctly, and take the appropriate action where any aspects have been carried out incorrectly
 - P3 confirm that the challenge/appeal has been received within accepted timescales, and take the relevant consequent actions where the receipt is out of time
 - P4 determine and review the circumstances leading to the parking charge, including the nature of the infringement, and when it occurred
 - P5 identify the grounds for challenging/appealing against the charge
 - P6 assess the appellant's arguments and determine whether these present grounds for a review of their case, or its dismissal
 - P7 identify and take the relevant actions promptly, where further information is required towards assessing the appellant's arguments
 - P8 make reasoned recommendations regarding how cases might be progressed, basing these upon an evaluation of the arguments presented, the necessary information and details of the circumstances available, and the legal, regulatory and organisational requirements
 - P9 agree the outcomes of the challenge/appeal with the relevant parties, where necessary, and take the consequent appropriate actions, in line with your organisation's procedures
 - P10 keep all relevant parties informed fully of the progress of the case, ensuring that they are informed of the likely next steps and the timescale for their completion
 - P11 act within the limits of your responsibility at all times, referring cases to the relevant parties where necessary

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Knowledge and understanding

You need to know and understand:

Legislative, regulatory and organisational requirements

- K1 legal, regulatory and organisational requirements relating to challenges and appeals against parking penalties/charges and their impact for your area of operations
- K2 legislation, policies and procedures relating to data protection, health and safety, diversity and their impact for your area of operations
- K3 the role of your organisation and the parking services it provides
- K4 the role of your organisation and the parking services which it provides in relation to contractual responsibility and accountability to others
- K5 the limits of your authority and responsibility, and the actions to take if these are exceeded

Requirements relating to assessing challenges and appeals relating to parking

You need to know and understand:

- K6 your organisation's procedures and schedules for allowing and addressing challenges and appeals relating to parking charges
- K7 the information required towards assessing challenges and appeals
- K8 acceptable grounds for challenges and appeals against parking charges, and your organisation's procedures for considering these
- K9 the importance of verifying the information received and actions towards undertaking this
- K10 the factors to be considered when assessing challenges/appeals, the importance of balancing these and how to do this
- K11 the possible courses of action available following receipt of a challenge/appeal, and how and when to progress these
- K12 the importance of ensuring that all relevant parties are informed of challenges/appeals, who these are, and how to do this

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Suite Parking Sector

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