

**A SUMMARY OF THE KEY ELEMENTS OF THE DRAFT
STATUTORY GUIDANCE**

1. Licensing Authorities should create a cohesive Taxis and Private Hire Licensing Policy
2. Decisions on the fitness and propriety to be made on the balance of probabilities – an applicant should not be given the benefit of doubt
3. All those involved in the determination of licensing matters to have sufficient training and be adequately resourced
4. Individual cases to be considered by suitably trained councillors drawn from a larger Regulatory Committee
5. Clear separation between investigator and decision maker
6. Avoidance of bias or the appearance of bias
7. Effective internal procedures for staff to raise concerns and procedures to be in place for any concerns to be dealt with openly and fairly
8. Any changes to conditions affecting current licence holders, opportunity should be given to adapt to the changes, for example training courses
9. Licensing Authorities should record reasons for any deviation from their policies which should be clear and compelling
10. The DBS check should include a check of the barred lists in addition to the enhanced DBS check
11. Licensing Authorities should make use of the DBS update service, licensees should be required to evidence continuous registration and Licensing authorities should routinely check these records, for example every 6 months
12. Licence holders should notify the Licensing Authority within 48 hours of an arrest and release, charge or conviction of any motoring offence, or any offence involving dishonesty, indecency or violence
13. Licensing Authorities should make referrals to the DBS
14. A revocation or refusal of a licence on public safety grounds should be advised to the police
15. There should be a clear policy for the consideration of criminal records – the Department of Transport provide a model in Annex A of the Guidance
16. Common Law Police Disclosures should be used and there should be close links between Licensing Authorities and the Police

17. Action taken as a result of information provided by the Police should be fed back to the Police
18. Applicants should disclose if they have held a licence with any other Authority or if they have had a licence refused or revoked
19. Information should be shared across neighbouring authorities
20. All Licensing Authorities should establish means to facilitate the objectives of a Multi-Agency Safeguarding Hub (MASH)
21. Councils should have a robust system for recording complaints and produce guidance for passengers on making complaints which must be available on their website and displayed in licensed vehicles
22. Police forces should inform Licensing Authorities when they believe a licence holder presents a risk to the travelling public
23. Licensing Authorities should provide safeguarding advice
24. Joint working across authorities
25. Joint authorisations across authorities
26. Clear, simple and well publicised process for the public to make complaints about drivers and operators
27. Hackney Carriage and Private Hire Drivers be required to undertake Safeguarding Training
28. Oral and Written English language skills tests be undertaken by applicants to assess their ability to communicate with customers
29. DBS check for holders of Operator Licences and staff working for an operator who dispatch vehicles
30. There is a section which provides guidance on the installation of CCTV in licensed vehicles