

LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE**20 MARCH 2019**

REPORT TITLE	INTRODUCTION OF MANDATORY SAFEGUARDING TRAINING FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND PRIVATE HIRE OPERATORS
REPORT OF	CORPORATE DIRECTOR FOR BUSINESS MANAGEMENT

REPORT SUMMARY

The purpose of this report is for Members to approve mandatory Safeguarding Training for all Hackney Carriage and Private Hire Drivers.

RECOMMENDATION/S

That Members approve mandatory Safeguarding Training for all Hackney Carriage and Private Hire Drivers. That Members give delegated authority to the Licensing Manager to amend the deadline for completing the training should the availability of the training be delayed.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is a requirement for this Committee to approve any amendments to the Council's Policy relating to the training of Private Hire and Hackney Carriage Drivers.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There is no provision for other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 Members will be aware of the potential issues in relation to the safeguarding of children and vulnerable adults within licensed vehicles.
- 3.2 In particular, there have been several well documented cases across the country where issues around safeguarding have been highlighted, such as the Rochdale grooming case.
- 3.3 As members will be aware, the Local Government (Miscellaneous Provisions) Act 1976 stipulates that a Hackney Carriage/Private Hire Driver licence should not be granted unless the applicant is a 'fit and proper' person.
- 3.4 There are no prescribed set of checks or tests that licensing authorities must carry out when considering whether an applicant is 'fit and proper' and this is left to the individual licensing authority to determine.
- 3.5 In 2006 Members of this Committee introduced the requirement for anyone seeking to become a Private Hire or Hackney Carriage Driver to obtain the Vocationally Related Qualification (VRQ) - An Introduction to the role of the Professional Taxi and Private Hire Driver as part of the requirement to demonstrate that they are fit and proper to hold such a licence.
- 3.6 There are a number of modules that comprise this qualification and whilst there is some reference to safeguarding in these modules it is considered that this is not sufficient to meet the challenges in this important area.
- 3.7 On 12 February 2019 the Department for Transport published draft Statutory Guidance for Licensing Authorities entitled 'Taxi and Private Hire Vehicle Licensing: Protecting Users'. This document is currently subject to consultation until 22 April 2019.
- 3.8 In recognition of the role that individuals working in the Hackney Carriage and Private Hire industry can play in spotting and reporting abuse, exploitation or neglect of children and vulnerable adults, it is the Department for Transport's recommendation that Licensing Authorities provide safeguarding advice and guidance and that Hackney Carriage and Private Hire Drivers are required to undertake Safeguarding Training.

- 3.9 Those working in the Hackney Carriage and Private Hire industry are described by the Department for Transport as an asset in the detection and prevention of abuse or neglect of children and vulnerable adults if they are aware of and alert to the signs of potential abuse and know where to turn if they suspect that a child or vulnerable adult is at risk of harm or immediate danger.
- 3.10 The draft Statutory Guidance provides further details of elements that are to be part of the training which include an awareness of 'County Lines' drug trafficking. Whilst it is acknowledged that this document is currently subject to consultation, there is a clear indication that Licensing Authorities should ensure that Hackney Carriage and Private Hire Drivers receive Safeguarding Training. It is set out clearly in this document that it would be expected that the recommendations contained therein are implemented unless there is compelling local reason not to do so.
- 3.11 It is proposed therefore that it becomes a mandatory requirement from 1 June 2019 for all new applicants to receive Safeguarding Training through a specific module that is delivered as part of the VRQ before a licence may be granted.
- 3.12 It is further proposed that it is made a requirement that all currently licensed Hackney Carriage and Private Hire Drivers also attend Safeguarding Training.

It is acknowledged that it will take some time to for all existing licensed drivers to receive training it is therefore proposed that the following requirement is adopted:

- All Hackney Carriage and Private Hire licensed drivers must attend mandatory Safeguarding Training before 31 December 2020
- Failure to attend the mandatory Safeguarding Training before 31 December 2020 will result in the individual having their Hackney Carriage or Private Hire Driver Licence suspended.

- 3.13 The Licensing Manager is currently working with the other Licensing Authorities across the city Region, as well as partner agencies to develop a consistent approach to the delivery of mandatory Safeguarding Training to both new applicants and existing holders of Hackney Carriage and Private Hire Driver Licences. Members are therefore asked to give delegated authority to the Licensing Manager to amend the deadline for completing the training should the availability of the training be delayed.
- 3.14 It is recognised that Safeguarding Training should also be undertaken by Private Hire Operators, this will form the subject of a future report reviewing the conditions of Private Hire Operator Licences.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The cost of the training to be delivered to current licence holders will be recovered through licence fees.

5.0 LEGAL IMPLICATIONS

5.1 A decision of the Committee may be subject to legal challenge.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report

7.0 RELEVANT RISKS

7.1 There are none arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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APPENDICES

SUBJECT HISTORY (last 3 years)

Council Meeting	Date