

## Bristol City Council Equality Impact Assessment Form



(Please refer to the Equality Impact Assessment guidance when completing this form)

Name of proposal	Hackney carriage and private hire vehicle policies
Directorate and Service Area	Neighbourhoods and Communities, Regulatory Services
Name of Lead Officer	Nick Carter, Regulatory Services Manager

### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

#### 1.1 What is the proposal?

The proposal is to make amendments to the policy that sets out the Council's requirements to hold a hackney carriage/private hire licence.

The proposals are set out below:

- Applicants who hold a community licence, exchangeable licence or Northern Ireland driving licence will be required to exchange their licence to a full DVLA licence prior to the renewal of their first hackney carriage or private hire driver licence.
- Amend reference in the existing policy from CRB (Criminal Records Bureau) to the Disclosure and Barring Service (DBS). Also update the policy to reflect the approach currently taking by the Council.
- To amend the medical examination test section to clarify the requirements of the DVLA Group 2 criteria with regard to frequency of testing.
- To clarify the requirement for current private hire driver licence holders applying for a Hackney carriage driver licence to pass the knowledge test at Hackney carriage standard. This reflects the approach currently taken by the Council.
- To delete reference to the Driving and Vehicle Standards Agency (DVSA)

which no longer carries out tests for hackney carriage and private hire drivers.

- Gold Standard – to amend the existing policy to permit applicants who currently hold a private hire or hackney carriage driver licence to apply for the other licence without the requirement of undergoing the Gold Standard training course.
- Expired licences – To update the existing policy to reflect the approach already taken by the council
- To update the training details by the inclusion of a requirement that existing licensed drivers may need to undertake mandatory training as a condition of the renewal of their licence

### **DVLA Licence Check**

The Local Government (Miscellaneous Provisions) Act 1976 provides that the Council shall not issue a licence to any person who has not for at least twelve months been authorised to drive a motor car, or is not at the date of the application for a driver's licence so authorised. In this regard authorised (in addition to a full DVLA licence also means a person who is authorised by virtue of section 99A(1) of the Road Traffic Act 1988 [or section 109(1)] of that Act to drive in Great Britain a motor car.].

This means Applicants who have held a;

- community licence,
- exchangeable licence or
- Northern Ireland driving licence

For 12 months may legally be granted a private hire or hackney carriage licence. At present the Council has no method of checking endorsements against foreign driving licences. The proposed requirement for licensees who hold such a licence to exchange it to a DVLA licence before first renewal will enable the council to check any endorsements held on record. The impact on the licensee would be a requirement to pay the DVLA a fee for such a change, currently set at £43.

### **Enhanced Disclosure and Barring Service (DBS) Check**

The proposal alters the policy to state DBS check as opposed to the Criminal Records Bureau Check which no longer exists. It also sets out the timescales when further checks are required which are already followed by the Council and have been for a considerable period.

### **Medical Test**

The proposed change amends the wording to reflect the intervals at which medicals are due. These timescales are the same as set out in the DVLA Group 2 guidance which is already followed by the Council.

### **Driving Test**

The change alters the wording from the no longer available Driving Vehicle and Standards Agency test to a test as specified by the Licensing Manager in consultation with the chair of the PSP Committee. Other tests are available but a decision as to which one to specify has yet to be taken.

### **Gold Standard**

The impact of this change is that persons who have held a hackney carriage or private hire driver licence since before 1 August 2012 will not have to undergo the Gold Standard training course. This change reflects the fact that these licensees are experienced members of the trade who would already have the necessary skills and experience to provide high levels of customer service.

### **Training Requirement**

The proposal is that existing licensed drivers may from time to time be required to undertake mandatory training as a condition of the renewal of their licence. The purpose of this is to refresh skills and knowledge. This could include, for example, training around safeguarding and disability awareness

### **Expired Licences**

This proposal puts into policy the approach already adopted by the Council in determining what steps are required by new applicants who previously held a licence, details below:

<b>APPLICATION DATE</b>	<b>REQUIREMENT FROM APPLICANT</b>
Up to seven days after the expiry of the previous licence*	<ol style="list-style-type: none"><li>1. Complete application form for the grant of a licence</li><li>2. Pay an application fee in addition to the yearly licence fee</li></ol>
	<ol style="list-style-type: none"><li>1. Complete application form for</li></ol>

Between seven days and up to six months after the expiry date*	<p>the grant of a licence</p> <ol style="list-style-type: none"> <li>2. Pay an application fee in addition to the yearly licence fee</li> <li>3. Complete and submit DBS check and pay current fee</li> </ol>
Between six months and up to 12 months after the expiry date*	<ol style="list-style-type: none"> <li>1. Complete application form for the grant of a licence</li> <li>2. Pay an application fee in addition to the yearly licence fee</li> <li>3. Complete and submit DBS check and pay current fee. The licence <b>can only be issued</b> on return of a satisfactory result.</li> </ol>
12 months and over from expiry*	TREAT AS NEW APPLICANT
<p>*Where an expired licence is being renewed by a driver who still holds a current Hackney carriage or private hire driver licence the above criteria will not apply with the exception that a grant application form and grant fee in addition to the licence fee will be required.</p>	

## Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

### 2.1 What data or evidence is there which tells us who is, or could be affected?

Based on the demographics of the City of Bristol the majority of citizens which are potential taxi customers:

- 77.9% are White British compared to 80.5% the national average
- 16.7% have a Limiting Long-term Illness or Disability which is lower than the national average of 17.9%
- 50% are women which is in line with the national average,
- 15.7% are aged between 16-24, 38% aged between 25-49, 14.5% aged between 50-64, 13.2% aged over 65.

### **Disability**

The Office for Disability Issues has updated Department for Work and Pensions estimates which show there are 11.2 million disabled people in Great Britain, of whom 5.2 million are adults of working age, 5.2 million are over state pension age and 0.8 million are children (Disability prevalence estimates 2010/11) .

DPTAC research in 2002 found that disabled people were more satisfied with taxis and minicabs services compared to other forms of transport which was partly attributed to the level of personal service provided by drivers of these vehicles (Attitudes of Disabled People to Public Transport; research study conducted for Disabled Persons Transport Advisory Committee). Taxis and minicabs are vital for many disabled and older people and for some the only accessible transport mode (Beuret, 1995).

Disabled persons are reported to travel approximately a third less often than those who are not disabled, but disabled people use taxis and private hire vehicles approximately 67% more than people who are not disabled. (Disabled Persons Transport Advisory Committee, *Attitudes of Disabled People to Public Transport – a research study conducted for the Disabled Persons Transport Advisory Committee* (November 2001).)

### **Licence holders**

In Bristol there are currently 1883 licensed Hackney carriage drivers and private hire drivers in total. We currently hold equalities information for nearly one third of hackney carriage drivers (29%) of which 19% are White British, 81% BME .

### **2.2 Who is missing? Are there any gaps in the data?**

We do not currently have equalities data on the profile of the majority of licenced taxi/private hire drivers. Measures have been implemented in order for equality information to be collected for licence holders.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

Consultation was carried out with the Taxi Forum, whose members represent the taxi trade.

### **Step 3: Who might the proposal impact?**

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Age

No negative impact anticipated.

Disability

No negative impact anticipated.

Ethnicity

A significant proportion of licensed drivers are members of the BME community as such a change to require community and exchangeable licences to be converted to a DVLA licence may have a limited impact through the £43 cost. However non-DVLA licences are only presented on rare occasions and in such occasions any negative impact is offset by the ability to check on an applicant's motoring convictions which would otherwise not be possible.

Ethnic background can increase the risk of certain medical conditions. For example for Bangladeshis, Indians and Pakistanis, and people with an African Caribbean background, cardiovascular risk can be higher than for the rest of the UK population. However whilst some ethnicities are at greater risk of certain conditions, this disadvantage is offset by the need to protect the travelling public and ensure that applicants are medically fit to hold a licence.

Gender

No negative impact anticipated.

Pregnancy and Maternity

No negative impact anticipated.

Religion & belief

No negative impact anticipated.

Sexual orientation

No negative impact anticipated.

Transgender

No negative impact anticipated.

Any other relevant specific groups

No negative impact anticipated.

3.2 Can these impacts be mitigated or justified? If so, how?

The impact with regard to DVLA driving licences can be justified through the improved protection for the travelling public and the limited additional cost to the licensee of £43.

Whilst some ethnicities are at greater risk of certain medical conditions, this disadvantage is justified by the need to protect the travelling public and ensure that applicants are medically fit to hold a licence.

3.3 Does the proposal create any benefits for people with protected characteristics?

The potential introduction of mandatory training linked to the licence renewal process will provide an opportunity to introduce training that will help protect people with protected characteristics, it is envisaged that the training would include safeguarding and input around providing support for other vulnerable people

3.4 Can they be maximised? If so, how?

#### **Step 4: So what?**

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with

protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?
Whilst some negative impacts have been identified as a result of the EQIA these can be justified by the need to protect the travelling public.
4.2 What actions have been identified going forward?
A report will be drafted to be placed before the council's Public Safety and Protection Committee.
4.3 How will the impact of your proposal and actions be measured moving forward?
The next stage is for a report to be presented to committee recommending that members should approve the proposals for amending our Suitable Person Policy

Service Director Sign-Off:  	Equalities Officer Sign Off: Wanda Knight
Date: 03/08/2017	Date:01/08/17