



Draft Policy for Exemption Requests from carrying Passengers in Wheelchairs

Statement of Intent

1. The aim of this policy is to ensure public safety and the safety of licensed drivers, whilst taking a balanced approach to licensing requirements. Its objective is the provision of a process to exempt drivers from carrying passengers in wheelchairs on medical grounds, where the act of transferring or assisting the passenger could cause harm to the driver, passenger, or both.

Introduction

2. Section 165 of the Equality Act 2010 places duties on Private Hire and Hackney Carriage Drivers who operate a Wheelchair Accessible Vehicle to carry passengers in a wheelchair, and provide assistance to ensure safety and reasonable comfort.
3. Certain medical grounds may exist meaning the driver cannot provide assistance, for example where a person's physical condition makes it impossible, or reasonably difficult, to assist passengers in a particular type of wheelchair.
4. Where this is the case, an exemption may be granted to the driver, exempting them from the requirement to provide assistance to a passenger with a wheelchair.

The Policy

5. Exemptions from carrying passengers in wheelchairs can be made in respect of individual drivers only.
6. Each application will be based on its own merit.

7. Applications for exemption from the requirements to carry a wheelchair passenger may be considered where the following requirements are met;

7.1 A request for exemption is made in writing, using the Council's Application for Exemption application form

Sufficient evidence supporting the request is presented to the Licensing Team from a medical professional, usually their General Practitioner, or other Doctor who works at the applicant's own registered medical practice.

Sufficient evidence may include clinical history, details of any ongoing investigations, or a full diagnosis. A simple statement from a medical professional will not be considered sufficient for the purpose of an exemption request

The evidence presented proves that the driver cannot physically carry out the duty of carrying passengers with wheelchairs, and that this would cause a hazard for both the driver and passenger

8. On receipt of an exemption request, the Licensing Manager will consider the request taking into account the supporting medical evidence provided.

9. The Licensing Manager will reserve the right to consider advice from the Council's Occupational Health service. Any costs incurred will be borne by the applicant.

10. If an exemption from carrying passengers in wheelchairs is granted, an exemption certificate and badge will be issued to the driver.

11. An exemption will be granted for a specified period of time as determined by the Licensing Manager.

12. The exemption badge must be clearly displayed at all times in any Hackney Carriage or Private Hire vehicle that the exempt driver will be driving, and made available to an Authorised Officer on request.

13. The exemption badge and certificate remain the property of the Council, and must be returned at the request of the Licensing Team.

(If you have any queries regarding this policy, please contact the Licensing Department at licensing@bristol.gov.uk)



Licensing Team, (Temple Street), Bristol City Council, PO Box 3176, Bristol BS3 9FS
 Email licensing@bristol.gov.uk Web www.bristol.gov.uk/licensing Tel: 0117 357 4900

Equality Act 2010

Application for EXEMPTION from carrying Wheelchair Passengers in a Hackney Carriage or Private Hire Vehicle

Part 1 - To be completed by the applicant.

Family / Surname	
First Names	
Date of Birth	
Contact Tel. Nos.	
Email	
PH/HC Badge Number	
Current Residential Address	
	Postcode:

Part 2 - To be completed by a Medical Practitioner.

Name of Medical Practitioner			
Address of registered surgery			
	Postcode:		
Contact Tel. Nos.			
Email			
I confirm the patient is registered at the medical practice detailed above and that I have had access to their medical records when completing this medical	Yes		No
Information on any condition, diagnosis or ongoing investigation	(you must attach copies of all relevant medical reports or evidence to support the request for exemption such as clinical history, ongoing investigations, or formal diagnosis)		

Draft Exemption from Carrying Wheelchair Passengers Policy – PSP 18.09.2018
APPENDIX B

Please confirm if, in your medical opinion, an exemption from assisting passengers in wheelchairs should be granted. (Assisting passengers includes transferring the passenger into and out of the vehicle in safety and with reasonable comfort)	Yes		No
Please confirm if, in your medical opinion, any exemption should be time-limited, and for what period.			

Doctor and Practice Details

Printed Name of Medical Practitioner
Signature of Medical Practitioner
Date

Surgery Stamp

Part 3 - To be completed by the applicant.

I authorise my Doctor(s) and Specialist(s) to release report/medical information about my condition, relevant to my fitness to drive, to Bristol City Council in conjunction with my application for exemption and during the period that a licence (if granted) is in force.

I authorise Bristol City Council to disclose such relevant information as may be necessary to the investigation of my application for exemption, and during the period that a licence (if granted) is in force to doctors, paramedical staff, and to inform my doctor(s) of the outcome of the case where appropriate.

I understand that Bristol City Council may require me to undergo further medical tests at my expense now or at any point in the future, if a licence is granted, in order to establish my need for exemption.

I declare that I have checked the details I have given on this application and that, to the best of my knowledge and belief, they are correct.

Signed..... **Print Name**.....

Date.....