

Draft Private Hire Operator Policy



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Public Safety

1. Bristol City Council is responsible for the administration of taxi licensing within the boundary of Bristol. In fulfilling this responsibility, its primary consideration is public safety.
2. A Private Hire Operator licence is required to accept or invite bookings of a private hire vehicle. A licensed operator may only operate a private hire vehicle that is licensed by the same authority that granted its operator licence. The vehicle must be driven by a licensed Private Hire Driver who is also licensed by the same authority. Therefore the operator, driver and vehicle must all be licensed by the same authority.

Fit and Proper

3. Operators must at all times remain fit and proper persons whilst licensed. In the event of complaint or reported incident the operator's fitness may be re-considered, with reference being made to the guidelines relating to the relevance of criminal behaviour, and appropriate action taken. The Council recognise that private hire operators have in their possession highly personal information regarding the activity and location of people and therefore the Council must be confident that private hire operators are fit to hold that licence.
4. In respect of new applications a basic disclosure check for each individual/company director/company secretary (as applicable) must be provided. The disclosure must be dated no earlier than 2 months prior to the date of the Council receiving the complete application.
5. All individuals/company directors/company secretary (as applicable) must supply a new basic disclosure to the Council every three years.

Note: If any applicant/directors of the business have satisfied Bristol City Council that they are a fit and proper person i.e. they have been issued a Hackney Carriage/Private Hire Driver licence they will not be required to complete a basic disclosure.

Note: Please note an Operator's licence may be suspended if basic disclosures are not provided every 3 years

Draft Private Hire Operator Policy

Conditions

6. Operators must at all times comply with the Council's Private Hire Operator conditions, as set out in the Appendix 1 - Private Hire Operator Licence Conditions.

Trading name

7. Operators shall ensure that any trading name is approved by the Council, including any change of name. Where a trading name is of a similar nature to an existing operator, or deemed offensive in nature, the trading name will normally be refused.
8. The Operator shall notify the Council, in writing, of any proposed change of name of the Operator and shall await approval in writing from the Council prior to using any new name.

Right to Licence check

9. All individuals at the time of initial application will be required, as required by the Immigration Act 2016, to undertake a 'right to licence' check on application to prove they are entitled to work in the United Kingdom.

Nominated individuals.

10. The Operator shall ensure that the Council are notified in writing of the name and the details of any individual nominated as a Responsible Person for managing the business in the absence of the Operator.
11. The Operator shall have a designated safeguarding lead which shall be detailed in the Operators Safeguarding Policy. Any changes to the contact details or name of this lead shall be provided to the Council at least 7 working days prior to taking effect.

Fit and Proper Person policy in respect of booking handlers, individuals that handle personal information relating to bookings or act as designated safeguarding lead

12. The Operator shall have in place a Fit and Proper Person policy for all individuals that take bookings, handle personal information in respect of bookings or act as designated safeguarding lead on behalf of the Operator. The Policy shall include the checks that will be carried out which shall include a basic disclosure, how checks will be documented, the frequency of checks, the decision making process in respect of unspent convictions and the frequency of policy reviews. Records relating to the checks and policy shall be made available to Authorised Officers on request.

Draft Private Hire Operator Policy

Note: Further guidance is available for operators in respect of the content of policies

Safeguarding Policy

13. The Operator shall have in place a Safeguarding Policy which includes - how reports of safeguarding issues will be reported and managed by the Operator, the name and contact details of the Safeguarding Lead acting on behalf of the Operator, how safeguarding reports may be escalated and determined and how frequently the policy will be reviewed . The policy shall be provided on application and any policy changes will be forwarded to the Council at least 7 working days prior to taking effect.

Note: Guidance is available for operators in respect of the content of policies

Handling of information

14. The Operator shall, due to handling and processing personal information, register with the Information Commissioners Office as per the Data Protection Act 2018. Further information can be found at <https://ico.org.uk/for-organisations/register/>. Evidence of registration must be provided to the Council.

15. The Operator shall ensure personal information taken at the time of booking is stored in accordance with General Data Protection Regulation (GDPR) regulations.

Premises

16. Should the premises where the Private Hire Operator licence is held include a public waiting area, the operator shall ensure adequate public liability insurance is in a place for a minimum of £5,000,000.

17. A licensed operator will only conduct their business from any base address specified on the licence. Each base shall require a separate licence.

18. The Council shall not grant a Private Hire Operators licence to any person intending to have a base of operation that is located outside of the Bristol City Council district.

Operator records

19. The Operator shall ensure records are up-to-date at all times in respect of Private Hire Drivers, Private Hire Vehicles and bookings in accordance with the Private Hire Operator conditions attached to the licence.

20. The Operator shall ensure that the register of drivers and vehicles is forwarded to the Council on the first working day of the month.

Draft Private Hire Operator Policy

Note: If possible the registers should be in a spreadsheet format and emailed to the Licensing Team.

Complaints and Customer Service

21. The Operator shall comply with requests for information from the Council in respect of complaints, conduct or offences relating to drivers or vehicles.
22. The Operator shall disclose any information they consider may impact on a driver or a vehicle proprietors suitability to hold a licence to the Council, in respect of complaints, conduct or offences including any suspicion of offences.
23. The Operator shall have in place a Customer Service and Complaints Policy which includes in detail the level of customer service to be provided, how complaints are dealt with by the Operator and how the needs of customers will be addressed. This shall be provided on application and any changes to its Complaint Policy will be provided to the Council at least 7 working days prior to the change taking effect.
24. The Operator shall inform the Council of any drivers or vehicles which are removed from the operator's registers, as detailed in the Private Hire Operator Conditions.

Note: Further guidance notes are available in respect of the content of policies

25. The Operator shall as far as reasonably practical provide a prompt, efficient and reliable service and shall do everything necessary to ensure that Private Hire Vehicles attend punctually at the time, at the place agreed with the Passenger and that the needs of the passenger are met.

Lost property

26. The Operator shall keep a record of any items of lost property retained.

Training Policy

27. Operators must put in place their own Training Policy which details the training provided for all individuals working on behalf of the Operator. The Training Policy shall include :

- Training in respect of the Operators Complaints Policy for all drivers, vehicle proprietors, individuals taking bookings, handling information regarding bookings and the Safeguarding Lead;
- Safeguarding and vulnerable adults training for individuals taking bookings, handling information regarding bookings and the Safeguarding Lead;
- Training in respect of the Operators Safeguarding Policy for all drivers, vehicle proprietors, individuals taking bookings, handling information regarding bookings and the Safeguarding Lead;

Draft Private Hire Operator Policy

- Equalities training including accessibility, assistance dog requirements, mobility assistance and how to be Dementia Friendly to individuals taking bookings, handling information regarding bookings and the Safeguarding Lead
- Data protection/GDPR training to all drivers, vehicle proprietors, individuals taking bookings, handling information regarding bookings and the Safeguarding Lead.

28. The training policy and evidence of training detailed in the policy shall be made available to an Authorised Officer when requested, and provided on application, including renewals.

29. The Operator shall provide any changes to their Training Policy to the Council at least 7 working days prior to the change taking effect.

Further information on the above is available through guidance on our website. Template policies will be made available.

Best Practice

30. The Operator shall inform the Licensing Team of any best Practice schemes that are proposed. Such as safe taxi schemes for students.

New Applications

31. All new applications shall include:

- A completed application form and questionnaire
- Criminal Record Check - A basic disclosure check for each applicant and director (as applicable) which is dated not earlier than 2 months of receiving a complete application.
- Insurance Certificates – If applicable a copy of the relevant certificates must be in place when making an application
- Planning Permission - All private hire operators must have in place suitable premises in which to operate from and have adequate parking available for Private Hire Vehicles working on behalf of the Operator. The premises must be fit for purpose and have in place, if required, the correct planning consent - It may be necessary for the premises used for the provision for the invitation or acceptance of bookings for a private hire vehicle to have in place suitable planning permission. Applicants must present, as part of the application process, written proof from the Bristol City Council Planning Service stating the correct planning permission has been obtained or that planning permission is not required

Draft Private Hire Operator Policy

- Evidence of registration with the ICO.
- A copy of Operators current Customer Service and Complaints policy, Training Policy, Safeguarding Policy and Fit and Proper Person Policy for suitability of individuals taking bookings, handling personal information or Safeguarding lead acting on behalf of the Operator.
- Right to Licence evidence – If required.
- Signed copy of Private Hire Operator conditions confirming acceptance and understanding of the conditions.
- List of proposed vehicles and drivers (as specified in the Operator Conditions).

Renewal applications

32. All renewal applications shall include:

- A completed renewal application form . All renewal applications should be made at least two weeks before the expiry date of the current licence and no earlier than 6 weeks prior to the expiry of the licence to allow reasonable time for the application to be processed. Any application received after expiry date will be treated as a grant application.
- Criminal Record Check – Basic disclosure certificates are required for each applicant/director/secretary (as applicable) every three years.
- Insurance Certificates – If applicable a copy of the relevant certificates must be in place when making an application
- A copy of the Operator's current Training policy
- Register of current Private Hire Drivers and Private Hire Vehicles as specified in the Operator conditions
- Licence fee
- A copy of Operators current Customer Service and Complaints policy, Training Policy, Safeguarding Policy and Fit and Proper Person Policy for suitability of individuals taking bookings, handling personal information or Safeguarding lead acting on behalf of the Operator.

Exemption to policy requirements

33. Applicants may apply to be exempt from any requirements in this policy and applicants can submit any information to the Licensing Team which they feel

Draft Private Hire Operator Policy

supports an exemption. Requests for exemption may be determined by the Licensing Team Leader, Licensing Manager, Chair of Public Safety and Protection Committee or the Public Safety and Protection Committee.

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