

# Appendix 1 – Summarised statutory Taxi & Private Hire Vehicle Standards and next steps

	Recommendation	Current position	Next steps
1	<b>Included in draft policy</b> - Licensing authorities produce a cohesive policy document with all procedures including policies on convictions, fit and proper person test, licence conditions and vehicle standards	No single document currently.	Drafted
2	<b>Policy reviews-</b> Policies should be reviewed every 5 years and consider interim reviews and the performance of policies annually.	No current timescales for policies being reviewed.	Included in draft policy
3	This document will be published with the committee reports. In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these		Committee reports and this table are published which will include consideration of the standards.
4	<b>Whistleblowing</b> - Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly.	Whistleblowing policies are in place across the Council.	Licensing team members to read, sign to say they understand the policy.
5	<b>Consultations</b> - licensing authorities should engage with groups likely to be the trade's customers to identify any concerns and issues that might arise from a proposed change. E.g. groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women's groups, local traders, and the local multi-agency safeguarding arrangements. Also night-time economy groups if the trade is an important element of dispersal from the local night-time economy's activities.	Current consultations looking to consult with equality groups.	Consultees updated.
6	Consultations – Consider regional officer consultation groups or councillor liaison meetings.		WECA to be included in the policy consultation
7	The draft taxi Policy and EQIA detail the impact of changes on licences already issued	We would usually develop policy which would cover this.	The impact on licence holders particularly in respect

			of DBS changes and convictions policy will be required and potentially some drivers currently licensed may not be relicensed.
8	<b>DBS Update service-</b> All drivers should be able to evidence every 6 months subscription to the update service. Drivers who do not subscribe to the Update Service should still be subject to a check every 6 months.		Drafted in new policy. Potential issue regarding practically new DBS certificates being required however the licensing team have recently introduced online DBS to minimise the impact of this.
9	<b>Links with police</b> - Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.	In place. BCC, SGC jointly funded taxi cop, which has significantly improved taxi sharing	No changes required.
10	<b>Licensee self-reporting</b> - Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. Should an authority place an obligation on licensees to notify under these circumstances, authorities should also ensure appropriate procedures are in place to enable them to act in a suitable timeframe if and when needed.	Current conditions for private hire drivers, operators, private hire or hackney carriage vehicles relating to arrest, caution, charge etc. to notify the Council by close of business the following working day of the event happening.  Procedures in place to enable the licensing authority to act on information within suitable timeframe.	This does not cover hackney carriage drivers. Draft policy updated for private hire drivers, Hackney carriage and private Hire vehicles and private hire operators. Existing conditions were on the following working day therefore maintained this. Also section added to convictions policy.
11	Decisions to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult should be referred to the DBS.		A process is being developed.
12	Action taken by the licensing authority as a result of information received from the police should be fed-back to the police increasing the awareness among police forces of the value licensing authorities place on the information received, particularly on non-conviction intelligence.	Currently discussed with PC Quinton and training has been provided to police colleagues	n/a
13	A revocation or refusal on public safety grounds should also be advised to the police.		Officers will liaise with PC Quinton.
14	Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority, had an application for a	In place currently.	No change required.

	licence refused, or a licence revoked or suspended by any other licensing authority. Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.		
15	Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.	In place currently.	No change required.
16	Licensing authorities should operate or establish a means to facilitate the objectives of a Multi-Agency Safeguarding Hubs (MASH) based on three common principles- information sharing, joint decision making and coordinated intervention. i.e. sharing necessary and relevant information between stakeholders.		In place
17	LAs should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.	A system is in place.	Review existing processes and introduce quality checks to ensure this is followed.
18	Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action could be taken which could include training, formal review of licence or formal enforcement action.		Review existing processes and introduce quality checks to ensure this is followed.
19	LAs should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website and have a clear, simple well-publicised process,	In place.	Information to be reviewed
20	Ways to make complaint to the authority should be displayed in all licensed vehicles.	In place.	Information to be reviewed.
21	Complaints regarding PHDs more likely to go to operator. Therefore an effective partnership in which operators can share concerns regarding drivers is also encouraged.	Draft PHO policy includes proposals for this.	Included in draft policy.
22	CCTV footage can be invaluable when investigating complaints. Benefits of CCTV are provided via a link.	Guidelines in place. CCTV footage is used to investigate complaints when available currently.	No change required.
23	Overseas convictions – Las to seek or require applicants to provide where possible criminal records information or a ‘Certificate of Good Character’	Not currently required.	Included in the draft policy for all licences.
24	Decision making - Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly	Current resources are sufficient.	With changes to policies, including requirement to notify local authorities of complaints, DBS changes, certificate of good character

			could impact on available resource.
25	Training decision makers- All individuals that determine whether a licence is issued should be required to undertake sufficient training. As a minimum, training for a member of a licensing committee should include: licensing procedures, natural justice, understanding the risks of CSAE, disability and equality awareness and the making of difficult and potentially controversial decisions. Training should include the use of case study material to provide context and real scenarios. All training should be formally recorded by the licensing authority and require a signature from the person that has received the training.	Training in place.	Existing training to be reviewed. Terms of Reference has been updated regarding attending training and Members Code of conduct updated and records obtained.
26	All licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.	Current process in place.	n/a
27	Safeguarding – Licensing authorities should provide safeguarding advice and guidance to the trade and require all drivers to undertake safeguarding training. The guidance refers to what the training should include.	Current policy allows for mandatory training.	Included in the draft policy.
28	Language proficiency – Licensing authorities should test a driver's proficiency to cover both written and oral English language skills. A lack of language proficiency could impact on a driver's ability to understand documents and signs relating to protecting children and vulnerable adults and identifying potential exploitation.	Included in Gold standard for new drivers.	Currently all new drivers complete as part of Gold Standard. Policy and EQIA updated to include if required by the Council for existing drivers, vehicle proprietors/applicants and private hire operators will need to complete.
<b>Vehicle Licensing</b>			
29	Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually. Need to consider existing drivers and DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given. Also overseas checks should be considered.	Not currently required.	Included in the draft policy
30	Stretch limousines – Licensing authorities should consider licensing them.	Currently can consider them	n/a
<b>Operators</b>			
31	Fit and Proper Person test to be applied to each director/partners of a company or partnership. PHOs to notify of changes to partners/directors. Also overseas checks should be considered.	Currently directors/partners required to complete basic disclosure. The draft PHO policy includes proposals relating to being notified of changes to partner/directors.	Added to draft policy.

32	<p>Bookings and dispatch staff- should not present an undue risk to the public, the safeguarding of children or vulnerable adults. Las should be satisfied the operator can demonstrate staff that have contact with the public and oversee dispatching of vehicles do not pose a risk to the public.</p> <ul style="list-style-type: none"> <li>- A condition should fall on operators to require a register of all staff that take bookings or dispatch vehicles.</li> <li>- Operators should have had sight of basic disclosure of these individuals and that it complies with their policy on employing ex-offenders.</li> <li>- Alternatively a 'responsible organisation' could request the check on their behalf.</li> <li>- If operators outsource work they need to evidence these protections are carried out by the company outsourced.</li> <li>- Operators should provide their policy on employing ex-offenders.</li> </ul>	Draft policy does not include a register of staff that take bookings or dispatch vehicles. The draft policy requires booking handlers, individuals that handle personal information relating to bookings or act as designated safeguarding lead to have basic disclosure in the operators Fit and Proper Person policy.	Included in the draft policy
33	Operator records to include certain information relating to bookings. It is suggested the booking records should be retained for 6 months.	Current draft includes the majority of these requirements including records should be kept for 12 months.	Maintained as 12 months rather than standards requirement.
34	<p>A condition should be attached to the licence that</p> <p>' The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted without the informed consent of the booker.</p>		Included in draft policy
35	Where a private hire vehicle is unsuitable e.g. more than 8 seats are required the booker should be told a PSV is required and a PSV licensed driver that is subject to different checks will be used and the PSV will not be required to have an enhanced DBS check		Included in draft policy
Enforcement			
36	Authorise officers and have an agreement with other authorities so that compliance and enforcement action can be taken against licensees from outside their area. A model for agreeing joint authorisation is contained in the LGA Councillors' handbook.		To be implemented
37	Ensure drivers are aware of the policies in place and informed of what is expected of them and the repercussions for failing to do so.		Plan to be drawn up to do this outside of the policy
38	Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application.	Each application is considered on its own merits	No change required

39	Convictions Policy	We have a current convictions policy	We have amended the policy to include new convictions
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