

MANDATORY SAFEGUARDING AWARENESS TRAINING FOR LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Relevant Portfolio Holder	Councillor Taylor
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report highlights a recent review of the Council's current training requirements for those that are licensed to drive hackney carriage and / or private hire vehicles.
- 1.2 Members are asked to direct officers to undertake a consultation with relevant stakeholders and the public on whether to introduce a requirement that all such licence holders have to undertake mandatory safeguarding awareness training when renewing their licences in the future.

2. RECOMMENDATIONS

- 2.1 **Members are asked to RESOLVE;**

To direct officers to undertake a consultation with relevant stakeholders and the public on whether to introduce a requirement that takes effect from 1 April 2025, that all those who hold a licence issued by the Council authorising them to drive hackney carriage and / or private hire vehicles have to undertake mandatory safeguarding awareness training before renewing their licences.

3. KEY ISSUES

Financial Implications

- 3.1 The costs involved in carrying out the consultation would be met from existing budgets held by Worcestershire Regulatory Services.

- 3.2 The costs of the safeguarding awareness training itself will need to be met by the licence holder. Officers are working closely with the training provider to keep costs to a minimum and to ensure that the amount charged is only as much as is required to achieve cost recovery. It is anticipated that the cost of the training per licence holder will be in the region of £20.

Legal Implications

- 3.3 The Statutory Taxi and Private Hire Standards have been published by the Department for Transport under the powers set out in section 177 of the Policing and Crime Act 2017.
- 3.4 Consultation on the proposals referred to in this report to amend Council's policy will be undertaken. It is proposed that the consultation will take place with licence holders, relevant stakeholders, and the general public over a 12-week period.
- 3.5 Appropriate consultation on any proposals to amend the Council's policies minimises the risk of legal challenge if the proposals are subsequently implemented.
- 3.6 The Department for Transport "Taxi and Private Hire Vehicle Licensing: Best Practice guidance" further states:

"It is good practice for local authorities to consult about any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, or Chambers of Commerce, organisations with a wider transport interest (eg the Campaign for Better Transport and other transport providers), women's' groups or local traders"

Service / Operational Implications

- 3.7 In 2021 a review of all the Council's hackney carriage and private hire licensing policies was undertaken in response to the publication by the Department for Transport of guidance under section 177 of the Policing and Crime Act 2017 entitled "Statutory Taxi & Private Hire Standards." This work resulted in the production of a new draft hackney carriage and private hire licensing policy, which the Council implemented in September 2022.

- 3.8 This legislation was primarily prompted by the Jay and Casey reports on child sexual abuse and exploitation (CSAE) in Rotherham. Both reports highlighted examples of taxi/private hire vehicle drivers being directly linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused or sexually exploited.
- 3.9 As part of the changes implemented in September 2022 the Council introduced a 'Competency Certificate' which all 'new' drivers are required to undertake. This certificate comprises of training on safeguarding, disability, equality, and many other aspects of training deemed necessary in order to apply for a new licence.
- 3.10 Anyone licensed prior to this date and who continues to apply to renew their licence are only asked to undertake safeguarding training on a voluntary basis. This has in effect created an uneven playing field.
- 3.11 Addressing the issues of child sexual exploitation and protection of the vulnerable remains a priority and a matter of great importance for the community and the Council. In respect of child sexual exploitation (CSE), for example, appropriately trained licensed drivers can assist in identification of incidents and persons of concern.
- 3.12 Safeguarding is the process of protecting children and adults at risk from harm, preventing impairment to their health and development, which includes keeping them safe from neglect, and physical, emotional, and sexual abuse. However, currently the Council now has licensed drivers with different levels of knowledge in these areas of importance.
- 3.13 The Council has the responsibility of licensing both the hackney carriage and private hire drivers to protect the public. The procedures that exist, and the process for obtaining a licence, are therefore in place to ensure each applicant is 'fit and proper' to hold a licence.
- 3.14 The safeguarding of children, young people and adults at risk is vital and the Council want to strengthen safeguarding practice and raise awareness and standards within taxi licensing. License holders are the critical 'eyes and ears' of the community and often encounter people who may be vulnerable.
- 3.15 In 2018 Licensing officers worked with partners across Worcestershire and offered a programme of child exploitation training (CSE) for all taxi drivers free of charge but on a voluntary basis. The take up of this training across the County was around 75%.

- 3.16 Research by officers has found that many neighbouring authorities and local authorities across the country used the implementation of the statutory standards as an opportunity to implement mandatory safeguarding training for their licence holders.
- 3.17 The Council did not do this at the time as intelligence data (including that from key partner agencies) did not indicate the presence of a live or emerging issue. Although this remains the case, the council recognises the role and responsibility that taxi and private hire drivers have in the economy and community, and it is important that the council proactively does all that it can to ensure drivers are aware of their safeguarding responsibilities.
- 3.18 As part of the consultation process for the introduction of a competency certificate in 2021, the feedback responses from stakeholders were favourable for new driver training to be implemented and officers would hope this would still remain the case today.
- 3.19 Feedback from drivers that have undertaken the competency certificate have been overall positive and pass rates have remained high with the number of people having to re-set the training being limited. Most drivers have taken away knowledge and guidance that they otherwise would not have known without undertaking the training.
- 3.20 Officers believe that the safeguarding module of the current training program for new driver should be rolled out to all drivers including existing licensed drivers that have not undertaken the competency certificate.
- 3.21 The proposal that officers believe would cause the least disruption to drivers and be the most efficient way to implement is set out in a draft revised extract from the Council's current Hackney Carriage and Private Hire Licensing Policy, which can be seen at **Appendix 1**.
- 3.22 Paragraph 2.9.6 has been inserted into the existing policy document under the 'specified requirements for existing licence holder renewals' and reads:
- “With effect from 1st April 2025, each time a licence holder renews their licence they must undertake safeguarding training delivered by the Council's approved training provider prior to submitting their renewal application.”*
- 3.23 Consultation responses would come back to this Committee after the consultation exercise has taken place so that the responses can be considered by Members before any final decision is made in respect of the proposal.

- 3.24 In light of these timescales' officers are proposing the commencement date of the 1st April 2025 allowing relevant drivers enough lead in time to book and undertake training before that date.

4. RISK MANAGEMENT

- 4.1 There is a possible reputational risk to the Council, as the new hackney carriage and private hire licensing policy, introduced in September 2022, only introduced the Competency Certificate to new drivers. Although it was not intended to cause any issues the Council may want to mitigate any risk by ensuring all drivers are in some way exposed to safeguarding training to protect the travelling public.
- 4.2 When introducing new, or amending existing Council policy, it is recommended that public consultation is undertaken on that policy, to minimise any risk of legal challenge.

5. APPENDICES

Appendix 1 – Draft Revised Extract from Hackney Carriage and Private Hire Licensing Policy

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