

**REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER**

**TO: MANAGEMENT TEAM**

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## **TAXI LICENSING POLICY AND CSE/SAFEGUARDING TRAINING**

### **PURPOSE OF REPORT**

- (1) To bring together in a single document all of the taxi licensing policies of the Council.
- (2) To update the licensing policy in order to require all taxi drivers to have undertaken appropriate CSE/Safeguarding training in order to hold a taxi license in Pendle.
- (3) To update the procedures for taxi drivers to follow for renewing licenses to ensure DBS checks are up to date.

### **RECOMMENDATIONS**

- (1) To amalgamate the taxi licensing policies of the Council into a single document.
- (2) In order to ensure that the Council has effective policies and procedures in place in relation to child sexual exploitation and safeguarding

### **REASON FOR RECOMMENDATIONS**

In order to ensure Pendle has effective policies and procedures in place to minimise the risk of child sexual exploitation and safeguarding all users of the taxi service operating in Pendle.

### **ISSUE**

- 1 Child sexual exploitation and safeguarding people in communities are high profile and very important issues for Councils. A number of high profile cases have highlighted deficiencies in some organisation leading to vulnerable sections of society not being protected in an effective way.
- 2 We have been pro-active in Pendle in making sure that our staff and Councillors are trained to understand and deal with CSE and Safeguarding issues. We also work collaboratively

with outside agencies to ensure that we share information and to deal with any issues we become aware of though that information sharing.

- 3 The taxis that operate in Pendle come into contact with all sections of society on a regular basis. It is important that we ensure that those driving and operating taxis are fit and proper people to do so. We check for any criminal convictions for all drivers, before a license is issued, through the national Disclosure and Data Barring Service - known as a DBS check.
- 4 A DBS check covers a three year period. Licenses will in future be issued as a matter of course for three years. There may however be instances where a driver may have a licence covering one year and may wish to renew that on an annual basis.
- 5 Although drivers are obliged to inform the Council of any convictions they have at the time of the conviction and are required to fill in an annual declaration of convictions, there is still the possibility of a conviction being undeclared.
- 6 It is important that we have the ability to monitor this and to formally check for any changes via the data Barring Service. There is the facility for drivers to register with the service and to allow Pendle to check of any status change via an online process. The requirement for this is that only the driver themselves can apply to have that service enabled. There is an annual fee of £13 for that payable by the driver.
- 7 The ability to independently monitor whether any convictions have not been disclosed is very important for us to be able to do. We are therefore proposing to require drivers to sign up to this service as part of the proposed changes to the licensing policies we have.
- 8 As well as ensuring that those operating taxis are fit and proper people to do so there is also a wider role that drivers can play in preventing or identifying CSE or safeguarding issues. Having a knowledge of what they may encounter in carrying out their trade is essential to having a responsible taxi trade that operate for and on behalf of their community. Understanding situations they may find themselves in and what repercussions there may be will also help to safeguard those who work in the taxi trade.
- 9 The proposal is to require anyone who wishes to have a new licence or to renew a licence to have undertaken accredited CSE/Safeguarding training before that license is granted.
- 10 At present there are circa 460 drivers with licenses in Pendle. Of these circa 160 will have their licenses expire before the end of 2016. That would leave approximately 300 drivers who's licences would expire after the end of 2016.
- 11 We have agreed a training programme that Nelson and Colne College will deliver for drivers. The proposal is to provide that free of charge. The aim is to get all drivers onto that course and trained before the end of 2016.
- 12 Drivers cannot be compelled to attend unless their licence would be suspended for not attending a course. This is under the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 which allows a licence to be suspended where there is reasonable cause to do so.
- 13 The taxi trade is a responsible one and initial feedback from speaking informally to members of the trade is that drivers would voluntarily attend course. This is provided of course that a range of times are made available which we will ensure happens when final course details are agreed with the college.

- 14** We suggest therefore in the first instance that we invite all drivers to voluntarily attend the course. Should they not attend on a voluntary basis we would either have to wait until the license was to be renewed to require attendance or suspend the license.
- 15** The importance of this issue is such that suspension of anyone not attending would need to happen if training was not voluntarily taken up. The initial approach however should be to get voluntary attendance as CSE/Safeguarding is also about getting people to understand and engage in the process more than being compelled to attend. Getting the co-operation and support of the taxi trade will help achieve this goal more so than a compulsory process, although this needs to be an option if we cannot get the support of the trade.

## **IMPLICATIONS**

<b>Policy:</b>	The update will add additional robustness to the effectiveness of the policies of the Council
<b>Financial:</b>	There is an initial financial cost of £5,000 to provide the training of drivers and operators and an ongoing cost for continual provision of £x per annum.
<b>Legal:</b>	None
<b>Risk Management:</b>	None
<b>Health and Safety:</b>	None
<b>Sustainability:</b>	None
<b>Community Safety:</b>	None
<b>Equality and Diversity:</b>	None

## **APPENDIX**

Hackney Carriage and Private Hire Licensing Policy