

ADMINISTRATION COMMITTEE

Monday, 9 December 2020

SAFEGUARDING TRAINING FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Report of the Head of Legal Services

Recommendation(s)

- 1) The Committee approves amendments to both the Hackney Carriage Driver's policy and the Private Hire Driver's policy requiring drivers to undertake approved in person Safeguarding Training every three years.
 - 2) The Committee approves a transition period for existing drivers.
 - 3) The Committee approves that the Head of Legal Services be granted delegated authority to determine the provider and nature of the training and to amend the implementation date if required.
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Summary

This Report of the Head of Legal Services proposes an addition to the drivers' policies to require all Hackney Carriage and Private Hire Drivers to undertake an approved Safeguarding Training course every three years in line with any driver licence renewal and before the grant of a driver's licence.

Statutory Powers

Town Police Clauses Act 1847 (Hackney Carriages) and The Local Government (Miscellaneous Provisions) Act 1976 (Private Hire Vehicles).

Strategic Implications

1. This report supports the objective of Enabling Health and Wellbeing and Tackling Deprivation by ensuring appropriate measures are taken to safeguard residents and visitors to the Borough or Eastleigh. It also promotes Economy objectives to support local businesses and jobs by providing a level and proportionate regulatory playing field, and confidence in all operators.

Introduction

2. The Government's response to the Parliamentary Task and Finish Group welcomes a recommendation that authorities use existing powers to require drivers to undertake such training and it should form part of a future national standard.

Safeguarding training for licensed hackney carriage and private hire drivers

3. After incidents in other parts of the country, the taxi trades were identified as being ideally placed to identify incidents of safeguarding concern. Nationally, Safeguarding Boards recommended that the taxi trades undertake such training. This was supported by local Safeguarding Boards.
4. Officers worked with Hampshire Constabulary who ran Operation Makesafe looking at safeguarding issues. Posters and leaflets specific to different areas were produced, including taxi specific leaflets and posters. In 2017 the posters were distributed to the different operators and every driver application, both new and renewals, received a leaflet. A copy of the leaflet is attached to this report as Appendix 1.
5. The leaflet was a quick and easy method of getting the message out to the trade but was never going to provide all the details the trade requires in order to fulfil their role proficiently.
6. Across Hampshire, Safeguarding Boards have stated they consider all licensed drivers should attend a training package. The School Transport Team at Hampshire County Council advise they will follow the guidance from the Safeguarding Boards.
7. On 22nd December 2018 all taxi licence holders were written to advising the Licensing Authority was consulting on introducing a requirement for drivers to undergo Safeguarding Training. A copy of the letter sent to drivers is attached as Appendix 2. This letter quoted a price of approximately £18 for taking the course. This was based on the cost of undertaking an on-line course.
8. There were ten responses from a total of 12 people. Five responses are against the proposal and five in support although two of these objected to paying for the course. A summary of the responses is attached as Appendix 3.
9. The training can be delivered in various methods:-

1. On-line package
2. A computer software package
3. A classroom package

10. An on-line package would provide an applicant with a unique logon. However once logged in there is no guarantee it is the applicant undertaking the course. This was a key element for the Safeguarding Boards, and it is the reason why an on-line package is not considered suitable.

New Forest District Council developed a computer package, this requires applicants to attend a set location and use approved computers to undertake the package. The Safeguarding Boards have recommended this package but understood it caused logistical problems for some authorities. Eastleigh Borough Council currently has approximately 610 licensed drivers. This would require over 200 applicants to take the package each year and this would just be the current drivers; any new applicants would be additional to this. Logistically this requires the provision of classrooms equipped with laptops and the provision of an invigilator. All of this would take up a lot of Officer time and there would be a cost in finding appropriate premises and equipment.

Officers have assessed a classroom package delivered by trained individuals at the Blue Lamp Trust. Blue Lamp Trust make the arrangements and deal directly with the applicants. This removes the logistical issues raised above. They carry out identification checks to ensure it is the applicant sitting the package to fulfil the requirement of the Safeguarding Boards.

Additionally, Officers have seen how the trainers engage with all the applicants in the discussions and this was considered especially beneficial for those whose main language is not English.

On the 18th September 2020 a number of Eastleigh Trade Representatives took part in a Blue Lamp Trust virtual classroom training package delivered via Zoom video, along with another licensing officer. The feedback was encouraging from all attendees. The trainers encouraged everyone to take part in the discussion and delivered the content in such a manner that kept the group's interest. The identification of all attendees was checked before the training commenced.

11. The requirement is for the Safeguarding Training to be undertaken by drivers every three years in line with any licence renewal and all new applicants before a licence is granted.
12. Driver licences cannot be granted for a period greater than three years. The majority of licences are issued every three years. It is therefore recommended drivers are required to have undertaken the approved training before the grant of a driver's licence whether on renewal or new application.
13. It is recommended this takes effect by 1st January 2021. However, should there be difficulties in meeting this deadline it is requested the Head of Legal Services is granted delegated authority to amend this date.

Financial Implications

14. Initial enquiries with the [Blue Lamp Trust](#) who are already a trusted supplier of training and assessments for Eastleigh Borough Council suggest the cost will be in the region of £25 a person. The cost of providing the training course will be funded from the Hackney Carriages and Private Hire Revenue Reserve for drivers that are currently licensed with Eastleigh Borough Council as of 1st November 2020 to undertake the first training session. Any other drivers and subsequent refresher training will need to be met by the applicant.

Risk Assessment

15. The assessment of the risk is low
 - The finance risk is low as the initial provision can be funded from the Hackney Carriages and Private Hire Revenue Reserve. Subsequent training will be paid directly to the provider by the applicants.
 - Failure to impose such a condition poses a risk of reputational damage to the Council. This training is recommended in a recent Parliament Task and Finish Group Report and is supported by Safeguarding Boards.

Equality and Diversity Implications

The Equality Act is not relevant to the decision in this report because the decision does not relate to eliminating discrimination, advancing equality of opportunity, or fostering good relations between different people.

Therefore it is considered that for this decision the Equality Duty does not need to be addressed and an Equality Impact Assessment (EqIA) has not been carried out.

Conclusion

The Committee approves the policy outlined in this Report. From 01 January 2021, drivers will be required to have undertaken approved Safeguarding Training within the last three years when applying for either a new or renewal driver licence. This means drivers will be required to attend a training session every three years. The training is to be classroom based in person or virtually and provided by Blue Lamp Trust. The first course for any current drivers that held a licence prior to 1st November 2020 will be free. Any new drivers will have to pay the provider the fee, anticipated to be around £25. The driver will book the course via the Blue Lamp Trust website.

The Committee approves the grant of delegated powers to the Head of Legal Services to determine the provider and nature of the training and to amend the implementation date if required.

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HEAD OF LEGAL SERVICES

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Appendices Attached: 3

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

* List Background Papers or state None.