

	Current Position	Working Group consideration and Recommendations to Committee
1	<p>Drivers Licences are issued for 3 years unless a lesser period of one year is requested by the driver or resolved by Committee.</p> <p>A DBS is required on application or in the case of a three year licence also at the 12 and 24 month declarations (where the driver declares any changes to his circumstances).</p>	<p>The Working Group considered mandating the requirement for applicants to sign up to the DBS update service so that more regular checks can be carried out.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on it being mandatory for applicants to sign up to the DBS online services.</b></p>
2	<p>Any proposed changes to the licensing policy and/or conditions have historically been issued for a 28 day consultation</p>	<p>The Working Group considered the length of time of any such consultation, if changes are proposed to be made to the Council's policies, procedures or conditions.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation period should last for 8 weeks.</b></p>
3	<p>The Standards recommend that any changes to the Policy following the application of the Standards should be followed by review of licences already issued.</p> <p>Reasonable time should be given to comply with changes where necessary and that the Council needs to communicate promptly and clearly with drivers as to what is expected of them</p>	<p>The Working Group considered the time period that any changes to the Policy would be required to be met within. Particularly with reference to any changes to vehicle specifications or policies which render a licence holder no longer compliant with those policies.</p> <p><b>Recommendation:</b></p> <p><b>It is proposed that any changes to policies or conditions in relation to driver or operator licences be applied to any application or renewal made after the implementation date. The</b></p>

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		<p><b>implementation date should be no less than 6 months after any changes are agreed and that this period of time can be varied for each change if considered necessary.</b></p>
4	<p>The Standards recommend that a licensed driver should notify the LA within 48 hours of arrest and release, charge or conviction of any sexual offence, any offence involving dishonestly or violence and any motoring offence. Upon notification this should trigger a review of the licence and the Council has an appropriate procedure in place At the current time the conditions of licence state the notification period is 7 days in writing. A robust review of the licence in accordance with the Policy is always made after such a notification.</p>	<p>The Working Group considered amending the drivers licence conditions to make the notification period for convictions etc 48 hours instead of 7 days.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on the drivers licence conditions being amended so that the period to notify the Council of any conviction etc be reduced from 7 days down to 48 hours and that contact be made in writing including, and preferably, by email. Also that if this change is implemented a template be provided on the Council’s website.</b></p>
5	<p>The Council already require applicants to declare if they have held a licence with another Authority.</p> <p>The Council already require an applicant to disclose if they have had an application refused or a licence revoked/suspended by any other authority.</p>	<p>The Working Group considered that it should amend the application form to include a declaration stating that making a false statement or omitting to provide the information requested may be a criminal offence.</p> <p>The Council is already a member of NAFN (National Anti-Fraud Network) and utilising the NR3 register needs member’s approval to use after consultation. The Working Group felt that it is appropriate that this forms part of the wider consultation on the Standards.</p>

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	The Council do not currently state in the application declaration that making a false statement or omitting to provide the information requested may be a criminal offence.	<p><b>Recommendation:</b></p> <p><b>That the consultation seeks views on the use of the NR3 register.</b></p>
6	<p>The Council currently have a complaints procedure that forms part of the Policy and all complaints are dealt with in line with this procedure.</p> <p>Currently complaints are made by email or telephone to Customer Services using the Council’s general complaints link on the website. A complaints form is then sent out to the complainant for more detail.</p>	<p>The Working Group considered that there should be a separate complaints/compliments form be made available on the website specifically for complaints/compliments about taxi drivers/operators</p> <p>The Working Group considered an amendment to the vehicle specification and testing manual that it is mandatory to carry a notice in the vehicle giving the passengers details of how to make a complaint.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on there being an amendment to the vehicle testing manual to provide that a notice must be carried in the vehicle informing passengers how they can make a complaint/compliment about a driver or operator.</b></p>
7	The Council’s application form currently requests a certificate of good character for those applicants that have live for 6 months or more in another country after the age of 18 years.	The Working Group considered that, in the light of the Standards and the risk to public safety, making the certificate of good character/overseas criminal record mandatory on application. For those applicants that are unable to obtain one for whatever reason will be advised not to apply as their application would be incomplete. This advice could also be included in the application form.

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	<p>For those applicants who are unable to obtain an overseas criminal record or certificate of good character (for example due to the situation in the country they are from or because they fear repercussions) advice is given that they must obtain 3 references from professional people attesting to their character.</p>	<p>The Working Group also consider alternative processes to mandating this if an applicant was unable to provide a certificate of good character, in line with what the Council currently do but with tighter requirements</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on mandating the requirement for a certificate of good character from overseas and deeming applications incomplete if this is not provided.</b></p> <p><b>This would apply to all applicants that have lived outside of the UK for a period of 3 months (reduced from 6 months) over the age of 18 years. This is to include every country they have resided in.</b></p>
8	<p>The Council has an extensive policy relating to the consideration of criminal convictions with guidance as to how to deal with different types of conviction. The current guidance in the policy relates to the time period that should have passed to start from the date of conviction</p>	<p>The Working Group considered the changes to be made to the policy after comparing the Council's current policy with guidance in the standards. A comparison table between the Council's current Policy and the recommendations in the Standards is at <b>Appendix 2</b></p> <p>The Standards recommend time period should run from the date that the sentence has ended.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on any changes to the current convictions policy that brings it in line with the recommendation in the standards, as detailed in Appendix 2 to the report,</b></p>

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		<b>including changing the time period from date of conviction to date when the sentence ends.</b>
9	<p>All Local Authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV would have either a positive or an adverse net effect on the safety of passengers and taking into account potential privacy issues.</p> <p>The Council does not currently mandate the use CCTV in vehicles.</p>	<p>The Working Group considered including a question about the use of CCTV in vehicle within the consultation as recommended in the Standards.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on the installation of in-vehicle visual and audio recording (CCTV) in licensed vehicles and whether this is mandatory or voluntary.</b></p>
10	<p>The Council do not currently require private hire operators to keep a register of all staff employed in the booking and dispatch of vehicles or require them to have sight of a basic DBS for such staff.</p>	<p>The Working Group considered an amendment to the private hire operator conditions requiring operators to keep a record of all staff employed it the booking and dispatch of vehicles. They also considered a condition requiring the operator to have sight of a basic disclosure for those staff in line with the Standards.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on an amendment to the private hire operator conditions to require all operators to keep records of all staff employed by them and to record that they have had sight of a basic DBS disclosure certificate for each member of staff.</b></p>
11	<p>The Council only licences vehicles with 8 passenger seats or less. Vehicles with</p>	<p>The Working Group considered amending the private hire vehicle operator conditions to include a condition stating that operators must</p>

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	<p>over 8 passenger seats are licensed as PCV and both the vehicle and driver undertake different tests in order to be licensed.</p> <p>The Council do not currently have a condition on the licence preventing operators from providing a PCV licensed vehicle or driver in the place of a Gedling Licensed vehicle and driver if they have not asked for the bookers informed consent .</p>	<p>not provide a PCV vehicle or driver in the place of a Gedling licensed driver without the consent of the hirer and with the hirer’s full knowledge that Council checks have not been applied.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seek views on an amendment to the private hire operator’s licence conditions to require operators to inform customers when they are sending a PCV (over 8 passenger seated vehicle). They must also confirm that they have got the hirers consent and that the hirer is aware that the vehicle and driver may not have undertaken any checks by the Council.</b></p>
12	<p>The Council does not currently request vehicle proprietors to submit a DBS certificate with their applications for vehicle licences. The Standards recommends that Councils consider asking for a basic DBS from vehicle proprietors.</p>	<p>The Working Group considered amending the application process for a vehicle licence to include requesting the applicant to provide a basic Disclosure and Barring (DBS) certificate before being issued with a vehicle licence. This would not apply to those vehicle proprietor applicants that already hold a taxi drivers licence and have therefore had an enhanced DBS check.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seeks views on vehicle proprietors, applying for a vehicle licence, to provide a basic DBS disclosure as part of the application process.</b></p>
13	<p>The Council currently offers alternatives to providing a DBS disclosure to applicants for a Private Hire Operators licence.</p>	<p>The Working Group considered amending the private hire operator application process to only accept a basic DBS disclosure from applicants. This would assist in streamlining the type of convictions</p>

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	<p>These include having a taxi driver’s licence where an enhanced DBS check has been carried out or providing a statutory declaration by a solicitor or Commissioner of Oaths.</p>	<p>check accepted with other applications. This would not apply to those private hire operator applicants that already hold a taxi drivers licence and have therefore had an enhanced DBS check.</p> <p><b>Recommendation:</b></p> <p><b>That the consultation seeks views on applicants applying for a private hire operator’s licence to provide a basic DBS disclosure as part of the application process and not to offer an alternative in the form of a statutory declaration.</b></p>