

## **Report to Environment and Licensing Committee**

**Subject:** Introduction of a Safeguarding Awareness session with test as part of the Private Hire /Hackney Carriage Drivers and Private Hire Operators Licensing Process

**Date:** 9<sup>th</sup> February 2016

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### **Purpose of the Report**

To seek approval from Members, to introduce a Safeguarding Awareness session with test for Private Hire / Hackney Carriage Drivers and Private Hire Operators as part of the application and renewal process for Private Hire and Hackney Carriage Driver's and Private Hire Operators licences ("driver's licences").

### **Background**

The Local Government (Miscellaneous Provisions) Act 1976 ("the Act") enables Local Authorities to administer licences for Hackney carriage and Private Hire drivers. The Act provides that a Local Authority shall not grant a licence unless they are satisfied that the applicant is a 'fit and proper' person to hold such a licence. There is no definition of the term 'fit and proper' and the Council can apply any tests and checks it deems appropriate to establish this.

Gedling Borough Council has a duty under the Children Act 1989 and Children Act 2004, and subsequent amendments, to safeguard and promote the welfare of children. Further, under the Care Act (2014) the authority has a duty to respond to safeguarding vulnerable adults, the definition of which includes domestic abuse survivors.

Recent high profile Serious Case Reviews, Domestic Homicide Reviews and Independent Inquiries including the Jay Report; Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 – 2013) have further focused the attention of agencies and organisations towards a breadth of safeguarding issues.

### **Proposal**

It is proposed that Safeguarding Awareness Session (Appendix 1) along with a test be introduced to ensure that all drivers who are currently licensed with Gedling Borough Council and all those who apply to be licensed with Gedling Borough Council have a sound understanding of their responsibilities towards safeguarding vulnerable children / young people and adults. The proposed awareness session and test will cover:

- what is meant by safeguarding
- the protection of children and young people
- child sexual exploitation
- the protection of vulnerable adults
- domestic violence and abuse.

Further the session will seek to make it clear to drivers and operators who they should report any concerns to, including “whistleblowing”. It is felt this will be beneficial to the trade and the public and will ensure a safe, professional standard of service is provided by drivers licensed by this Authority.

The awareness sessions will take place at the Richard Herrod Centre in Carlton. Each session will consist of a two hour presentation covering the aforementioned topics, followed by a test on the topics covered. The awareness session and test will be delivered by Gedling Borough Council’s accredited training centre staff. The awareness session has been adapted from one developed by and being delivered in Nottingham City. It has been agreed that in an effort to raise awareness to drivers to a minimum standard across Nottinghamshire the session content has been quality assured by the Adults and Children’s Safeguarding Boards Training Teams for Nottinghamshire and Nottingham City and the seven district / borough authorities will deliver the same session.

The proposal is that all drivers who are currently licensed with Gedling Borough Council will have to attend the awareness session and pass the test upon renewal. The test can be taken an unlimited number of times and once passed need not be taken for a period of 3 years from the date of passing. New applications for licences will not be granted until the applicant has attended the awareness session and passed the proposed test. The proposed test will consist of 12 multiple choice questions taken at random from a bank of 40 presenting the candidate with the right answer plus three incorrect answers with the suggested minimum pass rate being 75%.

It is envisaged that new applicants will be able to book and sit the safeguarding test from 1<sup>st</sup> April 2016. In relation to drivers who are renewing their licences, the Licensing Section currently send out standard renewal letters three months prior to the expiration of the driver’s licence. If the awareness session is approved, the next renewal reminder letters will be sent to those whose licences expire on or after 1<sup>st</sup> July 2016. These drivers will be advised that they are required to attend

the safeguarding awareness session and pass the test before their licences can be renewed.

At present, the Licensing Section have a number of new and renewal applications pending. If the safeguarding session and test is introduced, all applicants currently awaiting a decision on their driver's licence or renewal of their licence will not be required to sit and pass the test until their first or next renewal or first declaration, should the applicant be applying for a 3 year drivers licence.

The fee for attending the session is included in the revised fees for a one year and a three year driver licence. Candidates will be advised that if they book for the awareness session and test and then cannot attend they must notify the Council no later than 48 hours before the booked test.

The Council has a duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between predicted groups (such as disabled people or ethnic minority groups) when considering proposed new or changing policies, services or functions. An Equalities Impact Assessment has been prepared in relation to the Gedling Borough Council Safeguarding Awareness session and test and is attached at Appendix 2.

### **Consultation**

In order to ensure the views of the trade are considered the Licensing section will carry out a consultation exercise with the taxi trade in relation to the introduction of the Safeguarding Awareness session and test.

Consultation letters will be sent out to current and prospective members of the trade.

### **Financial Implications**

There is an estimated additional income of £12,600 for 2016/17 from the additional cost of a one and three year driver licence. This additional income is fully offset by the fixed, administrative and staffing costs of providing the safeguarding training and test.

## **Recommendation**

### **That Members approve the following:**

- The Licensing Section consults on the introduction of the Gedling Borough Council Safeguarding Awareness session and test.
- That the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to introduce the Safeguarding Awareness session with test after taking into account any comments received during the consultation period.
- That all those submitting an application for a Private Hire/Hackney Carriage Driver's licence and or an Operators Licence on or after 1<sup>st</sup> April 2016 be required to attend and pass the Gedling Borough Council Safeguarding Awareness session and pass the test as part of the application process.
- That all those who currently hold a Gedling Borough Council Private Hire/Hackney Carriage driver's licence and or an Operators Licence which is due for renewal on or after 1<sup>st</sup> July 2016 be required to pass the Gedling Borough Council Safeguarding Awareness session as part of the renewal application process.
- The holder of Hackney Carriage Drivers Licence or Operators licence will be required to undertake refresher safeguarding training and test every 3 years either as part of the renewal process for holders of a 1 year licence, or at the first declaration stage for 3 year licence holders.
- That the minimum pass rate for the Gedling Borough Council Safeguarding Test be set at 75%.
- That Officers report back to The Environment and Licensing Committee 12 months after the introduction of the Gedling Borough Council Safeguarding Awareness session and test to update Members as to its progress.

## **Appendices**

Appendix1. Safeguarding presentation slides

Appendix2. Equality Impact Assessment