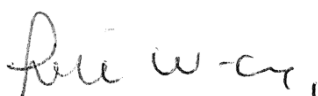


Date of issue: Monday, 18th March 2019

MEETING	LICENSING COMMITTEE (Councillors Davis (Chair), S Parmar (Vice-Chair), B Bains, M Holledge, Mann, D Parmar, Qaseem, Shah, Strutton, Usmani and Wright)
DATE AND TIME:	WEDNESDAY, 27TH MARCH, 2019 AT 6.30 PM
VENUE:	VENUS SUITE 2, ST MARTINS PLACE, 51 BATH ROAD, SLOUGH, BERKSHIRE, SL1 3UF
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 787503

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART I

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		

CONSTITUTIONAL MATTERS

1. Declarations of Interest

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/ Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 14th February 2019	3 - 4	All
LICENSING ISSUES			
4.	Proposal for Safeguarding Awareness 'Refresher' Training for all Hackney Carriage and Private Hire Drivers and Operators.	5 - 34	All
5.	Members Attendance Record 2018/19	35 - 36	All
6.	Date of Next Meeting - 5th June 2019	-	-

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased’. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Licensing Committee – Meeting held on Thursday, 14th February, 2019.

Present:- Councillors S Parmar (Vice-Chair), B Bains, Mann, D Parmar, Qaseem, Strutton, Usmani and Wright.

Apologies for Absence:- Councillor M Holledge.

PART 1

24. Declarations of Interest

None were received.

25. Minutes of the Last Meeting held on 18th October 2018

Resolved – That the minutes of the meeting held on 18th October 2018 be approved as a correct record.

26. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

27. Licensing Act 2003 - Statement of Licensing Policy 2019/24

The Committee were reminded that the Statement of Licensing Policy sets out how a local authority intended to approach its licensing responsibilities and in particular, the promotion of the four licensing objectives. A review of the Statement of Licensing Policy was a statutory requirement and the current policy, approved in 2014, lapsed in January 2019. The revised draft policy was subject to a public consultation, which commenced on 13th December 2018 and concluded on 18th January 2019.

The Senior Licensing Officer informed the Committee that there had been very little response to the consultation as it was generally realised that the discretion of the Council in reviewing the policy was very limited as the Licensing Act 2003, the Regulations under the Act and the Government Guidance closely prescribed how licensing authorities carried out licensing functions.

Members considered details of the revised Statement of Licensing Policy, which included a summary of minor changes that had been made and agreed to recommend the policy to full Council for adoption.

Recommended to Council - That the revised Statement of Licensing Policy 2019-2024 is adopted as the Council's Licensing Policy.

Licensing Committee - 14.02.19

28. Members Attendance Record

Resolved – That details of the Members Attendance Record 2018/19 be noted.

29. Date of Next Meeting - 27th March 2019

Chair

(Note: The Meeting opened at 6.34 pm and closed at 6.39 pm)

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 27th March 2019

CONTACT OFFICER: Michael Sims - Licensing Manager
(For all Enquiries) (01753 477387)
 Ginny De Haan - Head of Regulatory Services
 (01753 477912)

WARD(S): ALL

PART I
FOR DECISION

PROPOSAL FOR SAFEGAURDING AWARENESS ‘REFRESHER’ TRAINING FOR ALL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS AND OPERATORS

1. **Purpose of Report**

To inform Members of proposals for Mandatory Safeguarding Awareness ‘Refresher’ Training for all Hackney Carriage and Private Hire Drivers and Operators, and, for the training to be outsourced to an independent external training provider.

2. **Recommendation(s)/Proposed Action**

The Committee is requested:

- (a) To note and comment on the proposals for Safeguarding Awareness Training for all new applicants and 3 yearly Safeguarding Awareness ‘Refresher’ Training for all existing Hackney Carriage and Private Hire Drivers and Operators.
- (b) To note the responses received to the consultation with all current licence holders.
- (c) Approve an external training provider for the Safeguarding Awareness Training for new applicants and 3 yearly Safeguarding ‘Refresher’ Training for existing Hackney Carriage and Private Hire Drivers and Operators.
- (d) Approve that all new applicants for a Hackney Carriage or Private Hire Driver or Operator licence must undertake the Safeguarding Training prior to a licence being granted.
- (e) Approve that all existing Hackney Carriage and Private Hire Driver and Operator licence holders must undertake the Safeguarding Awareness ‘Refresher’ Training within 1 year from 2nd September 2019.
- (f) Approve that where any existing Hackney Carriage or Private Hire Driver or Operator licence holder has not undertaken the Safeguarding ‘Refresher’ Training by 31st August 2020, their licence will be suspended until they attend the training and produce a valid certificate as confirmation.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The primary role of the Licensing Authority is the protection, safety and wellbeing of the public.

There has been a number of publicised high profile cases over recent years around the Country relating to Child Sexual Exploitation (CSE) and trafficking and modern slavery, some involving Hackney Carriage and private Hire drivers.

The Hackney Carriage and Private Hire trade including both drivers and Operators carry out and deal with hundreds of passengers/fares on a daily basis some of whom are possibly at risk and are potential vulnerable people.

3a. **Slough Joint Wellbeing Strategy Priorities**

Safeguarding issues, particularly that of CSE, vulnerable people and trafficking and modern slavery are high on the agenda and priorities of the JSNA and SJWS.

Safeguarding Awareness training has been delivered by SBC staff to all Hackney Carriage and Private Hire Drivers and Operators since September 2016. In addition the training has also been delivered to all new applicants and home to school transport escorts.

The proposal to approve Mandatory Safeguarding Awareness 'Refresher' Training will go further in continuing to raise awareness of signs of exploitation and abuse, identifying possible victims and providing the mechanisms to report concerns.

The approval of the proposed Mandatory Safeguarding Awareness 'Refresher' training will contribute considerably to the wellbeing priority of;

1. Protecting vulnerable children

3b. **Five Year Plan Outcomes**

The report outlines that Safeguarding Awareness Training was originally approved in 2015 and commenced to be delivered in 2016. Over 1,100 people have undergone the training, including Drivers, Operators and home to school transport escorts. The feedback has been very good and the training was welcomed by the Hackney Carriage and Private Hire trade.

Approval of the 'Refresher' Training to be delivered by an accredited training provider that will also carry out this training for RBWM and Reading will provide a consistency of the delivery. This will therefore contribute to the Five Year Plan with specific outcomes of:

1. Our children and young people will have the best start in life and opportunities to give them positive lives.
2. Slough will be an attractive place where people choose to live, work and visit.

4. **Other Implications**

(a) Financial

The only financial impact for the Licensing Team will be that of the cost of booking the venues for the trainings. All other costs of the delivery of the training will be borne by the licence holders paid directly to 'Personnel Checks'.

(b) Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
<p>(a) To note and comment on the proposals for Safeguarding Awareness Training for all new applicants and 3 yearly Safeguarding Awareness 'Refresher' Training for all existing Hackney Carriage and Private Hire Drivers and Operators.</p> <p>(b) To note the responses received to the consultation with all current licence holders.</p> <p>(c) Approve an external training provider for the Safeguarding Awareness Training for new applicants and 3 yearly Safeguarding 'Refresher' Training for existing Hackney Carriage and Private Hire Drivers and Operators.</p> <p>(d) Approve that all new applicants for a Hackney Carriage or Private Hire Driver or Operator licence must undertake the Safeguarding Training prior to a licence being granted.</p> <p>(e) Approve that all existing Hackney Carriage and Private Hire Driver and Operator licence</p>	<p>Approval of the Safeguarding Awareness 'Refresher' Training and formal approval of the mandatory training for all new applicants will continue to support the Council priorities with regards CSE, modern slavery and trafficking and vulnerable persons in Slough, many of whom use local private hire and taxi services in Slough.</p>	<p>A consultation exercise has been conducted with all current Hackney Carriage and private Hire Drivers and Operators, for their views on the proposals, as the cost of the training will be borne by the licence holders or new applicant.</p>

<p>holders must undertake the Safeguarding Awareness 'Refresher' Training within 1 year from 2nd September 2019.</p> <p>(f) Approve that where any existing Hackney Carriage or Private Hire Driver or Operator licence holder has not undertaken the Safeguarding 'Refresher ' Training by 31st August 2020, their licence will be suspended until they attend the training and produce a valid certificate as confirmation.</p>		
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(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Part 1 and 11 of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to a peaceful enjoyment of his or her possessions including the possession of a licence and shall not be deprived of the possession except in the public interest.

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal by law.

(d) Equalities Impact Assessment

An Equality Impact Assessment has not been carried out as the proposals do not have any potential to cause any negative impact or discriminate against any equality group.

5. Supporting Information

Background

- 5.1 In July 2015 the Licensing Committee approved mandatory Safeguarding Awareness training for all Hackney Carriage and Private Hire Drivers and Operators. The approval followed similar training being approved and carried out at some other local authorities in light of a number of publicised high profile cases over recent years around the Country relating to Child Sexual Exploitation (CSE) and trafficking and modern slavery, some involving Hackney Carriage and Private Hire drivers.
- 5.2 The training package and materials were developed by Slough and presented by members of the Licensing Team, The Child Sexual Exploitation Co-ordinator and

the Adult Safeguarding Co-ordinator, and Slough was the first Berkshire Authority to roll the training out.

- 5.3 The training, which has been and still is being provided at no cost to licence holders or new applicants, has proved to be very successful and was well supported by the Hackney Carriage and Private Hire trade, with excellent feedback received.
- 5.4 The training has been delivered to over 1,100 people including new applicants, Drivers, Operators, the Police, some elected members, and home to school transport escorts. However, developing and presenting the training to over 1,100 people has proved to be a very time consuming exercise and has put additional strain on staffing levels for over 2 years.

Draft Statutory Guidance – Section 177 Policing and Crime Act 2017.

- 5.5 The Department for Transport has recently published, for consultation, its draft statutory guidance entitled 'Taxi and Private Hire Vehicle Licensing – Protecting Users – Guidance for Local Authorities'. This draft guidance has been made in accordance with section 177 of the Policing and Crime Act 2017.
- 5.6 The draft statutory guidance proposes a range of robust measures to protect taxi and PHV passengers, particularly those most vulnerable. With recommendations that the Government and licensing authorities must work together to ensure that, above all else, the taxi and PHV services the public use are safe. The consultation on this guidance will run until 22 April 2019. Attached at **Appendix A** are the relevant sections from the draft guidance relating to 'Safeguarding Awareness' and 'Other forms of exploitation 'County Lines Drug Trafficking''.
- 5.7 The full draft consultation document can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778276/taxi-phv-licensing-protecting-users-draft-stat-guidance.pdf

Refresher Training

- 5.8 More and more local authorities are implementing safeguarding training with 3 yearly refresher training a mandatory requirement for taxi and private hire drivers and Operators. Some local authorities who have already approved 3 year safeguarding refresher training include Cambridge, Dorset Wokingham, Derbyshire authorities, Bracknell, Leeds, Hull and Bedford.
- 5.9 The reason for making safeguarding refresher training a mandatory requirement, is to keep abreast with and up to date with trends and types of exploitation and of types of vulnerable persons who can be and are subject to exploitation. Most recently this has been in relation to 'County Lines'

6. Proposals

- 6.1 It is now time for Slough to put in place proposals for Mandatory 3 yearly Safeguarding 'Refresher' Training to commence in September 2019. To reduce Council costs and officer time, Slough has been in discussions with a training provider for the training to be outsourced.

6.2 It is proposed that the training be outsourced to an experienced accredited training provider called '**Personnel Checks**', who currently deliver Safeguarding Awareness training called '**Trust2Ride**', on behalf of 5 local authorities, i.e. South Northamptonshire Council, Rossendale Borough Council, Burnley Borough Council, Chiltern District Council and South Buckinghamshire District Council and are also now in agreement to deliver the same training and possible refresher training to Windsor and Maidenhead, Reading, Swindon and Winchester to commence this year.

6.3 The training is CPD (Continual Professional Development) accredited.

6.4 The proposals for '**Personnel Checks**' to provide the training would involve the following:

1. The training would be delivered in a classroom environment with up to 50 attendees per pre-arranged session. Attendees would be either allocated a specific session or given a choice of scheduled dates so they can choose one that is most convenient to them.
2. There will be two training sessions on each scheduled day, AM and PM.
3. New applicants must undertake the Safeguarding training before a licence being granted and would be able to book themselves on any scheduled training session.
4. The cost of the training will be borne by the licence holder, made payable direct to 'Personnel Checks' prior to attending the training session. The cost may vary dependant on the number of attendees, but may be in the region of £20 to £25 per person. So to reduce the cost, the more attendees there are on each training session the lower the cost will be for each person.
5. Drivers and Operators would order and pay for their training online through a dedicated Personnel Checks web page or over the telephone through a dedicated Personnel Checks phone line. All of the administration would be carried out by Personnel Checks.
6. Slough Licensing Team would be responsible for providing the venue for the training.
7. The training will be carried out by qualified trainers and will cover CSE, human trafficking and disability awareness.
8. The training will include a test element to ensure that the attendees have understood the information and training provided.
9. If an attendee's English is such that they might not understand what is being said they will be assisted with understanding it and the questions in the test. This is because the purpose of the test will be to assess their understanding of safeguarding issues, not their English language skills.
10. Attendees will receive a full training manual, certificate and window sticker for their licensed vehicle.

11. For existing licence holders, It is proposed that the training will commence from 2nd September 2019 and must be undertaken by 31st August 2020.
12. Any current licence holder that has not undertaken the 'refresher' training by 31st August 2020 will have their driver or operator licence suspended until they have attended the training and must produce a valid certificate of confirmation.
- 6.5 The main purpose of approving Personnel Checks as the training provider is that there will be a consistency in the training being delivered throughout East Berkshire, as the training will also be delivered on behalf of Windsor and Maidenhead and Reading, as well as Slough. This also means that there will be scheduled sessions in all 3 local authority areas that any driver can book a place to attend, rather than being restricted to just Slough.
- 6.6 Other than providing the venue for the training, there will not be any other costs incurred by the Council.
- 6.7 Mr Ryan Sidley, the Business Development Manager for Personnel Checks will be in attendance at the Licensing Committee to provide an overview of the 'Trust2Ride' training package. Attached at **Appendix B** is information on the Drivers Hand Book and the vehicle sticker. **Appendix C** is the certificate that will be provided to the attendees on completion of the training.
- 6.8 More information about 'Personnel Checks' and the training can be found at: <https://www.personnelchecks.co.uk/tailored-dbs-packages/taxi-licensing/safeguarding-awareness-training/>
- 6.9 A consultation on the proposals has been conducted with all licensed Hackney Carriage and Private Hire Drivers and Operators and a copy of the consultation letter is attached at **Appendix D**. The responses to the consultation are detailed at **Appendix E** together with copies of certificates and signed petition from the Slough Taxi Federation.

7. Comments of Other Committees

On 22nd July 2015 the Licensing Committee resolved:

"That mandatory safeguarding training be introduced for all Hackney Carriage and Private Hire Drivers and Operators".

8. Conclusion

The Committee is requested:

- (a) To note and comment on the proposals for Safeguarding Awareness Training for all new applicants and 3 yearly Safeguarding Awareness 'Refresher' Training for all existing Hackney Carriage and Private Hire Drivers and Operators.
- (b) To note the responses received to the consultation with all current licence holders.
- (c) Approve an external training provider for the Safeguarding Awareness Training for new applicants and 3 yearly Safeguarding 'Refresher' Training for existing Hackney Carriage and Private Hire Drivers and Operators.

- (d) Approve that all new applicants for a Hackney Carriage or Private Hire Driver or Operator licence must undertake the Safeguarding Training prior to a licence being granted.
- (e) Approve that all existing Hackney Carriage and Private Hire Driver and Operator licence holders must undertake the Safeguarding Awareness 'Refresher' Training within 1 year from 2nd September 2019.
- (f) Approve that where any existing Hackney Carriage or Private Hire Driver or Operator licence holder has not undertaken the Safeguarding 'Refresher' Training by 31st August 2020, their licence will be suspended until they attend the training and produce a valid certificate as confirmation.

9. Appendices Attached

- 'A' - Extract from draft section 177 guidance document
- 'B' - Personnel Checks Trust2Ride Drivers Handbook
- 'C' - Training Certificate
- 'D' - Copy of consultation letter
- 'E' - Responses to consultation with copies of certificates and signed petition.

10. Background Papers

None

APPENDIX A

February 2019 – consultation version

2.68 CCTV footage of an incident can provide an invaluable insight, providing an ‘independent witness’ to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 2.104 - 2.106.

Duration of licences

2.69 The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and PHV drivers and five years for PHV operators. Any shorter duration should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case. Such circumstances could include where the licensing authority considers that a probationary period is necessary or where required (e.g. when the licence holder’s leave to remain in the UK is time-limited) or when the licence is only required to meet a short-term demand.

2.70 A previous argument against this length of licence was that a criminal offence might be committed, and not notified, during this period; this can of course also be the case during the duration of a shorter licence. This risk can be mitigated by requiring licensees to subscribe to the DBS update service as discussed in paragraphs 2.38 – 2.40 and authorities to undertake regular interim checks. To help authorities monitor licensees’ suitability, police forces should inform licensing authorities when they believe a licensee presents a risk to the travelling public. Paragraphs 2.51 - 2.53 provide further information about this process.

Safeguarding awareness

2.71 Licensing authorities should consider the role that those in the taxi and PHV industry can play in spotting and reporting the abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults. However, this is only the case if they are aware of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger.

2.72 It is the Department’s recommendation that licensing authorities provide safeguarding advice and guidance to the trade and that taxi and PHV drivers are required to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable; and
- understand how to respond, including how to report safeguarding concerns and where to get advice.

February 2019 – consultation version

2.73 In February 2018, the Department for Education (DFE) launched phase 3 of its nationwide campaign – ‘Together we can tackle child abuse’. Building on phases 1 and 2, which ran in 2016 and 2017, it aims to increase public understanding of how to recognise and report child abuse and neglect. The DfE has developed an online toolkit²⁸ of material for local authorities, charities and other organisations to use to support the campaign.

Other forms of exploitation – ‘County lines’ drug trafficking

2.74 Victims of exploitation may not be appear as such at first sight. 74% of police forces noted the exploitation of vulnerable people (including children) by gangs and organised criminal networks involved in trafficking illegal drugs within the UK²⁹ to move and store drugs and money across the country, often from urban areas to regional locations. They will frequently use coercion, intimidation, violence (including sexual violence) and weapons. This gang activity (known as county lines), and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities.

2.75 The National Crime Agency’s updated annual threat assessment of county lines reported that county lines groups are using taxis and PHVs as a method of transportation. In that assessment, 33% of police forces in England and Wales (14 forces) reported use of taxis and PHVs to transport drug couriers between markets. These couriers are often young people who have been exploited and may be victims of trafficking; the typical age range is 15-17 years old, but may be much younger. They may have vulnerabilities besides their age, such as broader mental health issues, disrupted or chaotic homes, substance misuse issues or reported as missing.

2.76 Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation. Firstly, they should be aware of the following warning signs:

- young people, sometimes as young as 12, travelling in taxis alone;
- travelling at unusual hours (during school time, early in the morning or late at night);
- travelling long distances ;
- unfamiliar with the local area or do not have a local accent;
- paying for journeys in cash or prepaid.

²⁸ <https://tacklechildabuse.campaign.gov.uk/>

²⁹ <http://www.nationalcrimeagency.gov.uk/news/1247-latest-threat-update-estimates-at-least-720-county-lines-drug-dealing-lines>

February 2019 – consultation version

2.77 The Home Office is working with partners to raise awareness of county lines and has produced promotional material that can be used by taxi and PHV companies.³⁰

2.78 Drivers (or any person) should be aware of what to do if they believe a child or vulnerable person is at risk of harm. If the risk is immediate they should contact the police otherwise they should:

- use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority;
- call Crime Stoppers on 0800 555 111.

Language proficiency

2.79 Authorities should consider whether an applicant would have any problems in communicating with customers because of language difficulties. Licensing authorities have the freedom to specify the level of proficiency, but it is recommended to cover both oral and written English language skills necessary to fulfil their duties, including in emergency and other challenging situations. This should include:

- conversing with passengers to demonstrate an understanding of the desired destination, an estimation of the time taken to get there and other common passenger requests;
- providing a customer with correct change from a note or notes of higher value than the given fare, and doing so with relative simplicity;
- providing a legibly written receipt upon request.

Enforcement

2.80 Implementing an effective framework for licensing authorities is essential to a well-functioning taxi and PHV sector. These steps will help prevent the licensing of drivers that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.

2.81 We have discussed the benefits of licensing authorities working collaboratively in regard to the sharing of information, and this can equally apply to enforcement powers. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence. Together with increased clarity for the public on complaining, these measures will mitigate the opportunities for drivers to evade regulation. Such an agreement will enable those authorities to take action against vehicles and

³⁰https://www.gov.uk/government/publications/county-lines-posters-for-taxi-and-private-vehicle-hire-staff?utm_source=HO&utm_campaign=LA

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APPENDIX B



personnel
checks

How Taxi Safe Are You?

A comprehensive guide for passengers



Not all taxis are the same...

Hackney Carriages (taxis), can be hailed in the street and have an illuminated sign on their roof, they also have a predominantly black body and advertising - often known as a 'black cab'.

Private Hire Vehicles must be pre-booked in advance via a licensed operator's base within the district. PHV's cruising the streets looking for customers are **illegal, uninsured and potentially very dangerous**. PHV's cannot use ranks, 'ply-for-hire' or be flagged down in the street. They also can often be identified by a yellow plate on the back of the vehicle.

Personnel Checks' 5 Taxi Safe Golden Rules...

- 1. Always pre-book:** Only use a licensed taxi or pre-booked private hire vehicle.
- 2. Wait for it to arrive:** Never get into a vehicle other than the one you have booked.
- 3. Always check their badge:** Every licensed driver, whether private hire or hackney carriage is issued with a licence plate which is displayed on the car, bearing their licence number and the council it was issued by.
- 4. Ride with friends:** Sharing a vehicle with someone you know is a great idea - you should always sit in the back seats.
- 5. Enter only when sure:** If you have any doubts, don't get in and order another vehicle.



Are you in-the-know?

Can I hail or flag down a hackney carriage in the street?

Yes, or they can also be found at taxi ranks.

Can I hail or flag down a private hire vehicle in the street?

No, private hire vehicles must be pre-booked through a private operator. Failure to book in advance would invalidate any insurance in place.



How safe am I travelling in a hackney carriage or private hire vehicle?

- All drivers licensed by a council should have been fully vetted, this includes the completion of a DBS check, which confirms they have no cautions or convictions on their record.
- All vehicles should have undergone and passed stringent tests for road-worthiness to comply with the current licensing conditions before a licence is issued.

What if I have a complaint?

In the first instance you should contact the appropriate Licensing Manager or Private Hire Operator. You will find the council the driver is licensed with on their plate, displayed within the vehicle. This will indicate which council's Licensing Manager you need to speak to.

If drivers are working on behalf of a licensed operator then your complaints should be made to the MD/Owner of the company, they have a duty of care to ensure their drivers are operating to the highest standards. If you are unable to resolve your issues with the driver/operator then you should contact your local council, giving them as much information as possible to help them identify the driver/operator. They will carry out further investigations and refer the matter to the police or other appropriate bodies as applicable.

How will the fare be calculated?

Each hackney carriage is fitted with a calibrated meter which can be seen in the cab of the vehicle and a table of fares is displayed inside each vehicle. The meters are automatically set to change to the appropriate set of charges i.e. bank holidays, night time.

Private hire vehicle charges are based on mileage and are calculated by the operator. You should always agree your fare with the operator/driver before getting in the vehicle.



If you have any concerns, do not get into the vehicle. If you are at all worried, ask the driver to stop in a busy area and get out of the car.

Signs to look out for and what to do

Signs to look out for:

- Taking/collecting young people (girls and boys) from hotels/B&Bs/house parties
- Picking up young people from other cars
- Young people who look distressed or intimidated
- Observing suspicious activity in hot-spot areas
- Young people under the influence of drugs and/or alcohol
- Attempts by young people to avoid paying fares in return for sexual favours
- Regular males requesting taxi rides to and from locations - taking young people with them
- Taking young people to A&E, who are not in the presence of parents
- Young people with injuries such as bruising or blood stains

Information to share:

- Names
- Locations and addresses of concern
- Descriptions of people
- Registration plates, makes and models of vehicles
- Description of concerning activity

What to do:

- Make notes about the information you know
- Call your council licensing team
- Call your local Safeguarding Children Board
- If the risk is imminent call 999

90% Of sexually abused children were abused by someone they knew...

Ayesha Ahmed
Taxi Account Manager

NSPCC Helpline: 0808 800 5000

Suggested Code of Conduct when working with vulnerable passengers

General Good Practice:

- Records should be maintained of complaints and any disciplinary action taken against drivers who breach the Code of Conduct for safeguarding children and vulnerable adults
- A whistleblowing policy should operate to encourage the reporting of persons who breach the Code of Conduct for safeguarding children and vulnerable adults
- A log should be maintained by drivers when a journey involves a vulnerable passenger who is not under the supervision of a responsible carer, including the details of any incidents occurring and actions taken or refusals of service
- If the driver is concerned about the safety, welfare or behaviour of a vulnerable person, they should be encouraged to report this to the police (if it is an emergency dial 999) or other appropriate service and to their manager
- The nature of the concern and actions taken should be recorded in the incident log

Guidance for Operators employing taxi/private hire vehicle drivers

This guidance aims to promote good safeguarding practice in local taxi and private hire businesses that provide a service to vulnerable passengers. Vulnerability could be caused by a number of factors including **mental illness, misuse of drugs or misuse of alcohol**. Both children and adults can be vulnerable as a result of these factors.

It is recommended that the Business Manager implements the following principles in training and operational practice:

- At the point of booking, a vulnerable passenger risk assessment should be undertaken and recorded in writing. This should be used to inform your operating policy and staff briefing in relation to the protection of the vulnerable passenger and the driver
- All staff/drivers should be trained and staff training records should be maintained

You have the power to help prevent child sexual exploitation and trafficking.

**Think someone may be in immediate danger?
Call the Police 999**

Rossendale Council Safeguarding Contacts

If a crime is in progress please call 999

Local Safeguarding Children Board (LSCB): **0300 123 6720**

Rossendale Council Licensing Team: **01706 217 777**

Call us on 01254 355679

www.personnelchecks.co.uk | taxi@personnelchecks.co.uk
One Cathedral Square | Cathedral Quarter | Blackburn | Lancashire | BB1 1FB

#SafeguardingMatters

Rossendale BOROUGH COUNCIL

Logos for CPD, Investors in People, Chamber of Commerce, and ico.

Contacts

- If a crime is in progress please call **999**
- NSPCC Helpline: **0808 800 5000**

Call us on 01254 355679

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Personnel Checks | One Cathedral Square | Cathedral Quarter
Blackburn | BB1 1FB

personnel checks

Logos for CPD, Investors in People, Chamber of Commerce, and ico.

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APPENDIX C

personnel
checks

Certificate of completion awarded to:

.....

For attending and completing:

Trust2Ride Safeguarding Awareness Training



Date:

Signed:

Licence No:

www.personnelchecks.co.uk

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APPENDIX D

8th February 2019

Department	Licensing – Regulatory Services
Contact Name	Michael Sims
Contact No.	01753 875664
Email	Michael.sims@slough.gov.uk

Our ref.
Your ref.

Dear

RE: Consultation on Proposals for Mandatory Safeguarding Awareness ‘Refresher’ Training for existing Hackney Carriage and Private Hire Drivers and Operators.

As you will be aware in 2015 the Licensing Committee approved Mandatory Safeguarding Awareness Training for all Hackney Carriage and Private Hire Drivers and Operators, which commenced in 2016.

The training package was developed and presented by members of the Licensing Team, The Child Sexual Exploitation Co-ordinator and the Adult Safeguarding Co-ordinator, and Slough was the first Berkshire Authority to roll the training out.

The training which was provided at no cost to licence holders or new applicants, proved to be very successful and was supported by the Hackney Carriage and Private Hire trade, with excellent feedback received.

However, developing and presenting the training to over 1,100 people proved to be a very time consuming exercise and put additional strain on staffing levels for over 18 months.

It is now time to put in place proposals for Mandatory Safeguarding ‘Refresher’ Training to commence in September 2019.

It is proposed that the training is to be outsourced to an experienced accredited training provider called **‘Personnel Checks’**, who currently deliver Safeguarding Awareness training called **‘Trust2Ride’** on behalf of a total of 5 local authorities throughout the UK and are also now in agreement to deliver the training to Windsor and Maidenhead, Reading, Swindon and Winchester to commence this year.

The training is CPD (Continual Professional Development) Accredited

The proposals for ‘Personnel Checks’ to provide the training would involve the following:

1. The training would be delivered in a class room environment with up to 50 attendees per pre-arranged session. Attendees would be either allocated a specific session or given a choice of scheduled dates so they can choose one that is most convenient to them.
2. There will be two training sessions on each scheduled day, AM and PM.
3. New applicants must undertake the Safeguarding training before a licence being granted and would be able to book themselves on any scheduled training session.

APPENDIX D

4. The cost of the training will be borne by the licence holder, made payable direct to 'Personnel Checks' prior to attending the training session. The cost may vary dependant on the number of attendees, but may be in the region of £20 to £25 per person. So to reduce the cost, the more attendees there are on each training session the lower the cost will be for each person.
5. Drivers and Operators would order and pay for their training online through a dedicated Personnel Checks web page or over the telephone through a dedicated Personnel Checks phone line. All of the administration would be carried out by Personnel Checks.
6. Slough Licensing Team would be responsible for providing the venue for the training.
7. The training will be carried out by qualified trainers and will cover CSE, human trafficking and disability awareness.
8. The training will include a test element to ensure that the attendees have understood the information and training provided.
9. If an attendee's English is such that they might not understand what is being said they will be assisted with understanding it and the questions in the test. This is because the purpose of the test will be to assess their understanding of safeguarding issues, not their English language skills.
10. Attendees will receive a full training manual, certificate and window sticker for their licensed vehicle.
11. For existing licence holders It is proposed that the training will commence from 2nd September 2019 and must be undertaken by 31st August 2020.
12. Any current licence holder that has not undertaken the 'refresher' training by 31st August 2020 will have their driver or operator licence suspended until they have attended the training and must produce a valid certificate of confirmation.
13. The main purpose of approving Personnel Checks as the training provider is that there will be a consistency in the training being delivered throughout East Berkshire, as the training will also be delivered on behalf of Windsor and Maidenhead and Reading, as well as Slough. This also means that there will be scheduled sessions in all 3 local authority areas that any driver can book a place to attend, rather being restricted to just Slough.

It is therefore important that we consult with all current licence holders on the proposals.

I would be grateful if you can respond to this consultation with any views or comments you may have no later than **Monday 4th March 2019**.

Responses can be sent by email to: licensing@slough.gov.uk or in writing by post to The Licensing Team, Landmark Place, High Street, Slough, SL1 1JL.

Your Faithfully

Licensing Manager
Regulatory Services.

APPENDIX E

Responses to Consultation

From Private Hire Operator

Good Afternoon,

I have few concerns regarding this training .

Such as duplication of training.

All Most all of my staff has to attend similar training in verious councils.

I myself has attended at least 10 times such trainings.

My second concern is regarding the cost to the drivers. I have the impression that Councils, insurance companies and road authorities consider taxi drivers as "cash cows". Drivres has not yet digested the recent changes to the licencing of PH or Hakney vehicle Lisence , and now another extra burden on them.

On average a taxi driver in Slough earns between 12 to 15 thousand Pounds, for an average 60 hours a week.

Although, personally I will not be affected by this charge of £20. Here I am presenting the the views and sentiments of my drivers.

From Private Hire Driver

Hi

It's seam like another training just to get more money slough borough council think we making allots of money so let's take some money out from the private hire drivers this is not first course we have to pay for other cost which is £50 and this one 20 to 25 pounds this is not fair I think council should do it for free of charge at the moment private hire drivers struggling because uber driver and on top council wants us to pay for the courses as well I'm not happy at All.

From Private Hire Operator

Regarding your proposal for the refresher course / safeguarding awareness.

I have spoken to all of my drivers , as you state the course will be mandatory , so they will attend .

But they are not willing to pay for it !

They feel because it is a mandatory test then SL.B Council should provide the course free of charge

The drivers are losing out on half a days money to attend the course as it is.

I hope that these views are taken into account when you make your decision

From Combined Drivers Licence Holder

Hello,

In response to the letter regarding the refresher training I would like to say I think this is a very good idea and I am in favour of this.

From Slough Taxi Federation.

We feel the intense nvq (qcf) periodical course done with very detailed modules would be sufficient for the existing hackney carriage drivers. The licensing team have also conducted workshop including presentation for the existing drivers which was very helpful to them. How to report and see changes in behaviour of child, adult awareness a refresher course is an extra cost and is not required.

National Vocational Qualification (QCF)

EDEXCEL LEVEL 2 NVQ CERTIFICATE
in ROAD PASSENGER VEHICLE DRIVING (TAXI AND
PRIVATE HIRE) (QCF)

is awarded to



who has completed an approved programme at

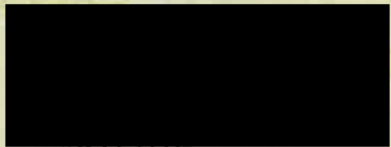
DRIVER PERIODIC TRAINING

AWARDED : MARCH 2012

Kind Regards



Certificate of Unit Credit



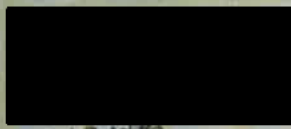
LEVEL 2 NVQ CERTIFICATE
in ROAD PASSENGER VEHICLE DRIVING (TAXI AND PRIVATE HIRE) (QCF)

QCA CODE	UNIT ACHIEVED	LEVEL CREDIT	
H/602/6054	ENSURE HEALTH AND SAFETY OF THE TAXI AND PRIVATE HIRE DRIVER AND PASSENGERS	2	6
K/602/6055	DRIVE A TAXI OR PRIVATE HIRE VEHICLE IN A PROFESSIONAL MANNER	2	3
M/602/6056	PROVIDE PROFESSIONAL CUSTOMER SERVICE IN THE TAXI AND PRIVATE HIRE INDUSTRIES	2	5
T/602/6057	PROVIDE A SAFE AND LEGAL VEHICLE FOR TRANSPORTING PASSENGERS BY TAXI AND/ OR PRIVATE HIRE	2	3
T/602/6060	PROVIDE A TRANSPORT SERVICE IN THE TAXI AND PRIVATE HIRE VEHICLE INDUSTRIES FOR CUSTOMERS WHO REQUIRE ASSISTANCE	2	5
A/602/6061	PROVIDE A SERVICE TO CUSTOMERS USING A WHEELCHAIR IN AN ACCESSIBLE TAXI OR PRIVATE HIRE VEHICLE	2	3
R/602/6065	TRANSPORT PARCELS, LUGGAGE AND OTHER ITEMS IN THE TAXI AND PRIVATE HIRE INDUSTRIES	2	2
Y/602/6066	TRANSPORT CHILDREN AND YOUNG PERSONS BY TAXI, PRIVATE HIRE OR CHAUFFEURING	2	3
F/602/6059	CARRY FARE PAYING PASSENGERS WITHIN THE REGULATORY FRAMEWORK OF THE TAXI INDUSTRY	2	4

(CONTINUED ON NEXT PAGE)

THIS LEARNER HAS QUALIFIED FOR THE ABOVE AWARD IN MARCH 2012

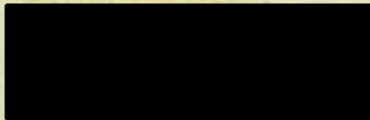
03181 :Q7001170:DL45963:13:11:54:ISSUED 21-APR-2012 : QAN 600/0326/1



Isabel Sutcliffe
Accountable Officer
Pearson Education



Certificate of Unit Credit

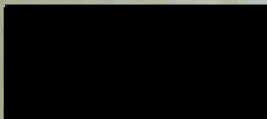


EDXCEL LEVEL 2 NVQ CERTIFICATE
In ROAD PASSENGER VEHICLE DRIVING (TAXI AND PRIVATE HIRE) (QCF)

QCA CODE	UNIT ACHIEVED	LEVEL CREDIT	
(CONTINUED FROM PREVIOUS PAGE)			
L/602/6064	PROCESS FARES AND CHARGES FOR TAXI PASSENGERS	2	1
F/602/6062	PLAN ROUTES IN THE TAXI AND PRIVATE HIRE INDUSTRIES	2	1

THIS LEARNER HAS QUALIFIED FOR THE ABOVE AWARD IN MARCH 2012

03181 :Q7001170:DL45963:13:11:54:ISSUED 21-APR-2012 : QAN 600/0326/1



Isabel Sutcliffe
Accountable Officer
Pearson Education



Uywodraeth Cymru
Welsh Government



Rewarding Learning



NAME

HACKNEY
PLATE NUMBER

SIGNATURES

K. RAZA
ABDUL MAJID
SUKHWINDER MULTANI
MUHAMMED SALEEM
MOHAMMAD AMEEN
KHALID MAHMOOD
ZAHID HUSSAIN
SASID - Mahmood.
Husnain Ali
M. NASEER
Hamid Qasim
M. ZAFAR
A. Lynette
I. Khan
S. SANDHU
J. HAIDER
M. Z. Qazi
KHAOAT ANI
S. S. DHESI
H. S. Sehmbay
P. Suresh
Janat GUL
J. S. SEHRA
A. AFRAOUI
A. AHMED
TAHIR KHAN.
J. S. ASSI

NAME

HACKNEY PLATE
NUMBER

SIGNATURE

45 SATNAM BAINS

SATNAM BAINS

~~SHANKAR SHANKAR~~
FAISAL RASID

Khussein

MOHAMMED SHAN

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MEMBERS' ATTENDANCE RECORD 2018/19
LICENSING COMMITTEE

COUNCILLOR	12/06/18	10/09/18 (Extraordinary)	18/10/18	14/02/18	27/03/18
B Bains	P	P	Ap	P	
Davis	P	P	P	Ab	
M Holledge	P	Ap	P	Ap	
Mann	P	P	P	P	
D Parmar	P	P	P	P	
S Parmar	P	P	P	P	
Qaseem	P* (Until 8.06pm)	P	P	P	
Shah	P	P	P	Ab	
Strutton	P	P	P	P	
Usmani	P	P	Ap	P	
Wright	P	P	P	P	

P = Present for whole meeting
 Ap = Apologies given

P* = Present for part of meeting
 Ab = Absent, no apologies given

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