

SLOUGH BOROUGH COUNCIL

REPORT TO: Licensing Committee **DATE:** 18th October 2018

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WARD(S): ALL

PART I
FOR DECISION

MANDATORY PASSENGER ASSISTANT TRAINING SCHEME (PATS) FOR ALL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS.

1. **Purpose of Report**

To inform the Committee of the Government's 'Inclusive Transport Strategy' and recommending making 'Disability Awareness Training' i.e. Passenger Assistant Training (PATS) a mandatory requirement for all new and existing Hackney Carriage and Private Hire Drivers.

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

The Committee is requested:

- (a) To note the report and the letter from the Department for Transport regarding the Government's 'Inclusive Transport Strategy'.
- (b) Approve that the 'Passenger Assistant Training Scheme' is a mandatory requirement for all new applicants for any a Hackney Carriage or Private Hire driver licence, and must be undertaken before a licence is granted.
- (c) Approve that the 'Passenger Assistant Training Scheme' ("PATS") is a mandatory requirement for all existing Hackney Carriage and Private Hire drivers and that the training must be undertaken within one year of 1st January 2019.
- (d) That all current Hackney Carriage and Private Hire Drivers, including 'Combined' licensed drivers that have previously undertaken PATS training will be exempt from the new requirement.
- (e) To approve that where any current holder of a Hackney Carriage or Private Hire Driver licence has failed to attend the mandatory PATS training (other than those that are exempt) by 31st December 2019, their licence will be suspended until such time as they attend the training and produce a valid certificate as confirmation of their attendance.

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

Slough Borough Council approved PATS in 2005, however this was for drivers of wheelchair accessible vehicles and new applicants for Hackney Carriage and 'Combination' Hackney Carriage and Private Hire driver licenses only.

The proposals within the report will support the requirements in the Governments 'Inclusive Transport Strategy' in ensuring that all Hackney Carriage and Private Hire drivers are suitably trained to assist and carry all passengers with varying disabilities.

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

The proposals for making PATS training a mandatory requirement will contribute to and support the Slough Joint Wellbeing Strategy priority :

Priorities:

1. Protecting vulnerable children
2. Increasing life expectancy by focusing on inequalities

3b. **Five Year Plan Outcomes**

The proposals will also contribute to the Five year Plan outcomes of :

1. Slough children will grow up to be happy, healthy and successful.
2. Slough will be an attractive place where people choose to live, work and visit.
3. Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents.

4. **Other Implications**

(a) Financial

There are no financial implications for the Council on the recommendation.

(b) Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
(a) To note the report and the letter from the Department for Transport regarding the Governments 'Inclusive Transport Strategy'. (b) Approve that the 'Passenger Assistant Training	By approving PATS training as a mandatory requirement this will ensure that drivers working for taxi and private hire services are suitably trained in order to assist and cater for persons with	Only new applicants for Hackney Carriage and 'Combined Hackney Carriage and Private Hire' driver licenses are required to undertake PATS	2	Approval of mandatory PATS training.

<p>Scheme' ("PATS") is a mandatory requirement for all new applicants for any a Hackney Carriage or Private Hire driver licence, and must be undertaken before a licence being granted.</p> <p>(c) PATS is a mandatory requirement for all existing Hackney Carriage and Private Hire drivers and that the training must be undertaken within in one year from 1st January 2019.</p> <p>(d) That all current Hackney Carriage and Private Hire Drivers, including 'Combined' licensed drivers that have previously undertaken PATS training will be exempt from the new requirement.</p> <p>(e) To approve that where any current holder of a Hackney Carriage or Private Hire Driver licence has failed to attend the mandatory PATS training (other than those that are exempt) by 31st December 2019, their licence will be suspended until they attend the training and produce a valid certificate as confirmation.</p>	<p>varying forms of disability and to be compliant with the Governments recommendations .</p>	<p>training</p>		
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(c) Human Rights Act and Other Legal Implications

1. Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of 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 established by law.

2. The Local Government (Miscellaneous Provisions) Act 1976, allows the Local Authority to set standards for the granting of taxi and private hire driver and vehicle licenses.

(d) Equalities Impact Assessment

An Equality Impact Assessment been conducted which shows that the requirement for mandatory PATS training is necessary to ensure drivers working for taxi and private hire services are suitably trained in order to assist and cater for persons with varying forms of disability and to be compliant with the Government's recommendations.

5. Supporting Information

5.1 On 25 July 2018 Nusrat Ghani MP the Parliamentary Under Secretary of State for the Department of Transport wrote to Slough Borough Council. advising of the publication of the Government's 'Inclusive Transport Strategy' which sets out the Government's plan to make travel easier for disabled people. A copy of the letter from Nusrat Ghani MP is attached at **Appendix A**.

5.2 The Inclusive Transport Strategy sets out 5 core objectives of:

- Raising awareness of passengers' rights and ensuring better enforcement of existing legislation;
- Improving the training that all transport services staff receive;
- Improving information provision before and during journeys;
- Planning physical infrastructure changes to enable disabled people; and
- Ensuring inclusive design for the technologies and business models of the future.

5.3 Specifically in relation to Taxi and Private Hire vehicles, the letter from the Department for Transport also details recommendations regarding the accessibility to Taxi and Private Hire services by disabled persons. All licensing authorities should play their part in ensuring that the Taxi and Private Hire services they support, meet the needs of passengers wishing to use them, including:

- Publishing lists of taxis and PHVs designated as being "wheelchair accessible" for the purposes of Section 167 of the Equality Act 2010;
- Prosecuting drivers for discriminating against assistance dog owners

and wheelchair users, where sufficient evidence exists to do so, and applying appropriate licensing sanctions;

- Reviewing the demand for wheelchair accessible taxis and PHVs in your area, and taking steps to ensure that the composition of fleets reflects this need; and
- Requiring all taxi and PHV drivers to complete disability awareness training.

5.4 With regards to the first 2 bullet points above, Slough Borough Council already has these provisions in place.

5.5 In relation to bullet point 3, the fleet of currently licensed Hackney Carriages i.e. 107, consists of 57 wheelchair accessible vehicles which is compliant with the requirements of the Equality Act 2010. However, for Private Hire Vehicles the current fleet consists of 596 vehicles and only 10, i.e. 1.67 % are wheelchair accessible vehicles. It will therefore be necessary to seek further guidance from the Department for Transport on how they will expect local authorities to increase the number of Private Hire wheelchair accessible vehicles without putting an increased financial or disproportionate burden on the Private Hire Trade.

5.6 Attached at **Appendix B** is an extract of sections 4.17 to 4.21 of the 'Inclusive Transport Strategy' with recommendations pertaining to Taxi and Private Hire Licensing.

5.7 Slough Borough Council approved the 'Passenger Assistant Training Scheme' (PATS) in 2005 to comply with requirements of the Equality Act 2006, however this was for drivers of wheelchair accessible vehicles and new applicants for Hackney Carriage and 'Combination' Hackney Carriage and Private Hire driver licenses only. There are currently 171 licensed drivers that have undertaken and passed the PATS training

5.8 The approved modules of the PATS training to be undertaken and passed are modules A, B1, B2, C1 and C2 only. The content of these modules are contained within the Community Transport Association PATS training document attached at **Appendix C**. Slough Borough Council currently has a list of 14 approved PATS training providers.

5.9 It is felt that by making the PATS training a mandatory requirement for all Hackney Carriage and Private Hire drivers this will ensure that Slough Borough Council is complying with the Government's recommendations.

6. **Comments of Other Committees**

None.

7. **Conclusion**

- (a) To note the report and the letter from the Department for Transport regarding the Government's 'Inclusive Transport Strategy'.
- (b) Approve that the 'Passenger Assistant Training Scheme' (PATS) is a mandatory requirement for all new applicants for any a Hackney Carriage or Private Hire driver licence, and must be undertaken before a licence being granted.

- (c) Approve that the 'Passenger Assistant Training Scheme' (PATS) is a mandatory requirement for all existing Hackney Carriage and Private Hire drivers and that the training must be undertaken within in one year from 1st January 2019.
- (d) That all current Hackney Carriage and Private Hire Drivers, including 'Combined' licensed drivers that have previously undertaken (PATS) training will be exempt from the new requirement.
- (e) To approve that where any current holder of a Hackney Carriage or Private Hire Driver licence has failed to attend the mandatory (PATS) training (other than those that are exempt) by 31st December 2019, their licence will be suspended until they attend the training and produce a valid certificate as confirmation.

8. Appendices Attached

- 'A' - Letter from Nusrat Ghani PM – Department for Transport dated 25 July 2018
- 'B' - Extract from the 'Inclusive Transport Strategy' section 4.17 to 4.21.
- 'C' - Passenger Assistant Training Scheme (PATS) Modules

9. Background Papers

- '1' - Inclusive Transport Strategy
- '2' - Equality Act 2010
- '3' - Equality Impact Assessment