

SLOUGH BOROUGH COUNCIL

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

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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.
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- (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