

Late Item

Licensing Committee – 5th March 2019

Taxi & Private Hire Licensing – Results of
consultation on Suitability and Driver
Training Policy

This page is intentionally left blank



Report author: Andrew White

Tel: 37 81562

Report of **Taxi & Private Hire Licensing Manager**

Report to **Licensing Committee**

Date: **5 March 2019**

Subject: **Taxi & Private Hire Licensing – Results of consultation on Suitability and Driver Training Policy**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report presents to committee members the results of recent consultation in Leeds and neighbouring authorities on two areas of taxi and private hire licensing policies.
- 2 Between November 2018 and January 2019, four of the five authorities in West Yorkshire and City of York Council have consulted on proposed changes to how applicants are trained and tested before they can be licensed as taxi or private hire drivers. The five West Yorkshire authorities and York have also consulted (or engaged) on how applicants' and current licence holders' previous cautions and convictions should be reviewed to consider their suitability to be licensed.
- 3 The consultation and engagement has completed, and the results on driver training can be presented to committee, together with recommendations for implementing driver training policies, in Leeds and across the sub-region. The views of licensing committee members are sought before the policies and conditions will be implemented as a delegated decision by the Executive Member for Licensing.

Recommendations

1. That committee members note the purpose and content of the information in this report.
2. That committee members consider the summary of the responses to the consultations, the proposed policies and conditions, and make any further recommendations for the implementation of the proposed policies and conditions.

1 Purpose of this report

- 1.1 To inform committee members of the results of two recent consultations in Leeds, and consultations and engagement exercises in neighbouring authorities.
- 1.2 To highlight to committee members of some of the areas where the council's proposed driver training policy should be revised following the consultation.
- 1.3 To advise committee members that the consideration of the possible licence holder suitability policy will be delayed to a later Licensing Committee meeting, as a result of the consultation responses, a review across the six authorities, emerging national statutory guidance, and a request for legal advice.

2 Background information

- 2.1 Leeds City Council has responsibility for licensing Hackney Carriage (taxi) vehicles, drivers and proprietors, Private Hire and Executive vehicles, drivers, and operators within the city. The council's primary focus is the safety of the travelling public.
- 2.2 The council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976, which governs the licensing of Private Hire Vehicles, Private Hire Operators and drivers. The adoption of this act also encompasses the adoption of the Town Police Clauses Act 1847, which governs the licensing of Hackney Carriages.
- 2.3 The council's policies and conditions are set and reviewed by the council's Licensing Committee. The council's policies and conditions apply to all drivers, vehicles and operators who hold the relevant licenses issued by the council. The council's Taxi & Private Hire Licensing team are responsible for making decisions relating to the application of the policies and conditions, under the council's scheme of sub-delegation.
- 2.4 Committee members will be aware that the UK taxi and private hire industry is rapidly changing in the UK, although much taxi and private hire law has changed little since the 1970s. In order to continue to keep the travelling public safe, the council's policies and conditions also need to keep pace with new developments, particularly the rise of cross border working (drivers and vehicles licensed in one area and working predominantly in another), the growth in use of smartphone apps enabling customers to book and pay for journeys. The council has a plan to review and consult on each of the specific policies and conditions after either three or five years, to make sure they remain up to date and effective.
- 2.5 In October 2017, Licensing Committee approved a plan to review the many (more than 40) policies and conditions relating to taxi and private hire licensing in the following themes:
 - Update and simplification of **driver** policies and conditions (12 driver policies, conditions and guidance);
 - Update and simplification of **vehicle** policies and conditions (11 vehicle policies, conditions and guidance);
 - Update and simplification of **operator and proprietor** policies and conditions (5 operator/proprietor policies, conditions and guidance);

- **Safeguarding and safety** policies and conditions (15 policies, conditions and guidance);
- **Harmonisation** of some policies and conditions across West Yorkshire and City of York to narrow the gap between different authorities, and for more effective cross-border enforcement;
- Development of a **Clean Air Zone** for public health reasons in Leeds and its implications for taxi and private hire vehicles; and
- Update and simplification of taxi and private hire licensing **application and renewal forms** in preparation for development of online forms and paper free case management systems.

2.6 The report presented here shows the results of the consultation on one policy:

- proposed West Yorkshire & York driver training.

2.7 The report proposes arrangements for implementation and review of the policies. If the respective policies can be approved and implemented in all six councils, it would mark significant progress towards adopting common minimum standards for taxi and private hire licensing in the region. The driver training would establish a common framework for all training for new drivers, and the proposal to introduce refresher training in 2020.

2.8 In February 2019, the Department of Transport announced plans to consult on national statutory guidance, which makes reference to driver and other licence holder training, and particularly to licence holder suitability. These new standards are welcomed, but will have implications for current policies and future policy changes. A separate report to March Licensing Committee outlines the new guidance and consultation.

3 Main issues

Response to driver training survey

3.1 The council received 899 responses to the survey. 816 responses were from licence holders. 24 responses were from members of the public. The remaining responses were from other stakeholders, including driver's representatives and trade union, passenger groups, road safety, and West Yorkshire Combined Authority.

665 (75%) respondents said they agreed with the need for an advanced driving test.

771 (87%) respondents said they agreed with the need for an English/ESOL test.

657 (74%) respondents said they agreed with the need for a local knowledge test.

740 (83%) respondents said they agreed with the need for a regulatory framework test.

739 (83%) respondents said they agreed with the need for a professional standards test.

806 (91%) respondents said they agreed with the need for a safeguarding test.

786 (88%) respondents said they agreed with the need for an equalities/disability test.

790 (89%) respondents said they agreed with the need for a practical wheelchair test.

625 (70%) respondents said they agreed with the pass mark for driver training should be 90%.

307 (35%) respondents said they agreed with the need for refresher training to be repeated every three years.

- 3.2 Respondents were asked for any additional comments, and to state their reasons why they didn't agree with the need for any of the requirements of the test. Their comments are summarised and grouped in the table in **Appendix 1**, with a suggested response on behalf of the council. Appendix 1 also includes responses to general or rhetorical questions or comments, which don't relate directly to driver training or suitability, in particular reference to cross-border working in West Yorkshire.
- 3.3 Overall, the responses indicate a high degree of familiarity with the current provision of driver training in Leeds, and a recognition that this provision is more demanding than training in other authorities. A significant number of responses indicated that the best practice training and test was already in place in Leeds, rather than a development of the existing training and testing approach.
- 3.4 The one main area where a significant majority were against the proposal was relating to refresher training for current licence holders, which is not already in place in Leeds, but does take place in Bradford. Although a majority of respondents agreed with the proposal, there were also a significant number of comments about the cost of driver training (either too high, or higher than other authorities, or viewed as a source of income), and the proposal to have a 90% pass mark, based on the highest pass mark for the current tests of any of the six authorities.
- 3.5 The driver training policy does not need to be changed significantly following the consultation. The majority of respondents stated that they felt the current driver training to be robust. Therefore, unless the feedback to the other authorities is significantly different, no major changes to the overall West Yorkshire & York driver training policies are recommended.
- 3.6 A number of minor changes can be considered before the new training policies can be finalised and implemented. These changes are reflected in **Appendix 4**, revised Driver Training Policy.
- The proposed pass rate of 90% across each of the modules can be reviewed along with the test questions. It may well be that for different sets of questions, a pass rate of 75% or 80% may be more appropriate.

- The proposed refresher training approach to be scheduled for 2020, after the driver training curriculum and testing approach has been implemented in each of the authorities.
- Any additional driver training requirements, for example, arising from new Department for Transport guidance.

The next areas of implementation will be to develop the training and testing materials for each of the training modules.

Response to Suitability Policy

- 3.7 250 responses were received relating to the Suitability Policy.
- 3.8 The six local authorities are currently reviewing the consultation results and the considering sections of the policy where changes or additions would be proposed to the Suitability Policy before it could be put before Licensing Committees in the respective authorities. It is possible that following discussion at the committees, if the authorities do not agree on a single policy, that each authority would implement a different policy. The council has sought legal opinion on how the new policy should be applied at the stage where a current licence holder is applying to renew their licence, for example with an 'old' conviction or caution, where relevant remedial actions were put in place (such as drug test or additional training). The council may view those actions as having addressed the risk posed by that licence holder with that conviction or caution.
- 3.9 The accompanying report and revised Suitability Policy will be brought to a future Licensing Committee. It is also likely that consultation on new Statutory Guidance will impact on the suitability policy, as will any case law arising from appeals against decisions based on the policy in other authorities.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 As a proposed delegated decision, the council does not plan to consult again on the driver training proposals. Following the delegated decision, the council will advertise the proposed changes on the council website, and to current licence holders and applicants.
- 4.1.2 The council proposes to implement the new driver training in stages during 2019, where a procurement project is under way to seek training providers who can each deliver the whole of the driver training curriculum.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Equality and Cohesion Screening Assessments are carried out on the policies agreed at Licensing Committee and policy changes made under the scheme of sub delegation. An Equality Impact Assessment Screening report is attached.

4.3 Council policies and City Priorities

- 4.3.1 Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan

Towards being an Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us.

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on:

- Helping people into jobs;
- Boosting the local economy; and
- Generating income for the council.

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on;

- Getting services right first time; and
- Improving customer satisfaction.

4.3.2 The Taxi & Private Hire Licensing policies contribute to priorities:

- Reduce crime levels and their impact across Leeds;
- Effectively tackle and reduce anti-social behaviour in communities;
- Safeguarding children and adults at risk:

Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and adults at risk across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or adults at risk.

4.4 Resources and value for money

4.4.1 The Taxi and Private Hire Licensing service is currently cost neutral to the council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licences.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are possible legal implications arising from this review, both concerning the key legislation for taxi and private hire licensing, which is Local Government (Miscellaneous Provisions) Act 1976.
- 4.5.2 One (Wakefield MBC) UK licensing authority has failed in a judicial review in 2018 to received challenges to the way in which licensing fees are used to fund a range of licencing and enforcement activity, based on interpretations of the Local Government (Miscellaneous Provisions) Act 1976 sections 53 and 70. The effect of these challenges has been to restrict the ability of the licensing authority to charge fees for enforcement of driver conditions and to investigate complaints about driver behaviour.

4.6 Risk Management

- 4.6.1 The October 2018 report to Licensing Committee identified no major risks and mitigating actions. The aim of the new policies is to reduce the risk posed by licence holders to the travelling public, and to increase the confidence of the public that their taxi and private hire drivers can be trusted.

5 Conclusions

- 5.1 The report has addressed the results of consultations on a policy change affecting driver training. The report has summarised the findings and recommendations of the consultation, and proposed revised policies.
- 5.2 The report has provided details of discussion and options where the council's training policy and conditions should be revised at the same time as the five other authorities in West Yorkshire and City of York.
- 5.3 The report proposes arrangements for implementation and review of the policy. If the respective policies can be approved and implemented in all six councils, it would mark significant progress towards adopting common minimum standards for taxi and private hire licensing in the region.
- 5.4 The driver training would establish a common framework for all training for new drivers, and the proposal to introduce refresher training in 2020.

6 Recommendations

- 6.1 That committee members note the purpose and content of the information in this report.
- 6.2 That committee members consider the summary of the responses to the consultations, and make any further recommendations for the implementation of the proposed policies and conditions.

7 Background documents

Department of Transport: Taxi and Private Hire Vehicle Licensing: Protecting Users, Statutory Guidance for Licensing Authorities, February 2019:

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

Appendix 1 Summary of responses to consultation

Appendix 2 Report to Licensing Committee, October 2018

**Appendix 3 Equality & Diversity Cohesion and Integration Impact Assessment,
February 2019**

Appendix 4 Revised Driver Training Policy

Appendix 1 Summary of responses to consultation on suitability and driver training

Response/Objection	Leeds City Council response
<p>Clean Air Zone will harm taxi and private hire drivers' incomes (general comments)</p>	<p><i>We appreciate that drivers and vehicle owners and proprietors may have concerns about the council's plans for a Clean Air Zone for the city.</i></p> <p><i>All Clean Air Zone options provided by central government have implications for taxi and private hire vehicles. The council is has finalised plans for the Clean Air Zone for Leeds, and has secured funding from the Clean Air Fund to assist Leeds licence holders to make the transition from high polluting to ultra low emission vehicles.</i></p> <p><i>The council has also confirmed plans from central government for a central database of taxi and private hire vehicles so that non-compliant out of district private hire and taxi vehicles will be required to pay the Clean Air Zone charge.</i></p> <p><i>The proposed Clean Air Zone charge of £12.50 per day will be ringfenced to fund work to improve air quality in Leeds, it will not be used to fund taxi and private hire licensing.</i></p>
<p>Out of town vehicles should be stopped coming into Leeds (general comments)</p>	<p><i>We know that Leeds licensed drivers don't like the increase in drivers being licensed in other districts and working regularly in Leeds.</i></p> <p><i>Our investigation of journey records show that many customers choose out of district providers for their journey into Leeds and their journey home. Leeds has a vibrant night time economy, three large universities and a regional airport, all serving the wider city region. We do not want, nor do we have powers, to 'stop' all out of district drivers coming into Leeds.</i></p> <p><i>Our focus is on keeping the travelling public safe, so we have taken a number of steps to put out of district vehicles under scrutiny. These steps include maintaining a database of out of town vehicles observed in Leeds on a regular basis, checking journey records with operators licensed in other authorities, including out of town vehicles in 'plying for hire' operations, and joint working with West Yorkshire Police.</i></p> <p><i>We are also starting to conduct cross border enforcement with the four other West Yorkshire authorities and City of York, so that enforcement officers from any of the authorities can inspect vehicles licensed by any of the authorities.</i></p> <p><i>However, recent case law has found that out of town working is very difficult to regulate. Licensing authorities (such as Knowsley MDC) which have tried to impose 'intended use' conditions on their licence holders have had this decision appealed and lost in High Court. Licensing authorities (such as Reading BC) which have tried to prosecute (without a test purchase) out of town drivers for plying for hire have also lost at appeal.</i></p> <p><i>Focusing on passenger safety, we are working very closely with neighbouring authorities and large private hire operators to ensure that drivers are not able to have their licence revoked or refused in Leeds, and get a licence in a neighbouring authority, in order to work in Leeds.</i></p>

Response/Objection	Leeds City Council response
	<p><i>We will conduct a review of the council’s operator policies and conditions, and it is possible that the review may include additional requirements and conditions for operators using apps, with vehicles and drivers who are routinely operating outside of their licensed district.</i></p>
<p>Fees are too high in Leeds (general comments)</p> <p>Driver training is just a means to charge fees (general comments)</p>	<p><i>We are sorry that you feel that the fees in Leeds are too high. We understand that nobody wants to pay more for their licence, especially if other costs are rising. The reason for us wanting to increase the fees is because in 2017-18, our costs increased and our income fell. Our income has to cover all the reasonable costs of licensing, enforcement, inspection and compliance (which includes all the licensing, enforcement, vehicle inspectors and managers at taxi and private hire licensing, and bought-in goods and services).</i></p> <p><i>We know that many taxi and private hire drivers do not earn high incomes, and those that do often earn them through working long hours. We are aware that taxi and private hire driver incomes range. Some drivers earn around £8.00 an hour. We also know of other drivers who sometimes earn £200 in a day.</i></p> <p><i>The council last increased its taxi and private hire licensing fees in 2011, seven years ago. In previous years, where costs have been higher and income lower, we have been able to draw on a reserve (surplus built up in an earlier year). In 2018, that surplus was reduced to £13k. This is why we needed to increase our fees.</i></p> <p><i>The purpose of the driver training consultation is to get a range of people’s views on how the councils in the region could have the same common minimum standards of driver training, to reduce the incentive for some drivers to licence shop in the cheapest district, or the district with the easiest training.</i></p>
<p>Leeds’ licensing conditions are higher than other councils (e.g. tinted windows, vehicles first licensed not older than 5 years, impact on costs) (General comments)</p>	<p><i>It is a matter for each licensing authority how they put licensing conditions in place. We recognise that where there is a significant difference in licensing fees, there is an incentive for some licence holders to move to be licensed by a lower fee authority. We also know that some licence holders are motivated to be licensed in authorities with licensing conditions which are easier to meet.</i></p> <p><i>The licensing conditions which Leeds City Council has in place to there to maintain passenger safety and promote public confidence in the local taxi and private hire trade. The conditions which Leeds City Council has put in place which are higher than some other authorities, such as not permitting window tints in the rear of licensed vehicles which let less than 70% of light through.</i></p> <p><i>Leeds City Council maintains a high level of safety for the travelling public when using taxi and private hire vehicles. To support this, it is considered necessary to ensure that the Police, Council Enforcement Officers and members of the public can always see into a licensed vehicle in outside lighting conditions. This discourages crime from being carried out inside the licensed vehicle and it has also been established that women, vulnerable people and disability groups feel safer when they can easily see out of, and others can see into, the vehicle.</i></p> <p><i>It is now the current practice for different manufacturers to use glass with varying degrees of tint as standard. However, irrespective of the type of glass fitted by the manufacturer, Leeds City Council will not licence a vehicle unless the</i></p>

Response/Objection	Leeds City Council response
	<p><i>glass has a minimum light transmission which enables clear vision both into and from the vehicle at all times.</i></p> <p><i>In accordance with national regulations, the windscreen shall have a minimum light transmission value of 75% and the near and offside drivers windows 70%. The other windows must also have a minimum light transmission 70%.</i></p> <p><i>Leeds City Council has been in contact with vehicle manufacturers to check which vehicles are manufactured with levels of tint with meets the national regulations. We would advise anyone buying a vehicle for the first time or changing vehicle to check before buying that the window and windscreen tints are within acceptable levels.</i></p> <p><i>With respect to the age of vehicle, we recognise that Leeds has a vehicle age restriction at age of first licence and maximum age, which is more demanding than some other authorities. We will shortly be reviewing our vehicle policies and conditions, and will see how the conditions could be reviewed, while maintaining the focus on passenger safety and comfort.</i></p>
<p>Driver training is unnecessary – drivers don't need to be trained (Driver Training)</p> <p>Advanced Driver test is unnecessary – drivers already have driving licences and don't need to pass an additional test (Driver Training)</p> <p>Taxi and private hire drivers aren't professional drivers and shouldn't have to pass additional training (Driver Training)</p>	<p><i>We cannot agree that taxi and private hire drivers don't need to pass driver training or advanced driver training. We don't agree that a driving licence is sufficient evidence of someone's suitability to work as a taxi or private hire driver.</i></p> <p><i>Working as a professional taxi or private hire driver is an occupation in terms of the trust which is placed in drivers, and their likelihood of coming into contact with vulnerable, elderly or people at risk of harm. Those people are entitled to expect high standards of their drivers.</i></p> <p><i>The reason for the authorities in West Yorkshire and York consulting at the same time is to set some common minimum standards for driver training across the region. This should give the public confidence that drivers have met a common minimum standard, irrespective of where in the region they have been licensed.</i></p>
<p>Driver training is unnecessary – all drivers have been trained (Driver Training)</p>	<p><i>We are pleased that you feel that all taxi and private hire drivers have been through all elements of the current driver training.</i></p> <p><i>However, not all current licence holders have been through and passed all of the elements of driver training. All current drivers have attended Safeguarding training, and any driver who applied for a licence since 2006 has passed the driver seminar, the English language test and the customer care test. This does mean that some people who have been driving for a long time will not have passed driver training.</i></p> <p><i>We believe that the current driver training curriculum needs to be changed so that all new drivers have to pass a test or a practical assessment in each of the categories we have proposed. We are not proposing that all current drivers have to pass the test, but we are recommending that there be a driver refresher</i></p>

Response/Objection	Leeds City Council response
	<p><i>course, so that all drivers keep up to date with developments and changes.</i></p>
<p>English language / ESOL training is unnecessary – drivers don't need to speak or write English</p>	<p><i>We cannot agree that taxi and private hire drivers don't need to have a good basic level of spoken English. We also don't agree that using a sat nav device means drivers don't need to speak and understand English to be suitable to work as a taxi or private hire driver.</i></p> <p><i>Working as a professional taxi or private hire driver is an occupation in terms of the trust which is placed in drivers, and their likelihood of coming into contact with vulnerable, elderly or people at risk of harm. Those people are entitled to expect high standards of their drivers.</i></p> <p><i>The reason for the authorities in West Yorkshire and York consulting at the same time is to set some common minimum standards for driver training across the region. This should give the public confidence that drivers have met a common minimum standard, irrespective of where in the region they have been licensed.</i></p>
<p>English language / ESOL training is unnecessary – it discriminates against drivers who have poor levels of English (Driver Training)</p>	<p><i>We cannot agree that taxi and private hire drivers don't need to have a good basic level of spoken English. We don't agree that drivers who come from different backgrounds and have different levels of educational attainment don't need to speak and understand English to be suitable to work as a taxi or private hire driver.</i></p> <p><i>Working as a professional taxi or private hire driver is an occupation in terms of the trust which is placed in drivers, and their likelihood of coming into contact with vulnerable, elderly or people at risk of harm. Those people are entitled to expect high standards of their drivers.</i></p> <p><i>The reason for the authorities in West Yorkshire and York consulting at the same time is to set some common minimum standards for driver training across the region. This should give the public confidence that drivers have met a common minimum standard, irrespective of where in the region they have been licensed. In particular, the ESOL Entry Level 3 is the same requirement for people to achieve UK citizenship.</i></p> <p><i>Central government has proposed that it is good practice for English language to be included in all new driver training provided by licensing authorities. We would propose that initially this be limited to new drivers. The council has completed an Equality and Diversity Impact assessment on the proposed policies.</i></p>
<p>90% pass rate is too high. It should be 75% (Driver Training)</p> <p>90% pass rate is too high. It should be 50% (Driver Training)</p> <p>90% pass rate is too high. It should be 40%. (Driver Training)</p>	<p><i>We are pleased that the majority of survey responses were from people who thought it was a good idea that there was a test for each are of driver training.</i></p> <p><i>The 90% figure we proposed was because one of the six authorities has a 90% pass rate for its' geographic and local conditions/professional standards test. We don't want to weaken the training and testing which is already in place.</i></p> <p><i>We want to review and update the current questions, and set an appropriate pass mark for each driver training module, but this is unlikely to be 30% and may stay at 90%.</i></p>

Response/Objection	Leeds City Council response
<p>Topological/geographic knowledge training is unnecessary – all drivers use sat navs (Driver Training)</p> <p>You should not have the same geographic test for taxi drivers and private hire drivers (Driver Training)</p>	<p><i>We recognise that the growth in use of sat nav devices in vehicles has changed the way in which many drivers work. We recognise that many operators and drivers will use sat nav devices to plot routes and give estimates of fares.</i></p> <p><i>However, two of the most common complaints to the council about driver behaviour in Leeds concern the standard of driving and alleged overcharging. A driver who has no knowledge at all of local roads, junction layouts and destinations, and has to rely 100% on their sat nav may very well not be paying attention to other drivers or to their passenger. We think this causes a safety risk.</i></p> <p><i>Looking forward, we are keen to review and replace the current geographic training and tests, so that they are a good test of practical knowledge, and it may be possible to include in the training and test some examples of use of sat nav devices. In Leeds, we plan to retain different geographic knowledge tests for taxi drivers and private hire drivers.</i></p>
<p>Wheelchair training is unnecessary – not all drivers drive wheelchair accessible vehicles (Driver Training)</p> <p>Wheelchair training is essential – all drivers should pass wheelchair training (Driver Training)</p>	<p><i>The council has to ensure that passengers using wheelchair accessible vehicles can be confident that they will be safe and comfortable in their vehicle.</i></p> <p><i>A number of test purchases and complaints during 2018 indicate that some drivers of wheelchair accessible vehicles have not been confident or competent at securing wheelchairs in their vehicles. We can't allow this to continue, and have arranged to deliver wheelchair accessible training in 2019 to all owners/proprietors of wheelchair accessible vehicles.</i></p> <p><i>Central government has proposed that it is good practice for wheelchair training to be included in all new driver training provided by licensing authorities. We would propose that initially this be limited to current drivers of wheelchair accessible vehicles, but do accept that when a driver swaps vehicles, he or she may need wheelchair training before being able to drive the new vehicle.</i></p>
<p>How much will the driver training cost? (Driver Training)</p> <p>Driver qualifications like NVQs are a waste of time and money and an excuse to charge drivers more (Driver Training)</p>	<p><i>It will be a matter for each licensing authority how they deliver and charge for their driver training, but the aim is for all authorities to reach the same common minimum standards, irrespective of how the training is delivered and the tests conducted.</i></p> <p><i>We don't believe that the new driver training course would cost any more than the current driver training. We recognise that the driver training is more demanding in Leeds than in some other authorities, and currently costs more to applicants. The council is planning to procure more than one training provider who can deliver all the driver training. This should increase capacity for training and tests, and will provide some competition. All the training fees will go to the training providers, not the council. We do not know at this stage if the council will bid to be one of the providers.</i></p> <p><i>The reason for the authorities in West Yorkshire and York consulting at the same time is to set some common minimum standards for driver training across the region. This should give the public confidence that drivers have met a common minimum standard, irrespective of where in the region they have been licensed, but does not require drivers to work towards an NVQ or similar qualification.</i></p>

Response/Objection	Leeds City Council response
<p>Drivers should not be required to take refresher training – we already know all the conditions (Driver Training)</p>	<p><i>We recognise that many or most licence holders will have a good knowledge of recent and current legislation and policies, either through personal knowledge or through their associations, unions, operators or trade press.</i></p> <p><i>However, a significant minority of drivers have display in recent years either a misunderstanding of the legislation, policies and conditions, or have forgotten their role in meeting the conditions. In particular, many drivers seem to have misunderstood the law relating to how passengers with guide dogs and wheelchairs must be treated, and likewise the requirement to report driving endorsements, arrests, cautions and convictions within 3 days. These drivers have been required to undertake remedial training as a corrective.</i></p> <p><i>We believe that outbound communications and reminders from the council may not be sufficient in making sure that all licence holders remain aware of the law and conditions, and of their responsibilities. We would plan to make refresher training an awareness session, and not require attendees to pass a test, unlike remedial training.</i></p>

Report of Chief Officer, Elections and Regulatory

Report to Licensing Committee

Date: 2 October 2018

Subject: West Yorkshire Combined Authority project to harmonise taxi & private hire vehicle and driver conditions across West Yorkshire and York

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report updates Licensing Committee on the progress in aligning ('harmonising') taxi and private hire vehicle and driver conditions across West Yorkshire and City of York (referred to as WY&Y in this report), to improve passenger safety.
- 2 The council has made good progress in improving and maintaining the safety of the travelling public in Leeds. However, because of taxi and private hire issues which span local authority borders, we will only make further improvements if we work more closely with neighbouring authorities.
- 3 Officers from the authorities have been working on a 'harmonisation' project for approval by the chairs of the respective WY&Y Licensing Committees (or equivalents), the respective lead member or portfolio holder, and with the support of the West Yorkshire Combined Authority. In some policy areas, it is likely that the project will establish minimum standards, rather than identical policies.
- 4 The project has reached a stage where we can propose to harmonise policies on which to consult with the public and interested stakeholders. If approved, the proposed changes would align the following policies across the different authorities:
 - Convictions policy and conditions relating to the suitability of licence holders; and
 - Driver training;

Recommendations

1. That Members note the information in this report, and endorse the way forward.

2. To seek Members' support for the priority areas identified for harmonising policies and conditions, or establishing common minimum standards.
3. To seek Members' support for the consultation on the two harmonised policies during October, November and December 2018.

1 Purpose of this report

- 1.1 To inform Members of the progress of the project on vehicle and driver policy harmonisation being developed by the chairs of the six respective Licensing Committees (or equivalents), and with the support of the West Yorkshire Combined Authority (WYCA).
- 1.2 While the WYCA itself does not have responsibility for licensing, it is providing support to the WY&Y authorities who do so for their individual areas.

2 Background information

- 2.1 Since 2017, officers from the five West Yorkshire Taxi and Private Hire Licensing teams and City of York have worked on the harmonisation project, and the chairs of the Licensing Committees (or equivalents) have met every other month to check progress.
- 2.2 The focus of the WY&Y officers and members groups has been to maintain and improve passenger safety, particularly in light of the safeguarding scandals in other towns and cities in the UK. Owing to the prevalence of cross-border working, authorities cannot work in isolation. The group have agreed that the collaboration approach would be more effective if the authorities were to undertake a project to align their policies and conditions more closely, establishing minimum standards in common.
 - CCTV in vehicles;
 - Convictions policy;
 - Vehicle specifications;
 - Driver training;
 - Information sharing between authorities; and
 - Effective cross-border enforcement.
- 2.3 This subject was last reported to Licensing Committee in May 2017, so an update in progress is timely.

3 Main issues

- 3.1 The West Yorkshire & York (WY&Y) group has identified six policy and enforcement areas where the authorities could or should align their approach to improve and maintain public safety. The table below summarises the six areas,

indicates the progress to date, and opportunities for aligning better the relevant policies and conditions.

	Opportunities for harmonisation
CCTV in vehicles	<p>Some WY&Y authorities (including Leeds) currently promote or subsidise (Leeds pays 50%) CCTV in vehicles, providing installation meets council standards. No WY&Y authorities have made CCTV in vehicles mandatory, although 9 authorities, including Rotherham, have done so. Rotherham have found some challenges with CCTV installation companies maintaining equipment in vehicles.</p> <p>Taxi and private hire trade is broadly supportive of CCTV – reduces insurance premiums, reduces bad behaviour, but does come at a cost. Leeds no longer has any local suppliers who can fit and maintain CCTV which meet our standards.</p> <p>Significant data protection implications for authorities as data controllers under GDPR.</p> <p>There is an opportunity to engage and consult with the trade across WY&Y, and to promote common, simple rules for CCTV, and a common list of approved installers.</p>
Convictions policy	<p>Some WY&Y authorities (including Leeds) currently have a convictions policy in place, providing guidance to officers/members making decisions about whether to give licences to people who have convictions.</p> <p>Trade is critical that Leeds has a strong line on convictions, but drivers with convictions and refused by Leeds often get licenses to work from other authorities.</p> <p>Recent guidance issued from Local Government Association (LGA) (August 2017) and Institute of Licensing (May 2018). Links to this guidance in section 7.</p> <p>There is an opportunity for all WY&Y authorities to adopt the same convictions and suitability policies, see sections 3.2-3.4.</p>
Vehicle specifications	<p>All WY&Y authorities currently have conditions on vehicle livery, to clearly indicate vehicles as taxis or private hire, although Wakefield does not require door livery. Some authorities allow vehicles to have livery for more than one private hire operator.</p> <p>WY&Y authorities have different conditions on the type of vehicles which would be licensed, age of vehicles, size of engine, fuel type or level of vehicle emissions, and on the scheme of vehicle inspection.</p> <p>Leeds is working towards a Clean Air Zone (CAZ), and will review conditions to encourage hybrid and LPG, provide exemptions from CAZ for wheelchair accessible vehicles and larger 8-9 seater vehicles. Other councils do not face these challenges.</p> <p>Significant differences remain, and the focus going forward could be on common minimum standards. Opportunity to clarify which vehicles would be licensed. Leeds has specific public health priorities about electric, hybrid, LPG and other low emission vehicles which do not necessarily apply across the region.</p>
Driver training	<p>WY&Y authorities provide driver training differently. York does not provide safeguarding training. Bradford does not require literacy and numeracy training.</p> <p>The trade is critical that drivers often have a wait of 6-8 weeks to get on a Leeds training course. Trade is critical that authorities have different driver training, not transferable from one authority to another.</p> <p>Trade is critical of training provided by 3rd party training companies, who have been perceived to charge applicants for training, but do not apply high quality standards.</p> <p>Opportunity for all WY&Y authorities to design a common training curriculum and testing approach, irrespective of who delivers the training, see sections 3.5-3.7.</p>
Information sharing	<p>The original intention was to develop information sharing protocols between WY&Y authorities about drivers, vehicles and operators who posed a risk. An LGA/ National Anti</p>

	Opportunities for harmonisation
between authorities	<p>Fraud Network project is establishing a voluntary database for councils to share brief details of refused and revoked (but not suspended) licences. A link to this project is provided in section 7.</p> <p>Trade is critical of drivers and operators who work routinely across borders to exploit loopholes. GDPR requires all authorities to be explicit about how they plan to share information.</p> <p>Opportunity for all WY&Y authorities to work to common standards about information sharing, fair processing information to applicants and licence holders who are renewing licences.</p>
Effective cross-border enforcement	<p>All WY&Y authorities have revised their policies and conditions to allow authorised officers from WY&Y authorities to inspect vehicles and check drivers licensed in WY&Y authorities as they would do for vehicles and drivers licensed in their own district.</p> <p>WY&Y authorities have issued staff badges, ticket books, staff training to ensure clear and consistent approach across WY&Y. Some fine tuning required to ensure that processes are in place to un-suspend vehicles when suspended by neighbouring WY&Y authority. Leeds enforcement officers currently work alongside W Yorkshire Police officers on weekend evenings.</p> <p>Trade are currently very critical of local authorities' inability to enforce effectively vehicles working in a district, but licensed elsewhere.</p> <p>Common cross-border enforcement approach developed and in place, but significant differences in enforcement capacity remain. There is an opportunity for all WY&Y authorities to enforce on some criteria any vehicle licensed in WY&Y when their officers identify that vehicle.</p>

Draft convictions and suitability policy

- 3.2 The six WY&Y authorities have reviewed the different convictions policies in place in the different authorities. The authorities have also reviewed the suggested Convictions Policy template developed by the Local Government Association, and the proposed Guidance on Suitability of Applicants developed by the Institute of Licensing (links to both documents are provided in section 7).
- 3.3 The draft WY&Y Convictions and suitability policy is attached at **Appendix 1**. It details the types of issues, including crime arrests, cautions and convictions and driving convictions, that form part of the “fit & proper” test to help councils assess the potential risk to the public. The policy includes a table which indicates the length of time which would normally be required to have elapsed between a conviction and an individual being granted a licence, at initial application, at the date of arrest, caution or conviction, or at the date of renewal of an existing licence.
- 3.4 The proposed criteria would strengthen the policy currently in place, with a longer period when a licence would normally be granted for the following offences.

Offence	Period elapsed under existing policy	Period elapsed under proposed policy
Death or serious injury	> 10 years	Refuse indefinitely
Exploitation	Refuse indefinitely	Refuse indefinitely
Violence	8 years	10 years
Possession of a weapon	Not exact comparison	7 years
Sex/indecency	Refuse indefinitely	Refuse indefinitely
Dishonesty	5 years	7 years
Drugs supply	9 years	10 years
Drugs use	5 years	5 years
Discrimination	Not exact comparison	7 years
Drink/drug driving	Not exact comparison	7 years
Driving + phone	Not exact comparison	5 years
Minor traffic offences > 6 points	Not exact comparison	5 years
Major traffic offences	Not exact comparison	7 years
Taxi and private hire offences	Not exact comparison (1 year for 1 st , 3 years for 2 nd offence)	7 years
Vehicle use offences	Not exact comparison	7 years

Driver training

- 3.5 The six WY&Y authorities have reviewed driver training and assessment approaches in the different authorities.
- 3.6 The draft Driver training policy is attached at **Appendix 2**. It details the outline requirements and methods of assessment for each suggested aspect of driver training, including disability awareness training, which was recommended by the Department of Transport in their Integrated Transport Strategy (link to document is provided in section 7). The policy is summarised in the table below.

Module	Method of assessment
Advanced Taxi Driving Test	Practical Assessment (any providers recognised by each WY&Y authority will be acceptable)
An English Test	Practical Assessment, which may also include a test
Local Knowledge Test	Requirement to achieve a pass rate (will have questions specific to each area and cannot be transferred)
Regulatory Framework of the Private Hire Industry and Test	Requirement to achieve a pass rate (these questions will be the same for all authorities)
Professional Standards Training and Test	Requirement to achieve a pass rate (these questions will be the same for all authorities)
Safeguarding Training and Test	Requirement to achieve a pass rate (these questions will be the same for all authorities)
Equalities/Disability Training and Test	Requirement to achieve a pass rate (these questions will be the same for all authorities)
Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)	Practical Assessment

3.7 The proposed training would strengthen the driver training currently in place in Leeds. The training is not currently provided using these modules, but covers the majority of the curriculum. The main areas where the current training would need to be enhanced would be:

- if the English test were ESOL Entry Level 3 (rather than entry level 2);
- Safeguarding (covering adults as well as children, and test);
- Equalities/disability training (currently covered within two separate modules); and
- Refresher training (not currently required in Leeds, but in place in Bradford, whether it should include a test).

Consultation

3.8 The six WY&Y authorities plan to consult at the same time in each authority. Because the clearance and consultation arrangements are slightly different in some authorities, consultation is planned to start in November and end during December.

3.9 The responses to the consultation will be reported to Licensing Committee in February 2019.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 Full consultation and engagement will take place with the public, trade, staff, passengers and representative groups. We anticipate that each of the six councils will run consultation at the same time, and co-ordinate responses.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Equality and Cohesion Screening Assessments are carried out on the policies recommended for approval at Licensing Committee which are used to inform decision making.

4.3 Council policies and City Priorities

4.3.1 The Taxi & Private Hire Licensing policies contribute to the following aims:

Best Council Plan 2018/19 – 20/21

Towards being an Efficient and Enterprising Council

Our Ambition and Approach

Our Ambition is for Leeds to be the best city and Leeds City Council to be the best council in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful.

Our Approach is to adopt a new leadership style of civic enterprise, where the council becomes more enterprising, business and partners become more civic, and citizens become more actively engaged in the work of the city.

Our Best Council Outcomes

Make it easier for people to do business with us.

Our Best Council Objectives

Promoting sustainable and inclusive economic growth – Improving the economic wellbeing of local people and businesses. With a focus on: -

- Helping people into jobs;
- Boosting the local economy; and
- Generating income for the council.

Ensuring high quality public services – improving quality, efficiency and involving people in shaping their city. With a focus on: -

- Getting services right first time; and
- Improving customer satisfaction.

4.3.2 The importance of air quality as an issue is also reflected in the Council's vision under our Best Council Plan. Our vision is for Leeds to be a healthy city in which to live, work and visit and we are working with partners to reduce emissions which will bring about health and wellbeing benefits including reducing premature deaths, improving health, promoting physical activity and reducing obesity levels. We are raising general health and environmental standards across the city through the promotion of walking and cycling. The Leeds Public Transport Improvement Programme is working to make improvements to the bus and rail networks which will enable reductions in congestion and greater modal shift, supporting a reduction in emissions.

4.3.3 The Council's Taxi & Private Hire Licensing policies contribute to the following priorities: -

- Reduce crime levels and their impact across Leeds;
- Effectively tackle and reduce anti-social behaviour in communities; and
- Safeguarding children and vulnerable adults:

4.3.4 Leeds City Council has both a moral and legal obligation to ensure the duty of care for both children and vulnerable adults across all of its services. This cannot be achieved by any single service or agency. Safeguarding is ultimately the responsibility of all of us and depends on the everyday vigilance of staff who play a part in the lives of children or vulnerable adults.

4.4 Resources and value for money

4.4.1 As this is an information report, there are no resource or value for money issues to consider. There may be resource implications of putting the Convictions and Suitability policy into practice, if it results in more licences being refused and more appeals. There will be resource implications if the Driver training policy is used as a specification for contracting driver training to organisations who would deliver all training and assessment.

4.4.2 It should be noted that the Taxi and Private Hire Licensing service is cost neutral to the Council and by virtue of the Local Government (Miscellaneous Provisions) Act, 1976, raises its own revenue by setting fees to meet the cost of issuing and administering licenses. This means that any additional costs associated with the proposals will be funded via license fees and will not place additional pressure on the council's budget.

4.5 Legal Implications, Access to Information and Call In

4.5.1 There are no legal implications arising from these proposals and they are not subject to call in or publication.

4.6 Risk Management

4.6.1 The proposals are aimed at reducing the risk of passengers posed by current or future licenced drivers, including especially those drivers who are not licenced by Leeds City Council, but are licenced by other authorities in WY&Y.

5 Conclusions

- 5.1 The council has made good progress in improving the safety of the travelling public in Leeds. However, we will only make further improvements if we work more closely with neighbouring authorities.
- 5.2 The officers and members at the West Yorkshire and York licensing group have identified two policies which, if we can deliver them, will improve the safety of the travelling public. The policies focus on driver training and on convictions and suitability of people to hold a licence.

6 Recommendations

- 6.1 That Members note the information in this report, and endorse the way forward.
- 6.2 To seek Members' support for the priority areas identified for harmonising policies and conditions, or establishing common minimum standards.
- 6.3 To seek Members' support for the consultation on the two harmonised policies during October, November and December 2018.

7 Background documents

Department of Transport Integrated Transport Strategy

<https://www.gov.uk/government/publications/inclusive-transport-strategy>

Institute of Licensing guidance on suitability of applicants:

[https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_\(16_May_2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf)

Local Government Association / National Anti Fraud Network information on database of refused and revoked licences: <https://www.local.gov.uk/topics/licences-regulations-and-trading-standards/new-national-register-taxi-and-private-hire>

Local Government Association Template for convictions policy:

<https://www.local.gov.uk/sites/default/files/documents/lga-example-taxi-and-priv-d6c.pdf>

Current Leeds City Council Convictions policy:

<https://www.leeds.gov.uk/docs/criminal%20convictions%20policy.pdf>

Appendices

Appendix 1 Suitability and Convictions Policy

Appendix 2 Driver Training Policy

This page is intentionally left blank

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Page 25

Directorate: Communities & Environment	Service area: Taxi & Private Hire Licensing
Lead person: Andrew White	Contact number: 3781562

1. Title: Equality Impact Assessment of proposed policy changes in taxi and private hire licensing – a) driver training

Is this a:

Strategy / Policy
 Service / Function
 Other

If other, please specify

2. Please provide a brief description of what you are screening

We are screening the equality impact assessment of a proposed change in

a) taxi and private hire driver training

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	x	
Have there been or likely to be any public concerns about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on		x

<ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 		
--	--	--

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected).

- a) The proposals aim to revise the council's approach to driver training, across West Yorkshire and City of York council.

If implemented consistently in all 6 authorities, the proposals would give a high degree of confidence that people who are not able to pass driver training and testing in one authority, would not be able to pass a lower level in a neighbouring authority.

However, there are two aspects which would need to be taken into account:

- i) The impact on the Leeds taxi and private hire trade;
- ii) The impact on people who use taxi and private hire vehicles.

- i) Leeds taxi and private hire drivers have a profile which has higher percentages of the following:

Men (98.5%)

People from a BME background (79%)

People from a Muslim faith (72%)

Median salary of taxi or private hire driver is £18,545 or £8.04 per hour (www.payscale.com)

(Based on Leeds survey of 1637 drivers in 2014)

- ii) Nationally, there is evidence to suggest that the following people are more likely to use taxi and private hire vehicles:

Women. In 2016, on average, women made more taxi or PHV trips than men (12 trips per person vs. 9 trips

per person). This remains true for women of all ages above 16 years old.

(DfT 2017

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642759/taxi-private-hire-vehicles-2017.pdf)

Disabled people and people with mobility difficulties. In 2015, the latest data available on mobility, on average, adults (16+) with mobility difficulties use taxis or PHVs more than people who do not (16 trips per person vs. 10 trips per person). These figures have remained broadly stable since 2010.

Taxi or PHV usage makes up 3% of all their trips, compared to just 1% for those without mobility difficulties. These figures have remained broadly stable since 2010.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642759/taxi-private-hire-vehicles-2017.pdf)

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

- a) The proposed changes in driver training would not have a major impact on Leeds drivers, as the new training model represents a smaller change in Leeds than it does for neighbouring authorities.
- i) License holders in Leeds are disproportionately male, of a BME background and Muslim, and therefore it is likely that a change in driver training and suitability criteria will impact on them disproportionately.

However, it is likely that the change in driver training in Leeds will not have a significant impact, as the majority of the training is already delivered, although in a different way.

- ii) Passengers are likely to be disproportionately female, and wheelchair users, or with some other mobility difficulty.

The proposed driver training includes mandatory wheelchair and disability training, which is intended to benefit disabled passengers and those passengers using guide or assistance dogs.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

The proposed change in driver training is not believed to be a major change for Leeds licensed drivers, confirmed by the result of a consultation completed by almost 900 people, including more than 800 drivers. It will introduce a common minimum standard for new driver training across West Yorkshire and City of York.

5. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Andrew White	Taxi & Private Hire Licensing	28/02/2018

Date screening completed	28/02/2018
---------------------------------	------------

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: 28/02/2018

LEEDS CITY COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER TRAINING POLICY

INTRODUCTION

The following West Yorkshire and York authorities, which consists of Bradford, Calderdale, Leeds, Kirklees Wakefield and York, recognises that the role of Hackney Carriage and Private Hire Drivers is a professional one. Hackney Carriage and Private Hire Drivers transport our most vulnerable persons and are often the first point of contact for visitors to each of the authorities.

The reason for this policy is to ensure that the travelling public within West Yorkshire and York can be confident that the drivers licensed by each authority have been trained to the highest standard and to a standard which is consistent across the West Yorkshire and York region.

We will ensure that all applicants wishing to train as Hackney Carriage or Private Hire Drivers will know that the requirements will be the same for whichever authority they choose to apply to.

1 REQUIREMENTS

The requirements that all new applicants will have to undertake are:

- An Advanced Taxi/Private Hire driving test
- An English test
- Local knowledge test (may be different for taxi and private hire)
- Regulatory framework of the private hire industry and test
- Professional standards training and test:
 - Health and safety
 - Professional customer service
 - Fares
 - How to drive safely and efficiently
 - Providing a safe and legal vehicle
 - Transport parcels, luggage and other items
- Safeguarding training and test:
 - Adults safeguarding
 - Children safeguarding
 - Vulnerable passengers
- Equalities/disability training and test
 - Wheelchair users
 - Users with assistant dogs

- Elderly passengers
- Recognising non visible disability
- Practical wheelchair course (for all drivers of wheelchair accessible vehicles)

2 TESTING

Advanced Taxi/Private Hire Driving Test	Practical Assessment (any providers recognised by each authority will be acceptable)
An English Test	Practical Assessment, which may also include a test
Local Knowledge Test	Requirement to achieve a desired % pass rate (will have questions specific to each area and cannot be transferred)
Regulatory Framework of the Hackney Carriage and Private Hire Industry and Test	Requirement to achieve a desired % pass rate (these questions will cover the same topics for all authorities)
Professional Standards Training and Test	Requirement to achieve a desired % pass rate (these questions will cover the same topics for all authorities)
Safeguarding Training and Test	Requirement to achieve a desired % pass rate (these questions will cover the same topics for all authorities)
Equalities/Disability Training and Test	Requirement to achieve a desired % pass rate (these questions will cover the same topics for all authorities)
Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)	Practical Assessment

Each authority will have different providers and/or methods for delivering the training and testing procedure. However, it will cover the above requirements to the same standard. Costs at each authority may vary for each aspect of the training.

Where a module has a test associated with it, there will be, within that test, certain questions that an applicant / existing driver must answer correctly. If an applicant / existing driver fails to answer these questions correctly, then the test will be a classed as a fail, irrespective of whether the pass mark has been achieved or not.

From the date the policy is adopted, all new applicants will be required to complete and pass the training programme. The aspects of the training shown in 3 below will have to be carried out by all existing drivers prior to the renewal of their application.

If the module requires the training material to be given in advance; this will be provided either by the local authority or the training provider when you confirm your booking onto the course.

The applicant will be given three attempts to complete and pass the training programme. If the applicant fails three times they will not be allowed to be given the opportunity to book onto the training programme for a period of twelve months.

3 REFRESHER TRAINING

Once completed (by new applicants or at renewal), there will be a number of the modules which will require refresher training every three years, to ensure that all current drivers remain up to date with current industry legislation and practice, these will be:-

- Regulatory Framework of the Private Hire Industry and Test
- Professional Standards Training and Test
- Safeguarding Training and Test
- Equalities/Disability Training and Test
- Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)

4 OTHER REASONS FOR HAVING TO COMPLETE MODULES

There may be occasion for the licensing authority to require an existing licensed driver to complete and pass one or more of the training modules. This may be the result of a substantiated complaint, for example, about the standard of English, the standard of driving, the standard of customer care, attitude of the driver (this list is not exhaustive) or if the licensing authority believes that a driver's standard of driving or behaviour falls below the standards required.

The West Yorkshire Combined Authority firmly believes that safe, suitable and professional trained Hackney Carriage and Private Hire drivers are an asset to the West Yorkshire and York region as a whole. We wish to set standards on a par or above that of our neighbouring regions to ensure the safety of the travelling public within our region.

This page is intentionally left blank