



**Report of the: Assistant Chief Executive (Corporate Governance)**

**To the: Licensing and Regulatory Panel**

**Date: 2<sup>nd</sup> September 2008**

**Subject: INTRODUCTION OF A REQUIREMENT FOR OCCUPATIONAL ACCREDITATION (BTEC & NVQ) FOR PRIVATE HIRE & HACKNEY CARRIAGE DRIVERS**

**Electoral Wards Affected:**

All

Ward Members consulted  
(Referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**EXECUTIVE SUMMARY**

This report sets out the developing training and requisite skills issues which are being introduced across the United Kingdom transport sector for passenger carrying services.

The information provided at this Panel meeting will highlight the government drive for improved training, how this translates into learning development for licensed drivers and potential options for the future.

Members will be asked to consider the role of licensed drivers in providing such services to a diverse range of people and if the information provided leads Members to believe that increased levels of professional competence are requisite to the role.

If that was the case Members would need to address another key issue; the options for the introduction of such training for existing licence holders and new applicants.

## **1.0 Purpose Of This Report**

- 1.1 To introduce to Members proposals for the training of Hackney Carriage and Private Hire drivers applicants and existing licence holders requiring them to achieve a NVQ - BTECH level of attainment appropriate to the trade

## **2.0 Background Information**

### (Existing arrangements in Leeds City Council)

- 2.1 The existing knowledge program for applicants applying for a licence consists of a seminar outlining the legislation and licensing Conditions. There has been no testing of applicants, with the exception of a local knowledge test of roads and routes for Hackney Carriage driver's.
- 2.2 There is evidence of non compliance across a range of issues by existing licence holders which may be deliberate, but which may also be indicative of a general lack of knowledge about the standards expected in service delivery or unwillingness to learn.
- 2.3 Officers who deliver the training seminars for Private Hire drivers would inform Members that there are strong indications of 'an attendance only' mentality amongst a significant proportion of applicants.
- 2.4 Existing Private Hire driver licence holders are subject to a Condition on their licence in respect of training to expected standards of service. The only available training is the 'attendance seminar' (subject to any policy change on other matters being considered by Members) and there is no policy requiring existing drivers and applicants to undertake training and accreditation to the level set out in this report.
- 2.5 The training and how it is delivered and tested has been welcomed by Private Hire Operators and Hackney Carriage Associations during the consultation and development process. They regard it as an important step forward in driving up standards within the industry. There has been a voluntary take up, by both trades.

### (The Government initiative on skills training)

- 2.6 The public funded organisation with responsibility for improving training is the Learning and Skills Council (LSC) and their role is set out at Appendix A.
- 2.7 GoSkills are responsible for developing and maintaining National Occupational Standards (NOS) for the Taxi & Private Hire sector. NOS identify the competencies, knowledge and understanding that employers require from those working in their industry developing industry specific standards. They also work with other Sector Skills Councils and Standards Setting Bodies to ensure that the views of the sector are considered when they develop other standards of relevance to the sector e.g. Customer Service. All National Occupational Standards are available free of charge.
- 2.8 As part of their role, GoSkills work closely with awarding bodies and providers in the development and delivery of qualifications for the sector, contributing to the development of pre-employment qualifications, higher level qualifications, work-based qualifications and apprenticeships. Their declared aim is to ensure that the content of qualifications reflects the skills needs identified by employers

- 2.9 The standards identified for the Taxi & Private Hire trade are identified and appear within the document 'Edexcel Level 2 NVQ Road Passenger vehicle driving', the document is some 258 pages and can be viewed directly at :- <http://www.edexcel.org.uk/quals/nvq/rpt/2/rpvd/>.

An overview of the mandatory and optional skills appears at Appendix B

- 2.10 Members of the GoSkills organisation will be present to assist the Panel with an overview of the Government initiative, the national picture on the trade and particularly the design and benefits of this industry based NVQ and BTEC.
- 2.11 It will also be an opportunity for Members to hear first hand the impact there has been on the trade, perhaps particularly in relation where there may be concerns regarding a potential inability to learn because of language and comprehension issues.

### 3.0 **Main Issues**

- 3.1 Members will need to determine if the training is necessary and proportionate to the needs of the Councils responsibilities in today's transport environment providing a safe and quality service to the traveling public, or if it is only desirable.

- 3.2 If it is considered to be necessary then Members will need to consider the implications of that decision in terms of how it is adopted and some proposals might be:

3.2.1. That new applications for licences will require the applicant to attain the qualifications prior to the licence being granted.

3.2.2 That new applications for licences will require the applicant to attain the qualifications within 12 months of the licence being granted.

(NB: there would be some protection for the Council with such a policy if there was a knowledge screening test in place and enable licence holders to learn 'on the job'.)

3.2.3 That existing licence holders be given a time scale to attain the qualification which is reasonable to their learning needs and helpful to the training providers.

(For example December 2010 or December 2011, but there is a need to be alert as some licence holders may seek to defer for as long as possible and potentially undermine the value of the training plan. The Hackney Carriage Associations would wish to balance any timescale for those who may be leaving the trade around that period)

3.2.4 That existing licence holders need only attain the qualification in the event of some form of complaint being proven against them or a conviction or caution administered.

- 3.3 Should it be considered that this occupational accreditation is desirable, but not to be a Condition of a licence, it would be appropriate for the Panel to give an indication of any training issues they would wish Officers to address.

- 3.4 Some Private Hire Operator's who have already undertaken the training have expressed views on its value and how the training is delivered. It should be borne in mind that the training is designed for those drivers who are at the service face. What might be obvious, or easy, for a business manager can be an essential issue for a driver, and the training elements should be considered in that light.
- 3.5 Appendix B sets out the mandatory and the optional additional units a pupil can undertake. As part of the course they must undertake at least two optional units to achieve their accreditation.
- 3.6 Members may feel that there are some optional units which should be part of the learning phase, and accreditation requirement. In particular units 11, 12, 13, 14, 15, 16 and 18 appear to be relevant and Members could direct that they are considered relevant and necessary, in addition to achieving the NVQ / BTEC accreditation.
- 3.7 Currently this training is cost free, but that may expire in 2010 and there will need to be a genuine desire to undertake this training now on the part of drivers if they wish to have it free of charge. It would be costly to drivers if funding was to expire.

#### **4.0 Implications For Council Policy And Governance**

- 4.1 None

#### **5.0 Legal, Consultation and Resource Implications**

- 5.1 By virtue of Section 51 (2) of the Local Government (Miscellaneous Provisions) Act, 1976, a Local Authority can impose Conditions upon the grant of a licence and a training and testing regime as this would be considered such a Condition.
- 5.2 Additionally, once a licence has been granted. An existing licence may be suspended for a variety of reasons, one of which is Section 61 (1) (c), 'any other reasonable cause'. If it was considered there was a requirement to undertake training and a driver refused or failed to pass the appropriate training test this Section would enable the Council to take suspension, revocation action, or refuse to renew the licence.
- 5.3 There is strong support from those who have responded to this proposal from the Hackney Carriage Associations and Private Hire Operators who have followed the progress of this initiative. Go Skills have held a series of open days at the Taxi & Private Hire Licensing offices and attended the formal forums with the trades. However, there are a majority of Operators and drivers who have not taken up these opportunities. There are indications of a voluntary take-up within the trade, but despite having had the opportunities to take the initiative the indications are that there may need to be a mandatory element.
- 5.4 There would be a need for wider information for licence holders to ensure, as far as possible, that all information has been supplied to drivers. This could be achieved by a letter to every driver, information in renewal notices, use of the Taxi & Private Hire Web site, media release, flyers to Operator bases and displays on the Sections digital information screens.
- 5.5 GoSkills and Officers would also arrange open days in areas convenient for the majority of the trade to assist them in understanding and applying.

5.6 There are no undue resource implications associated to this issue for the Council as training is delivered by accredited providers.

## **6.0 Conclusions**

6.1 That matters have been appropriately administered within the terms of the Constitution and that the recommendations are proportionate to public safety and the requirements of the Council in administering its statutory licensing function.

## **7.0 Recommendations**

7.1 Members consider the options set out within 3.2, 3.3 and 3.6 and direct Officers to take the appropriate action on their decision (s).

7.2 That Members direct Officers that any approved policy, procedure and Conditions, along with future amendments to this policy or procedures and adjustments to Conditions are carried out under 'Delegated Powers'.

## **8.0 Background Papers**

- Skills development in the Hackney Carriage and Private Hire Vehicle industry (report for the Department for Transport July 2008 – Author: - GoSkills)
- EDEXCEL Level 2 NVQ in Road Passenger Vehicle Driving (community transport, Private Hire vehicles and chauffeurs), logbook for candidates October 2007
- GoSkills website: - [www.goskills.org](http://www.goskills.org)
- EDEXCEL website: - [www.edexcel.org](http://www.edexcel.org)
- Government training program website: - [www.traintogain.gov.uk](http://www.traintogain.gov.uk)



Leading learning and skills

## About the LSC

### Who are we?

The Learning and Skills Council (LSC) is a publicly-funded organisation charged with building a dynamic and successful Further Education (FE) system for England, to give young people, adults and employers the high quality learning and skills they need for economic and social success.

### What do we do?

- We invest in people to give them the skills they need for success in work and in life.
- We fund all learning for young people, aged 16–19 in colleges, schools and training providers, ensuring they have a full range of high quality courses to choose from, so that they gain the skills and qualifications they need to progress into further learning, including Higher Education, and employment.
- We are passionate advocates of the role of skills in supporting greater social mobility and social justice. We encourage people from all backgrounds to engage in learning that helps them to realise their full potential.
- We work with employers so that they can develop the skills of their workforce.
- We help people get new skills to support their wider ambitions and career progression.
- We help those who are not in work to get the training and support they need to get a good job. We give people the skills that local employers need, so that everyone benefits from greater economic growth.

### Why do we do this?

- We know that if young people stay in some form of learning beyond the age of 16, they are far more likely to realise their full potential.
- We know that improving your skills leads to better jobs and a better quality of life.
- We know that more investment in training and skills helps our country compete more successfully in a global economy.

- We also know that gaining skills is the best route out of poverty and the best way to provide economic security for your family.

### How do we do it?

We work locally, regionally and nationally to:

- **Create demand for learning and skills** – we make sure more people and employers are aware of the benefits of learning and skills, so they are more prepared to invest their time and money in them.
- **Transform the FE system** – we work on behalf of people and employers, to make sure that schools, colleges and providers offer a wide range of high quality learning and training that meets their needs and aspirations.
- **Aid economic development** – we work with partners to make sure that skills are central to economic development and support social justice.

### WHAT WE DELIVER

#### Economic Success

- We want the FE System to deliver the skills that a successful economy and society need.
- We want all young people progressing into further learning and employment that rewards their talents and ambitions.
- We want adults to progress too, with more people updating and refreshing their skills to help them get work and progress in their chosen careers.
- We want employers to truly recognise and value the impact that developing the skills of the workforce has on boosting the productivity and competitiveness of their business.
- And we want more people and employers to recognise the value of skills and therefore invest more in gaining them.

### Simplification

- We recognise how complex the FE system is. Our commitment is to try and make it simple for people and employers to gain the learning and training they need in the way that suits them best.
- And we want to simplify our own processes for the schools, colleges and providers we work with. We will continue to increase our efficiency and minimise waste so that more and more funding can be spent on front line delivery of learning and skills.

### Expertise

- We are in a unique position to draw together information on skills and employment trends to inform our investment in learning and skills and to influence the activities of others.
- We understand skills: we know where the demand is and where the gaps are. We know where excellent learning and training takes place and we know where there are weaknesses that need to be addressed. We use our expertise to act as the voice on skills: advising and influencing the activities of others so that we respond collectively to the skills challenges that face us.
- Crucially, we work on the ground. Unlike most other public bodies we work locally, regionally and nationally. We listen to what local communities and employers tell us about their skills needs and aspirations and we feed that through to government. And we act on behalf of government: securing excellent value for money in the investment of public money in skills.
- Our strength is our ability to work closely with partners at all levels – connecting the local with the regional and national in a truly flexible and dynamic partnership. We recognise that we are part of a wider system: our relationships with schools, colleges and providers are critical to us – we believe that working together we can deliver more for people and employers.

## APPENDIX B

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Unit 1: Ensure the health and safety in your work environment in the Road Passenger Transport Industry	47
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Unit 3: Provide Professional Customer Service in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	77
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Unit 5: Deal with Emergencies and incidents during a Journey Transporting Passengers in the Community Transport, Chauffeur, Taxi and Private Hire Vehicle Industries	101
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