

To Members of Licensing Committee

Democratic Services

Civic Hall

Leeds LS1 1UR

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Our Ref: A61/hg/lateitemlic letter

Your Ref:

Date 11th October 2012

Dear Councillor

LICENSING COMMITTEE – TUESDAY 16TH OCTOBER 2012 AGENDA ITEM 9 THREE YEARLY CRB CHECKS – ADDITIONAL RESPONSE TO THE CONSULTATION

I write with regard to Item 9 of the agenda for the meeting of the Licensing Committee scheduled for Tuesday 16th October 2012.

Members may be aware that the closing date for receipt of responses from the public to the consultation on the introduction of three yearly CRB checks for HC and PH drivers and PH Operators was 5th October 2012. This was the same date as the deadline for receipt of reports to be included within the agenda for the October Committee meeting.

A submission was made on 5th October 2012 by Unite the Union – the submission covered a number of issues including matters scheduled to come to future Committee meetings, however the response relating directly to the CRB issue has now been extrapolated and is included in the attached document for your reference.

I would be grateful if you could include the document with your agenda for the meeting

Yours sincerely

Helen Gray
Governance Officer
Democratic Services
Councillors Distribution

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RESPONSE RECEIVED FROM UNITE THE UNION

CRB CHECKS:

Unite agrees with Criminal Records Bureau checks to ensure that decent and honest workers enter and remain within the Hackney Carriage and Private Hire sectors.

We further agree with the proposal to introduce a three-year CRB check.

We do question however, the methods applied to an application for such. Given that online CRB checks can be obtained at a substantially lower cost to the applicant, it is questionable why this service should be administered by the department of licensing, part of the Resources Directorate and have an additional fee applied to such.

CRB checks carry out background checks on individuals where there is a need to protect the young and vulnerable in our society from menacing and unwholesome individuals. We agree with this fully.

However, where online checks are available, these are also used by individuals where contact or transportation of the young or vulnerable are required. It is therefore questionable why these must be carried out at source.

Information relating to a Hackney Carriage or Private Hire driver is exclusive to that individual and information of such could not be altered or differed. Therefore, it is also questionable why only Taxi and Private Hire licensing must administer this. It is also feasible for such individuals to hold more than one CRB check for individual reasons, but where such checks are carried out either online or in person and not a requirement of the applicant to be made to adhere to only one department for the administering of such.

Departments such as Work and Pensions, Police Service and Prison Service could be worked more closely with the legal and democratic department. These departments do have the ability to record instances where a drivers conduct and viability to be seen as a 'fit and proper person' would be potentially a pointer where the requirement of localised CRB checks are therefore somewhat restrictive and could be seen as a 'money making process' for such departments, namely the Taxi and Private Hire licensing administration.

The movement away from such localised administration for CRB checks would offer many benefits. Those being:

A: Reduced costs to the applicant

B: Reduction in time spent by local administration in processing those checks and therefore freeing up workloads and increasing staffing numbers by those staff being available to perform other duties

C: Reduced time between both application and renewals of such. Time differentials are noted between those conducted and administered locally and those performed online. This would further reduce the time spent by localised administrators potentially chasing applications or renewals at the applicants or renewing persons request.

D: Would also allow applicants to use a current CRB check, albeit having to be an enhanced one to be transported from another job where such it would be needed to that of the current application. Both reducing the cost to the applicant and again removing or reducing time

spent by local administration in the processing of such and therefore potentially speeding up such applications or renewals.

Where a new applicant had acquired an enhanced CRB check from another source, be it another previous job or prior to application, it should be recognised that such current enhanced CRB check has been done for a specific need which would cover that need in the purpose of an application to the Hackney Carriage or Private Hire sector. That being the transport or the young or vulnerable.

Unite therefore would welcome and urge 3 year CRB checks but with the inclusion of the point raised with specific emphasis on the reduction in localised administration and that of more allowance for online applications.

Unite the union Branch NE/302/3 Branch Secretary

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General Secretary