

CABINET MEMBER DECISION



Decision:

That approval is granted for the Hackney Carriage and Private Hire Licensing Policy to be amended to include compulsory e-learning safeguarding training whereby all hackney carriage and private hire drivers and operators are required to complete and pass the safeguarding awareness training.

(1) **Details of Decision**

To seek approval for the Hackney Carriage and Private Hire Licensing Policy to be amended to include compulsory e-learning safeguarding training whereby all hackney carriage and private hire drivers and operators are required to complete and pass the safeguarding awareness training

(2) **Considerations/Evidence**

South Kesteven District Council is responsible for licensing all drivers, operators and vehicles used to provide taxi and private hire vehicle services in the District. The safety and protection of the public is of paramount concern.

The Hackney Carriage and Private Hire Licensing policy was last revised in April 2015 and since this revision there have been a number of areas of national concern surrounding taxi licensing which was identified by the Independent Inquiry into Child Sexual Exploitation (CSE) in Rotherham carried out by Alexis Jay OBE and the subsequent inspection report of Louise Casey CB. This Non Key Decision seeks to amend the policy to enable the authority to address the concerns raised in the Rotherham reports and to give specific consideration to the introduction of mandatory training on CSE for those seeking to obtain a taxi or private hire licence to operate within the district.

(3) **Reasons for Decision:**

In recent years there has been greater awareness about the issue of Child Sexual Exploitation (CSE). High profile media coverage of specific cases has highlighted failures within certain public sector bodies. These failures often allowed the abuse of vulnerable children to carry on without being detected or acted upon.

In the wake of such incidents and as a result of the attention that grooming

and other forms of exploitation has received since the publication of Alexis Jay's independent inquiry into Rotherham Metropolitan Borough Council's handling of accusations of CSE the Government has put an additional focus on combating CSE.

One area of concern identified within Louise Casey's follow up Report of Inspection was whether Rotherham Metropolitan Borough Council had made sufficient efforts to ensure that only 'fit and proper' persons were permitted to hold a taxi or private hire licence. During the initial Independent Inquiry Professor Jay described the prominent role of taxi drivers in facilitating or engaging in CSE as a 'common thread' across England, while inspectors have raised concerns that the licensing and enforcement side of taxi and private hire regulation are often unable or uninterested in getting to grips with the issue and using their powers to good effect.

Licensing Authorities need to be aware of the potential role that taxi drivers can play in facilitating abuse and ensure that only those who are fit and proper hold a licence, and that there are robust procedures in place for dealing with any accusation or incident. Public safety must be the first and most important priority when developing policy, setting standards and determining enforcement of issues related to taxi and private hire licensing.

It is also important that those with responsibility for overseeing the taxi and private hire licensing functions of local authorities are aware of the challenges that those operating within the trade may face when asked to transport children or vulnerable young adults. Taxi drivers fall under the scope of Section 59(A) of the Sexual Offences Act 2003, which makes it an offence to intentionally arrange or facilitate the travel of a person within the UK for the purposes of sexual exploitation; or believes that another person is likely to abuse the passenger during or after the journey. This means that if a driver transports a child knowing or believing that the child will be sexually exploited, that driver will commit the offence of human trafficking and could face a maximum sentence of 14 years imprisonment.

There is therefore a responsibility, shared between the Council, taxi operators, and individual drivers to ensure that licensed drivers are aware of the warning signs that could indicate when a passenger is at risk of trafficking or CSE, and that training is available or has been undertaken to assist those in the taxi trade to deal with such scenarios and report them to the relevant authorities.

South Kesteven District Council has already included a comprehensive guide to safeguarding children and vulnerable adults in its recently revised taxi and private hire policy. The inclusion of mandatory training on Safeguarding Everyone and on CSE for all taxi and private hire drivers will strengthen this and bring us into line with other surrounding local authorities thereby meeting the requirements of the Lincolnshire Safeguarding Children Board (LSCB).

There are various ways of delivering training, some councils have opted for seminars and others have opted for an e-learning course, whereby applicants receive training and answer questions on-line. Firstly e-learning packages, there is a possibility that applicants would not complete the on-line course themselves, but instead enlist help from others. Secondly, organising continuous seminars for taxi drivers will be labour intensive and somewhat impractical over a period of time, given low numbers of attendees.

Officers have considered both options and in view of the six neighbouring authorities opting for training by way of an e-learning course provided free of charge by the LSCB, this is considered to be the appropriate option particularly in view of the fact that the policy already includes robust guidance in relation to safeguarding children and vulnerable adults.

All new applicants as from 1st July 2017 would be required to complete and pass the safeguarding awareness training. All existing drivers would be required to complete and pass the safeguarding awareness training on their next annual check or renewal.

Failure to complete and pass the safeguarding awareness training would, in accordance with the current policy, result either in the driver badge not being renewed or the matter being referred to the licensing committee which could potentially result in suspension or revocation of the licence.

Conflicts of Interest

(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).

NONE

Dispensations

(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).

NONE

Decision taken by:

Name: Councillor Dr Peter Moseley
Cabinet Member for Environment

Date of Decision: 30 May 2017

Date of Publication of Record of Decision: 31 May 2017

Date decision effective (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):

08 June 2017