



Walsall Council

REPORT OF THE DIRECTOR OF PUBLIC HEALTH

LICENSING AND SAFETY COMMITTEE

12th October 2016

Review of Driver Training Policy

*Not for publication by virtue of paragraphs 1,2 and 3 of
Schedule 12(A) of the Local Government Act, 1972 (as
amended)*

1.0 Summary of report

- 1.1 This report sets out changes to the Policy on information required to be provided by persons applying for a licence to drive a private hire vehicle or hackney carriage. The current requirement is for applicants to provide information when they first apply for a licence that they have attended and passed a Driver Training course. They may also be asked to retrain and be retested following a report to committee following a breach of licence conditions. The purpose of the report is to detail the change to the Policy on the information required under s.57 of the Local Government (Miscellaneous Provisions) Act 1976.

2.0 Recommendations

- 2.1 That the Committee resolve to change the Policy on the information required from a driver on application for a licence. The requirement will therefore be that all applicants for drivers licences will be required to provide information that they have attended and passed (where relevant) the updated driver training course. All drivers will be required to attend the course every three years. The full details of these requirements are contained in sections 3.5 to 3.9 of this report.
- 2.2 That the Committee resolve that the course is offered free for a period of 18 months from the 1st December 2016 until the 31st May 2018 for those then holding drivers licences issued by WMBC, and that a charge for the training of no more than £80 is made to applicants for new drivers licences. The charge of £80 for the training will be made for all applicants for new and renewal licences where the application is made after 31st May 2018.

- 2.3 That the Committee resolve that no driver may after 31st May 2018 hold a licence to drive a private hire vehicle or a Hackney Carriage unless he has by that date attended the updated driver training course.

3.0 Background information

- 3.1 On the 6th September 2016 a report was taken to the Taxi Liaison Group advising that in the Authority's view Driver Training had not been updated for 10 years and was due for modernising.

- 3.2 Prior to the Liaison Group meeting the Licensing Service had consulted the Trade, through a written letter and an on line questionnaire, on the proposed changes. On the 2nd August 2016 1931 consultation letters and questionnaires were sent out and at the time the consultation closed on the 21st August 232 responses had been received. The results of the Consultation are contained in **Appendix 1**.

- 3.3 The syllabus for the updated training has been suggested as

- Enforcement Issues and Road Safety
- Licence conditions and legislation that apply to the Trade
- Personal Safety for Drivers
- Customer Care
- Safeguarding, disability awareness and protecting vulnerable people e.g. older people, children at risk of sexual exploitation and vulnerable adults
- Practical demonstration on how to load and secure a wheelchair in a vehicle and otherwise assisting wheelchair users

- 3.4 Two options were presented to the Group for consideration

Option1: WMBC pay the cost of all driver training on a one off basis for a period of 18 months from the date of a decision on this matter. Thereafter the full cost of the course will be charged on all applications for new and renewals grant licences.

Option 2: only existing drivers licensed by Walsall Council would be offered free training during the initial 18 month period. In addition, the Liaison Group recommends to the Licensing and Safety Committee that on the grounds of equality and fairness that all drivers have to undertake the driver training course by 31st May 2018. This training must be undertaken every 3 years.

- 3.4 Following discussion between all parties it was agreed that Option 2 would be recommended to Licensing and Safety Committee as the preferred option. There were however further caveats made in response to views expressed by the Trade and members of the Group.

- 3.5 Liaison Group also recommended that the training would cost no more than £80 and that the testing requirement for the additional elements (safeguarding and the practical demonstration) would be removed. It was also considered important that attendees give the course their full attention and all mobile phones shall be handed in or left at home prior to the training commencing. It is recommended that, if in the opinion of the trainer, an attendee does not show sufficient attention to the content of the course the trainer may mark this as a non attendance and candidate will have to re-attend the course.

New Grants

- 3.6 All applicants who do not then hold a drivers licence issued by Walsall Council will from 1st December 2016 be required to undertake the new driver training course. They will be required to pay a fee for the course. They will be tested on those elements of the new course which are contained in the existing course. There will be no testing on the newly introduced elements of the course. Thereafter, those drivers will be required to attend a driver training course at least once every three years.

Existing Drivers whose Licence Renewal is due between 1st December 2016 and 31st May 2018

- 3.7 Existing drivers whose licences become due for renewal between 1st December 2016 and 31st May 2018 will receive an invitation to attend the driver training course. The invitation will give a specified time and date upon which the course will be held. That date will be prior to the expiry of the drivers existing licence. The training will be free of charge and there will be no testing of those drivers. The training will remain valid for three years. Any driver licensed by Walsall Council applying for the renewal of his licence will need to provide evidence that he has sufficiently recently attended the driver training course.

Existing Drivers whose Licence Renewal is due between 1st June 2018 and 30th November 2019

- 3.8 The Liaison Group made a recommendation that existing licensed drivers should undertake the new training before 31st May 2018. If an existing licensed driver on a voluntary basis attends the course prior to 31st May 2018, that training will be sufficient for any application within the following three years of undergoing the training.

No charge will be made for the driver training course prior to 31st May 2018, and existing holders of drivers licences issued by WMBC will not be tested on any part of the course.

Charges

- 3.9 The charge for a driver training course will be no more than £80 until 30th November 2019.

4.0 Resource considerations

4.1 Financial:

The cost of providing the training until 31st May 2018 based on the maximum charge of £80 is estimated to be in the region of £120,000. This would have to be met from within existing council resources.

In order to administer this training in an efficient manner and to ensure communication and liaison between drivers, trainers and the licensing section a Coordinating Officer and Administrative Assistant would need to be employed. The cost of this would have to be met from within existing council resources and would likely to be in the region of £63,077 for two posts.

The total potential financial cost of option 2 (in paragraph 3.4 above) could amount to £183,077.

5 Legal:

- 5.1 The Authority as part of its Licensing role and to ensure Public Safety can insist upon certain pre-licence requirements before issuing a licence to a Private Hire or Hackney Carriage drivers.

6 Staffing:

- 6.1 To ensure the process is initiated in good time and organised to the benefit of all involved additional resources consisting of two staff as referred to in section 4.1 will need to be made available.

7.0 Citizen impact

- 7.1 The council are seeking to ensure Hackney Carriage and Private Hire Drivers are well trained and up to date in legal and administrative requirements. The council is also seeking to ensure that drivers are up to date in community based issues. A trade that is well trained and up to date on current issues should afford greater protection for passengers and the wider community.

8.0 Community safety

- 8.1 Not only will having well trained drivers within the trade assist in protecting the safety of themselves and their customers, the ability of the trade to identify and report to relevant agencies signs of criminal activity will also be of great benefit to the wider society.

9.0 Environmental impact

- 9.1 Nothing arising from this report.

10.0 Performance and risk management issues

- 10.1 Once the report is complete there will be an intense period of organising and developing the training package including negotiation of final costs. The organisation of the training package once implemented and within the timescales recommended will require dedicated resource and close monitoring to ensure it remains on schedule.

The consequences of any driver not participating in this new training will have to be carefully considered as the matters arise in terms of the Council's Enforcement Policy and determinations by this or any sub Committee.

11.0 Equality implications

- 11.1 A new part of the Driver Training will focus on issues relating to equality, disability, securing wheel chairs, treatment and protection of young, elderly and vulnerable persons thereby improving their safety and the customer service experienced by those with defined characteristics.

12.0 Consultation

- 12.1 A letter of Consultation was sent to all Drivers on the Licensing Services data base on the 3rd August. The results of this consultation are included as Appendix 1.
- 12.2 On the 6th September 2016 the matter was discussed at the Taxi Liaison Group where, with the agreement of those in attendance, alterations were made to the proposals.
- 12.3 Responses from Childrens Services and West Midlands Police have been received supporting the work being undertaken to update and improve Driver Training.

13.0 Appendices

- 13.1 Appendix 1 – Consultation outcome

14.0 Contact Officer:

- 14.1 David Elrington, Regulatory Services Manager, 01922 653023.

Appendix 1



Walsall Council

To help Walsall Council in its review of training for the Hackney Carriage and Private hire trade, in August 2016 1931 licensed taxi drivers and operators were invited to complete a questionnaire. 232 people responded, the results are summarised below.

Q1

Which of the following subjects should be included in this training? (Count and %)		
Personal safety for drivers	184	79%
Customer Care	178	77%
Road Safety	172	74%
Disability awareness	160	69%
Highway Code	144	62%
Safeguarding and protecting vulnerable people e.g. older people, children at risk of sexual exploitation, vulnerable adults	141	61%
Practical demonstration on how to load and secure a wheelchair and assisting wheelchair users	120	52%
Licensing process	110	47%
What legislation and conditions apply to the trade	105	45%
Enforcement issues	102	44%
Other, please tell us below	29	13%

Base 232

Personal safety, customer care and road safety are the top three topics respondents want included in the training.

Q1a.

Other subjects suggested for inclusion in the training included:

Drivers rights this is very important there seems to be no 'duty of care' for the driver from taxi licensing

Clothing code.

Dress code + helping with shopping which 90% don't do.

Customer courtesy from driver.

The driver safety issue is very important so need something to do about it.

Self defence.

I strongly believe that private hire drivers must be allowed to drive in bus lanes.

Customer awareness i.e what kind of people to look out for that could be of risk to passengers and the driver, etc.

Parking up, when vetting customers go to a shop, cash machine, etc how to/ how not to etc.

I think in my knowledge it's wasting time you better train the passenger no us - thanks.

Council to review for a better process f getting medical check done. Each GP has its own cost - ranging from £50 - £200 - not good.

Removal of side council stickers. Safety cameras in vehicles. Council stickers due to amount of taxi break-ins.

Safety important.

Taxi specific laws & regulations.

Other road users. In taxi's wheelchairs not facing sideways. Present standard of driving unacceptable - especially m.s.m. Parking at night, wrong side of the road. Headlights main beam.

Drivers can't seem to speak or understand English. How did they obtain a taxi badge?

Q2	Would you prefer the training to be delivered...?	
	In two 3 hour sessions on the same day	141 61%
	In two 3 hour sessions on different days	32 14%
	I don't mind	51 22%
	Other, please tell us below	8 3%

Base 232

Delivering the training in two three hour sessions was the preferred approach, with 61% saying this.

Q2a. Other suggested durations and comments:

It has to be on the same day. It is not practical to have it on different days. There not going to be a test afterwards.

As long as it doesn't cost anymore

English language.

One hour.

In two 3 hours sessions on the same day - I am working so it will depend on my availability.

For what is relevant I think 2-3 hours is more than enough time.

No need to revise the duration.

6 hours would be far too long for any Taxi training course. The person who came up with this idea is ignorant and should not be allowed to make decisions in the council.

3 hours only.

For what is required, I think 2-3 than enough time.

No as I could read about it. It is not important.

Q3	What time of the day would you prefer the training to be delivered...?	
	Morning	98 42%
	Afternoon	72 31%
	Evening	41 18%
	I don't mind	64 28%

Base 232

Over two fifths of respondents (42%) would prefer the training to be delivered in the morning and just under a third (31%) prefer the afternoon. Although 28% said they did not mind, just 18% preferred the evening.

Q4

What day(s) of the week would you prefer the training to be delivered?		
Monday	72	31%
Tuesday	77	33%
Wednesday	79	34%
Thursday	43	19%
Friday	19	8%
Saturday	36	16%
I don't mind	61	26%

Base 232

The early part of the working week (Monday to Wednesday) were the days preferred by most respondents. Fridays were the least popular day to run the training.

Q5

How often do you think people in the trade should be required to update or refresh their training?		
Every year	20	9%
Every three years	122	53%
Whenever their licence is renewed	47	20%
Other, please tell us below	43	19%

Base 232

Just over half of all respondents (53%) felt that those in the trade should be required to repeat the training every three years.

One fifth (20%) felt it was appropriate to refresh training every time their licence is renewed. Just 9% felt that annually was appropriate.

Q5a. Some suggested a different frequency, of the 44 comments made, 12 suggested training should be refreshed every 5 years and 9 people said every 10 years. 7 people felt that there should be no requirement to repeat the training.

Whenever the licence is renewed - The fresher training course should be free & no extra charges should be made & stronger practical laws to protect drivers.

After one year for new badges though PS: Takes far too long currently to do the whole process. Should take 4-6 weeks max.

Never again is only Walsall they too hard on us I think you have to make the car 10 years instead of 5 year why you think you better than other Council that 10 years car they want why do you not ask us about that. Also in Wolverhampton we can use bus lane not Walsall everywhere you put Taxi & buses why not private hire.

Q6

What type of licence do you have? Tick ALL that apply.		
Private Hire driver	177	
	76%	
Hackney Carriage driver	20	
	9%	
Dual	49	
	21%	
Base operator	8	
	3%	
Vehicle proprietor	11	
	5%	

Base 232

Most respondents (76%) are private hire licence holders. 21% have a dual licence.

- Q7 Age.**
The average age of respondent was 43. The youngest being 24, the oldest 75.

Base 141

- Q8 Gender.**
All respondents were male.

Base 232

- Disability.**
Q9 6 respondents (3%) said they had a disability or a long term illness (as set out under the Equality Act 2010).

Base 232

Q10

Religion	
No religion	1 0%
Christian (All denominations)	24 10%
Buddhist	1 0%
Hindu	4 2%
Jewish	- -
Muslim	165 71%
Sikh	28 12%
Any other religion, please state below	- -
Prefer not to say	9 4%

Base 232

Most respondents were Muslim (71%).

Q11

Ethnic group		
White		
English /Welsh/Scottish/Northern Irish	12	5%
Irish	0	0%
Gypsy or Irish Traveller	0	0%
Any other White background	0	0%
Asian or Asian British		
Indian	31	13%
Pakistani	119	51%
Bangladeshi	35	15%
Chinese	0	0%
Any other Asian background	6	3%
Black or Black British		
African	18	8%
Caribbean	0	0%
Any other Black background	1	0%
Mixed / multiple ethnic groups		
White and Black Caribbean	0	0%
White and Black African	0	0%
White and Asian	1	0%
Any other Mixed background	0	0%
Other ethnic group	3	1%
Prefer not to say	7	3%

Base 232

Most respondents were Asian or Asian British. Over half of all respondents were Pakistani (51%), 15% were Bangladeshi and 13% Indian.

: Carol Boughton
Sent: 17 August 2016 17:19
To: David Elrington; Steve Brown
Cc: Lorraine Boothman
Subject: RE: Consultation on changes to
Walsall Council Taxi Driver Training Course

Good afternoon

Many thanks for including me in the
consultation process.

On behalf of Children's Services could I record
the following ~ the copy attached does not
allow me to complete the form itself.

Children's Services believe it is critical that all
licensed drivers are provided training on
Disability Awareness and Safeguarding
including all the issues cited in the consultation
form.

We would advocate refresher training every 3
years

We believe that all those listed in Q6 should be
provided with this training.

I trust this is helpful to you.

Carol

Carol Boughton
Head of Service ~ Safeguarding & Quality
Assurance
Walsall Children's Services
Children's Specialist Services
Walsall Council
Zone 2D, Second Floor
Civic Centre
Darwall Street
Walsall
WS1 1TP
Email: Boughtoncarol@walsall.gov.uk
Phone: 01922 655848
Mob: 07944 280045

Michaela Kerr [<mailto:m.kerr@west-midlands.pnn.police.uk>]

Sent: 18 August 2016 07:36

To: David Elrington; Carol Boughton; Turai Perumal; 'm.hurcombe@west-midlands.pnn.police.uk';

'info@midlandmencap.org.uk';

'michelle@walsalldeaf.org.uk';

'tracey.parsons@advocacymatters.co.uk'

Cc: Steve Brown; Lorraine Boothman

Subject: RE: Consultation on changes to Walsall Council Taxi Driver Training Course

Good morning,

I can confirm that West Midlands Police are extremely supportive of these changes and regard this as a key opportunity to strengthen both our safeguarding and information sharing opportunities and to developing more supportive relationships with the taxi driving community.

If there is anything further you require from us as an organisation to detail more specifically the benefits we envisage will be achieved from the amendments to the Driver Training course, including any examples where we can demonstrate that safeguarding of children in particular would have been better delivered if this course had included an enhanced safeguarding input previously, please don't hesitate to ask.

Kind regards and many thanks for developing this,

Michaela Kerr

DCI Michaela Kerr
Walsall / Wolverhampton Public Protection Unit
07917555544