
Safeguarding and Disability Awareness Training for Licensed Drivers and Operators - Summary Report

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| Committee considering report: | Licensing Committee |
| Date of Committee: | 25 June 2018 |
| Portfolio Member: | Councillor Marcus Franks |
| Report Author: | Laura Driscoll |
| Forward Plan Ref: | LIC3622 |

1. Purpose of the Report

- 1.1 To allow Members to consider the responses received concerning proposed safeguarding and disability awareness training for licensed drivers and operators.

2. Recommendation

- 2.1 Officers recommend that a condition is added to all driver and operator licences to require them to attend mandatory safeguarding and disability awareness training, including refresher training every 3 years, commencing from 1 August 2018.

3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** Sections 51 and 55 of the Local Government (Miscellaneous Provisions) Act 1976 allow licensing authorities to impose conditions on a driver's and operator's licence as they may consider reasonably necessary.
- 3.5 **Risk Management:** A failure to implement the training, which is already in place widely across the surrounding Council areas, could place children and vulnerable adults at risk, and leave the Council open to criticism.
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 None.

Executive Summary

5. Introduction / Background

- 5.1 The current position is that all dual drivers (those who are licensed to drive both hackney carriages and private hire vehicles) have to undertake disability awareness training as a condition of their licence. Private hire drivers and operators are not currently required to undertake any training as a condition of their licence.
- 5.2 In late 2015, a report was presented to this Committee in respect of introducing mandatory safeguarding and disability awareness training for licensed drivers. The report explained that a consultation exercise would be carried out, and the results reported back to this Committee.
- 5.3 The consultation was sent to all drivers and operators in November 2017, and the consultation ran until January 2018. A total of 10 responses were received. Five did not offer a view on the proposal, and simply either asked for more details on how to book, simply confirmed receipt or explained that they had already completed a form of training. The other five are attached at Appendix C.
- 5.4 The officer observations on the points raised are as follows:
 - If approved, the course will be introduced as soon as possible, following this meeting. It is hoped that all drivers can attend the training within a year from implementation.
 - At each course, the driver will be able to provide feedback, which can be taken into account by the course provider and Council. Speaking with the current preferred training provider, they are clear that driver feedback has been positive despite some drivers initially being sceptical as to the value or relevance of the training.
 - The course will cover topics such as child sexual exploitation (CSE), human trafficking, driver/passenger safety, disability awareness, safeguarding children and vulnerable adults and customer care best practice. There will be a short test at the end to gauge understanding.
 - The course is not intended to prevent unlicensed vehicles and drivers from working, it is intended to engage and benefit licensed drivers and the public as a whole.
 - The cost is to be met by the licensed trade, on a cost recovery basis as with all licensing matters. It is hoped this will be in the region of £30 per head.

6. Proposal

- 6.1 The proposal is for the Public Protection Partnership (PPP) to engage a training provider across the PPP area to provide maximum flexibility for drivers and operators to attend training in a convenient location.
- 6.2 The course would last 2 to 3 hours and cover potential safeguarding issues with vulnerable groups including children and adults such as CSE, human trafficking, driver/passenger safety, disability awareness, safeguarding and customer care.

7. Conclusion

- 7.1 Officers recommend that a condition is added to all driver and operator licences to require them to attend mandatory safeguarding and disability awareness training, including refresher training every 3 years.

8. Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Supporting Information
- 8.3 Appendix C – Responses to consultation

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:***
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:***
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

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| What is the proposed decision that you are asking the Executive to make: | To introduce a condition to all driver and operator licences to require them to attend mandatory safeguarding and disability awareness training, including refresher training every 3 years. |
| Summary of relevant legislation: | Sections 51 and 55 of the Local Government (Miscellaneous Provisions) Act 1976 allow licensing authorities to impose conditions on driver and operator licences. |
| Does the proposed decision conflict with any of the Council's key strategy priorities? | No |
| Name of assessor: | Laura Driscoll |
| Date of assessment: | 11 June 2018 |

| Is this a: | | Is this: | |
|-------------------|------------|---|------------|
| Policy | Yes | New or proposed | New |
| Strategy | No | Already exists and is being reviewed | N/A |
| Function | No | Is changing | N/A |
| Service | No | | |

| 1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it? | |
|--|--|
| Aims: | To require drivers and operators to carry out safeguarding and disability awareness training |
| Objectives: | Improved knowledge for the licensed trade |
| Outcomes: | Trained drivers and operators |
| Benefits: | A better service for the community |

| 2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.) | | |
|--|----------------------------------|------------------------------------|
| Group Affected | What might be the effect? | Information to support this |
| Age | No impact | |

| Disability | Positive impact | Training in disability awareness |
|---|-----------------|----------------------------------|
| Gender Reassignment | No impact | |
| Marriage and Civil Partnership | No impact | |
| Pregnancy and Maternity | No impact | |
| Race | No impact | |
| Religion or Belief | No impact | |
| Sex | No impact | |
| Sexual Orientation | No impact | |
| Further Comments relating to the item: | | |
| No further comments | | |

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| 3 Result | |
| Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality? | No |
| Please provide an explanation for your answer: No evident contribution on inequality. | |
| Will the proposed decision have an adverse impact upon the lives of people, including employees and service users? | No |
| Please provide an explanation for your answer: No evidence the training will have an adverse impact. | |

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

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| 4 Identify next steps as appropriate: | |
| Stage Two required | |
| Owner of Stage Two assessment: | |
| Timescale for Stage Two assessment: | |

Name: Laura Driscoll

Date: 11 June 2018

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.