



Name of meeting: Licensing and Safety Committee

Date: Wednesday 5th October 2022

Title of report: Driver training policy

Purpose of report: The purpose of the report is to advise members of a minor change to the existing driver training policy and the proposed introduction of a fast-track application process for new driver applicants.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – No Private Report/Private Appendix –No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Colin Parr – 26.09.22 Eamonn Croston – 22.09.22 Julie Muscroft - 21.09.22
Cabinet member portfolio	Councillor Will Simpson

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes there is no personal information contained in this report.

1. Summary

1.1 This purpose of this report is to update Members about a temporary change to the existing driver training policy that was made under delegated authority, by the Strategic Director for Environment and Climate Change; and to ask Members to make that temporary change permanent.

1.2 The purpose of this report is to also update Members on the proposal to introduce a fast-track application process for new applicants.

2. Information required to take a decision

2.1 At the meeting of the Licensing and Safety committee on 11th June 2019 members were presented with a report to introduce a new driver training policy. A copy of the policy approved by members adopted on 1st August 2019 can be found at **Appendix 1**.

2.2 Due to the pandemic new driver applications were stopped, when the service re-opened to new driver applications post pandemic the new driver training policy requirements commenced.

2.3 One of the requirements the policy is for all new driver applicants to pass an ESOL Entry 3 English Test in speaking, reading, and listening.

2.4 Demand for new driver applications has seen a steady increase over the months since the service reopened to new applicants and the service were being approached by applicants who have existing English or other qualifications that are at Entry 3 level or above. Applicants with the aforementioned qualifications were finding it difficult to book on for the ESOL qualification and therefore delays were being introduced and a bottleneck created.

2.5 As a result, a decision was taken under delegated authority by the Strategic Director for Environment and Climate Change to make a temporary change to existing policy and the requirement to take and pass the English test. The temporary change implemented was if an applicant produces evidence that they had undertaken a qualification at Entry 3 level or above, in the form of a certificate, and that the qualification has been achieved in the UK then they are permitted to pass to the next stage of the application process which is the Theory and knowledge training and test.

2.6 This decision has enabled applicants to pass through the application process much quicker and with less expense, without compromising the standards set by members.

2.7 Officers are now asking Members to amend the policy on a permanent basis so as to allow applicants who can produce evidence that they have a qualification at entry 3 level or above achieved in the UK to not be required to undertake the ESOL English Assessment.

2.8 In addition the licensing service is proposing the introduction of a new fast track application process for those applicants who want to get through new badge application process quickly. There will be an additional cost to the applicant which will be calculated during the review of the fees which will be presented to members at the Licensing and Safety Committee in December, with a view to commencing the new process on 1st April 2023.

2.9 To help facilitate the fast-track process the service are looking at options to recruit a dedicated training officer who will sit in the Licensing Team and who will deliver the theory training/test and knowledge test and English test assessments in house. There will be group sessions put on throughout the year for new applicants, and those who wish to fast track through the process will be able to pay for one-to-one sessions with the training officer to progress through the application process at a faster rate.

2.10 The aims and objectives of this is to provide an efficient and flexible approach to our customer service, without compromising on the high standards set or the safety of the travelling public.

3. Implications for the Council

3.1 Working with People

One of the Licensing Services key priorities is to ensure that there is a raising of standards across the hackney carriage and private hire trades in order to protect the travelling public; and to ensure people are transported safely and protected from harm but in Kirklees and across West Yorkshire; and that people in Kirklees experience a high quality, clean, sustainable and green environment, as well as improve the customer experience.

The driver training policy is a key aspect in this, while also providing a flexible customer journey for the applicants.

3.2 Working with Partners

In developing its policies, the licensing service works with a number of partners including, Kirklees Safeguarding Adults and Children's Boards, West Yorkshire Police, Public Health, Environmental Health, Community Safety Partnership, other West Yorkshire Authorities (including York) and the hackney carriage and private hire trades, as well as many others.

3.3 Place Based Working

Having a robust but flexible driver training policy will ensure that the travelling public across the whole of the Kirklees district and within the wider region feel safe and give them the knowledge that our licensed drivers all meet the standards as set out in our policy.

3.4 Climate Change and Air Quality

There is no specific impact in the context of this report.

3.5 Improving outcomes for children

The Council wants to ensure that children have the best start in life and to ensure that the people of Kirklees feel safe and are protected from harm. The Council has a duty to protect the travelling public and safeguard children travelling in licensed vehicles and for the purposes of school transport. The respective working groups will enable the licensing service and the trade to improve safeguarding and address any issues relating to such.

3.6 Financial Implications of people living or working in Kirklees

A high proportion of new applicants are residents of Kirklees, the relaxation of the requirement to undertake the English test for those who have qualifications that match or are above that of Entry 3 means they will not have the additional cost of having to undertake the English Test.

In addition the introduction of the fast-track application process, although more costly, will enable new applicants to get their licence quicker and will be able to commence working.

3.7 Other (eg Legal/Financial or Human Resources) Consultees and their opinions

Legal

The proposed changes to the processes ought not increase any legal risks to the service or to Kirklees.

Financial

There will be additional administrative costs in implementing the two changes. However, these will be marginal and recoverable by the comprehensive fee review and/or the introduction of a new fee for 'fast track' applications.

Human Resources

There is an intention to recruit a dedicated officer to implement the changes to the training and fast track elements of this policy.

4. Next steps and timelines

4.1 If members agree to the proposed amendment to the driver training policy to make permanent the temporary change to the requirement that all applicants must undertake the English test then the service will continue to accept certificates or evidence of qualifications at Entry 3 level or above.

4.2 The fast-track process for new applicants will be introduced on 1st April 2023 once the service have recruited an in house training officer and set the fee which will be brought to members at a future meeting.

5. Officer recommendations and reasons

5.1 Members are recommended to: -

- Note the report.
- Agree to make permanent the temporary change in policy that If an applicant produces evidence that they had undertaken a qualification at Entry 3 level or above, in the form of a certificate, and that the qualification has been achieved in the UK then they are permitted to pass to the next stage of the application process which is the Theory and knowledge training and test.
- Agree to the proposed fast-track application process and ask officers to bring a report back to the licensing and safety committee with further details about the timescales and fees.

6. Cabinet Portfolio Holder's recommendations

Councillor Will Simpson has no additional comments.

7. Contact officer

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Public Protection Group Leader – Licensing

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8. Background Papers and History of Decisions

[summary report template \(kirklees.gov.uk\)](#)

9. Service Director responsible

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HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER TRAINING POLICY

INTRODUCTION

Calderdale, Leeds, Kirklees, Wakefield, and York all recognise that the role of Hackney Carriage and Private Hire Drivers is a professional one. Hackney Carriage and Private Hire Drivers transport our most vulnerable persons and are often the first point of contact for visitors to each of the authorities.

The reason for this policy is to ensure that the travelling public within West Yorkshire West Yorkshire and York can be confident that the drivers licensed by each authority have been trained to the highest standard and to a standard which is consistent across the West Yorkshire and York region.

We will ensure that all applicants wishing to train as Hackney Carriage or Private Hire Drivers will know that the requirements will be the same for whichever authority they choose to apply to.

1. REQUIREMENTS

The requirements that all new applicants will have to undertake are:

- An Advanced Taxi driving test
- An English test
 - ESOL Entry 3 in Speaking, Listening and Reading
- Local knowledge test
 - Local Tourism and routes to places within the authority for which you are applying
 - Local Conditions/policies/bylaws
- Regulatory framework (Legislation) of the private hire and hackney carriage industry and test
 - Local Government (Miscellaneous) Provisions Act 1976
 - Town Police Clauses Act 1847
 - Highways Act 1980
- Professional standards training and test:
 - Health and safety (Personal Safety/Passenger Safety)
 - Professional customer service (Assisting Customers)
 - Fares
 - How to drive safely and efficiently
 - Providing a safe and legal vehicle
 - Transport parcels, luggage and other items
- Safeguarding training and test:
 - Adults safeguarding
 - Children safeguarding
 - Vulnerable passengers
- Equalities/disability training and test
 - Wheelchair users

- Users with assistance dogs
- Elderly passengers
- Recognising non visible disability
- Practical wheelchair course (for all drivers of wheelchair accessible vehicles)

2. TESTING

Advanced Taxi Driving Test	Practical Assessment (any providers recognised by each authority will be acceptable)
An English Test	Practical Assessment, ESOL Entry 3 in Speaking, Reading and Listening
Local Knowledge Test	Requirement to achieve a pass rate specified by the authority that you are applying to. (will have questions specific to each area and cannot be transferred)
Regulatory Framework of the Hackney Carriage and Private Hire Industry and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Professional Standards Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Safeguarding Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Equalities/Disability Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)	Practical Assessment

You will be required to carry out the training specified by the authority in which you are applying and each authority will have different approved providers and/or approved methods for delivering the training and testing procedure. However, it will cover the above requirements to the same standard. Costs at each authority may vary for each aspect of the training.

Where a module has a test associated with it, there will be, within that test, certain questions that an applicant must answer correctly. If an applicant fails to answer these questions correctly, then the test will be classed as a fail, irrespective of whether the pass mark has been achieved or not.

All new applicants will be required to complete and pass the training programme.

The aspects of the training shown in section 3 of the policy will have to be carried out by all existing drivers prior to the renewal of their application. New drivers must have completed all training within the twelve month period following the submission date of their application.

If the module requires the training material to be given in advance; this will be provided either by the local authority or the training provider when you confirm your booking onto the course.

The training must be completed before an application will be accepted.

3. REFRESHER TRAINING

Once completed (by new applicants or at renewal), there will be a number of the modules which will require refresher training every three years, to ensure that all current drivers remain up to date with current industry legislation and practice, these will be:-

- Regulatory Framework of the Private Hire Industry
- Professional Standards Training
- Safeguarding Training
- Equalities/Disability Training
- Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)
- Any other training, such as any legislation changes

4. OTHER REASONS FOR HAVING TO COMPLETE MODULES

There may be occasion for the licensing authority to require an existing licensed driver to complete and pass one or more of the training modules. This may be the result of a substantiated complaint, for example, about the standard of English, the standard of driving, the standard of customer care, attitude of the driver (this list is not exhaustive) or if the licensing authority believes that a driver's standard of driving or behaviour falls below the standards required.

The West Yorkshire Authorities including York firmly believes that safe, suitable and professional trained Hackney carriage and Private Hire drivers are an asset to the West Yorkshire and York region as a whole. We wish to set standards on a par or above that of our neighbouring regions to ensure the safety of the travelling public within our region.