

MANDATORY CSE SAFEGUARDING TRAINING FOR TAXI AND PRIVATE HIRE VEHICLE DRIVERS

1 Purpose

- 1.1 For Members to consider an amendment to the council's current taxi and private hire licensing arrangements to ensure all Aylesbury Vale District Council licensed drivers have satisfactorily undergone Child Sexual Exploitation (CSE) safeguard training.

2 Recommendations/for decision

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| 2.1 For Members to agree to an amendment to the current licensing arrangements to ensure all licensed taxi and PHV drivers have undergone Child Sexual Exploitation safeguard training. Specifically any licensed driver who has not attended the council's training by 31 January 2020 will have their licence suspended with immediate effect until such time as they have satisfactorily attended the council's approved training session. |
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3 Supporting information

- 3.1 At its meeting of 11 December 2018 the Licensing Committee agreed to the recommended arrangements proposed by the licensing service to ensure all licensed taxi and private hire vehicle drivers undergo Child Sexual Exploitation safeguard training. Specifically, the licensing service recommended that the council engage CYP First to provide the required training. It was proposed that training be a mandatory requirement imposed on all drivers, with new and renewal applicants required to demonstrate attendance on the CYP First CSE training session. The licensing service aimed to ensure all licensed drivers (approximately 3000) had attended the training within 12 months of implementation.
- 3.2 Training began in February 2019 and the council hosted 72 training sessions over 24 days in the first four months. Since that time three training sessions have been made available each month, held on one day at 9:30, 11:30 and 13:30 hours. Each training session can accommodate up to 50 drivers and lasts between 75 and 90 minutes. Drivers are required to book directly with the training provider via a dedicated text number. At the end of the session delegates are given a CSE advice card which provides a summary of the warning signs to look out for and contact details for reporting concerns. Attendees are issued with an attendance certificate.
- 3.3 To raise awareness, approximately 3000 individual letters were sent to licensed drivers prior to the commencement of the training. This was supported by publicity on the Council's social media platforms and the council's licensing web pages. Regular email reminders and text messages are being sent to those drivers that have not attended and a reminder to book training has been published in the new council trade newsletter distributed to drivers and operators.
- 3.4 To date approximately 2500 drivers have attended the training and feedback from attendees has been highly positive. The licensing team believe it is imperative that the remainder of the council's licensed drivers attend this training. Despite the regular reminders to encourage drivers to attend, there are still approximately 15% of licensed drivers that have not attended. Drivers licences are issued for 3 years, so under the current arrangements

existing licensed drivers could potentially wait until February 2022 before attending the training.

- 3.5 Telephone interviews were conducted with a sample of drivers that had yet to attend training. Various reasons were given by drivers to explain why they had not yet attended. Some were choosing to wait, while others were currently not using their licence because they were licensed in other districts or had changed occupation, some drivers believed because they had attended safeguard training with other councils that they did not need to attend training with AVDC. All AVDC licensed drivers must attend the council's approved training session with CYP First.
- 3.6 It is proposed that the current arrangements be amended and the policy revised so that any existing licensed driver who has not attended training have their licence suspended until such time as they have attended training. To support this approach two additional training days have been scheduled for November and December this year.
- 3.7 Legal advice was sought from a leading taxi and private hire licensing expert about this possible policy change. He has responded as follows:
- “As this is not a condition on the licence, there is no reason why the policy cannot be altered and take effect during the currency of a drivers' licence. Provided the requirement has been properly considered by the Council, consultation has taken place and it is not unreasonable in Wednesbury terms, it would be lawful for the council to state that at some point in the future (which must be reasonable length of time) action will be taken against all those drivers who have not attended the training.
- I would suggest that the action should be suspension of the licence until such time as the driver demonstrates that they have complied with the requirement.”
- 3.8 A brief consultation was carried out by way of emails sent to licensed drivers, operators and Bucks Safeguarding Children Partnership at the beginning of this month. The consultation was also advertised in the newsletter referred to in paragraph 3.3, which has been distributed to existing drivers and operators, and copies displayed at the council's vehicle testing station at Pembroke Road. No comments have been received in respect of the proposed policy amendment.
- 3.9 If agreed, it is proposed that the new policy take effect from 31 January 2020 to allow sufficient time for the policy change to be publicised and afford the remaining untrained drivers the opportunity to comply. Training dates are scheduled for 7 and 25 November and 3 and 19 December. Further dates will be scheduled for January 2020.
- 3.10 Under Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may suspend, revoke or refuse to renew a driver's licence if the driver is convicted of certain offences or “any other reasonable cause”. Licences may be suspended in accordance with Section 61(2A) or 61(2B) of the LGMPA 1976. In respect of the former, the decision does not take effect until the appeal period has lapsed, which is 21 days or until the appeal proceedings are disposed of. In respect of the latter, a suspension may be implemented with immediate effect if it appears to the council to be in the interests of public safety; under these circumstances a driver aggrieved by the decision still has the right to appeal.

- 3.11 The need for licensed taxi and PHV drivers to undergo training in recognising and knowing how to report instances, or potential instances, of CSE is widely accepted. There appears to be reluctance from some drivers to attend the training despite considerable effort by the licensing service, which is a cause for potential concern. For this reason it is recommended that the suspension take immediate effect in the interest of public safety.
- 3.12 There are potentially a large number of licences that will need to be suspended which will place additional demands on the licensing team. To minimise disruption the licensing team will increase publicity to encourage drivers to attend voluntarily and warn them of the consequences of non-compliance. Drivers are also being invited to surrender their licences if they are no longer needed.

4 Options considered

- 4.1 The current arrangements could remain in place, however there is a risk that a significant number of drivers will continue to defer attending the training for another two years.

5 Reasons for Recommendation

- 5.1 Taxi and PHV drivers can play a key role in identifying and reporting instances of child abuse. The CYP First child exploitation training programme presents this message in a clear, memorable and empathic way. It is clearly important that as many drivers as possible attend this training without further delay.

6 Resource implications

- 6.1 The licensing service has been able to fund the training from its existing budget. CYP First have managed the booking and attendance arrangements with minimal input required from AVDC staff. AVDC staff have taken responsibility for issuing attendance certificates, which are produced and distributed by electronic means.
- 6.2 There are potential consequences for existing staff should a large number of drivers' licences need to be suspended. It is anticipated that this risk can be significantly mitigated by escalating the current awareness campaign and specifically targeting drivers who have so far failed to attend a training session.

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Background Documents	None