

Report to	Licensing committee 9 June 2016	Item
Report of	Head of citywide services	6
Subject	Amendments to the Norwich Hackney Carriage and Private Hire Licensing policy to include a safeguarding Code of Conduct and mandatory awareness training requirements	

Purpose

The Licensing Committee are asked to consider amendments to the current Norwich City Council Hackney Carriage and Private Hire Licensing Policy to include safeguarding requirements.

Recommendation

It is recommended that members resolve to:

- 1) Approve a drivers' Code of Conduct for inclusion in the 'Green Book'.
- 2) Include a mandatory requirement for safeguarding awareness training in the drivers licence grant/renewal application process.

Financial Consequences

The financial consequences of this report are nil.

Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

Financial implications

None

Ward/s: All wards

Cabinet member: Councillor Kendrick – Neighbourhoods and community safety

Contact officers

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Background documents

None

Report

1.0 Background

1.1 During recent times there has been significant media interest about the role of taxi drivers and licensed premises in sexual exploitation over years of abuse noticeably in Rochdale and Rotherham. There are other less reported cases in the press, including Milton Keynes.

1.2 There has been criticism directed at local authorities about the lack of confidence and arrangements to manage and deliver the licensing functions with the focus on taxi licensing and this failure is putting people at risk of exploitation.

1.3 A report supported by the Home Office, recommends a number of actions which have been assembled into a 'Taxis and licensing safeguarding action plan', which has been adopted by the Norfolk Safeguarding Children Board and Norwich City Council.

Actions agreed in the action plan include the following:-

- Taxi drivers to be included in the preventative agenda by encouraging recognition and referral of those at risk. Also needs to cover issues around appropriateness of taxi driver behaviours and communication with customers.
- Training provided to taxi drivers and be mandatory as part of the application process.

2.0 Safeguarding Code of Conduct

2.1 The current taxi policy has limited safeguarding information and does not contain details of the expectations of drivers, neither are there details of role of social media and what to do if they become aware of safeguarding issues and where to report this information. The Licensing Team have worked on a standard Code of Conduct which we are asking Members to approve, a copy of which is attached at appendix A. On approval we will add the Code of Conduct to the current drivers' information/conditions/policy document, known as the 'Green Book'.

3.0 Knowledge awareness

3.1 The licensing trade (all functions) could act as the 'eyes and ears' for safeguarding as we aim to raise the profile of safeguarding including what to look out for, how to deal with the information on disclosure and who to report the information to. As part of this we see the role of the taxi trade as a key partner as they are often alone with vulnerable clients as part of school contracts and as service providers to the night time economy. We are therefore seeking approval to add a requirement to the application/renewal process for safeguarding training to be provided to them. The format of the training has been put together by Norwich City Council's Early Intervention and Community Safety Manager and an external training provider appointed. Existing licensed drivers have already been given an opportunity to voluntarily attend the training, some of which will have been undertaken prior to this meeting.

4.0 Options

| The Committee may

- Grant the policy updates as requested
- Refuse to grant the policy updates as requested
- Amend the policy updates as they see fit.

5.0 Reasons for Recommendation(s)

5.1 To ensure the required safeguarding measures are put in place to protect the public

6.0 Risk

6.1 There are risks associated if we fail to not implement safeguarding good practice which could result in vulnerable people, including children, being put at risk of harm.

6.2 There are significant reputational risks associated with not implementing adequate safeguarding measures.

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Code of Conduct Hackney Carriage and Private Hire Drivers

Hackney Carriage and Private Hire Drivers (referred to in this document as Drivers) are in a position of trust in respect of the safety and welfare of their passengers. The Licensing Authority, through its licensing team and committees, have to ensure that all Drivers are 'fit and proper' to undertake their work as Drivers and that they also act as ambassadors for the district. It is essential that the Council and Drivers work together in order to ensure members of the public are treated with dignity and respect, including reporting any concerns.

On occasions, drivers may become aware of, or have suspicions that, their passengers may be the victim of abuse, neglect or exploitation either sexual or otherwise, or at risk of becoming a victim. In addition, drivers themselves may be accused of misconduct or inappropriate behaviour through the misinterpretation of the driver's actions or conversation.

Therefore, Norwich City Council is proposing to introduce this **Code of Conduct** which is aimed at providing the best possible service by protecting both passengers and drivers. This ensures that concerns, suspicions of abuse, neglect or exploitation can be reported appropriately and minimise the risk of misunderstandings.

Drivers are expected to comply with this Code of Conduct. Failure to do so may result in the driver being referred to the Regulatory Sub Committee to explain the circumstances surrounding any incident. In the event of a repeated and/or serious failure to comply, drivers can expect that consideration will be given to the suspension or revocation of their licence.

It should be noted that the code does not override any obligations that are enshrined in legislation, licence conditions or other contractual obligations, such as County Council contracts.

Drivers should:

- Act in a professional manner at all times
- Treat passengers and other road users with respect
- Keep relationships with passengers on an appropriate, professional basis
- Respect all individuals – regardless of age, disability, gender, sexual orientation, gender reassignment, religion/belief, language spoken, race or ethnicity

And be aware of:

- Safety and well-being of passengers must be paramount
- The importance of the use of appropriate language
- Be aware of the vulnerability of children and adults
- Be aware of passengers with special needs
- Any instruction given about the care or first aid requirements of a passenger
- Personal beliefs and standards, including dress and religion
- Passengers misreading situations
- The use of social networking sites such as Facebook and Twitter. These are public websites and therefore passengers conveyed may access a Driver's site. Ensure you use the appropriate privacy settings to avoid passengers viewing your social media sites

Drivers should never:

- Become over-friendly or unprofessional in any way with passengers or engage in any form of inappropriate relationship, infatuation or show favoritism
- Inappropriately touch a passenger, unless in an emergency situation, or if required to do so because of the additional needs of the passenger
- Administer medication unless a specific request has been made by the hirer
- Photograph or video passengers in your care unless used in compliance with data protection legislation and any relevant codes of practice issued by the Home Office or Information Commissioner's Office
- Engage with passengers through social networking sites (such as Facebook and Twitter), instant messengers or any other online communication software such as mobile phone applications or video games
- Phone or send text messages to passengers other than directly concerning the hiring of your vehicle
- Swear, make personal/humiliating comments, make comments that could be perceived to be hate crime, or tell inappropriate jokes in person or by any other means e.g. social media
- Offer or accept sweets, cigarettes or gifts of any sort
- Stop anywhere other than the specified pick up/drop off points unless requested by the hirer
- Show passengers videos or pictures on your mobile phone or any other electronic device

Safeguarding:

If a driver has concerns or suspects abuse, neglect or exploitation of a passenger then these should not be ignored. If there are any suspicions or concerns about the way someone is being treated it is important to report this. The safeguarding of children and vulnerable adults is everybody's responsibility. Remember that your information could help a vulnerable child or adult.

If a driver is working under a Norfolk County Council contract then their documents and guidance procedures should be followed alongside any training received by the driver.

Otherwise, the following procedures should be complied with in reporting any information or suspicions you may have of anyone being subject to abuse, neglect or exploitation:

Action to be taken if you have concerns:

- If your concerns are of an urgent matter or you believe that a crime has been committed and there is an immediate risk of danger, telephone the police emergency number, **999 or 112**
- If you are suspicious or are concerned that a child or an adult is suffering or is likely to suffer significant harm, including any form of mistreatment, abuse, neglect or exploitation but it is not of an urgent matter, please contact Norfolk Constabulary on **101**.