

**PERTH AND KINROSS COUNCIL LICENSING COMMITTEE****11 September 2014****Civic Government (Scotland) Act 1982****Report on Training for Taxi and Private Hire Car Drivers****Head of Legal Services****PURPOSE OF REPORT**

To inform the Committee about the options which are being considered in relation to training for taxi and private hire car drivers.

**1. BACKGROUND/MAIN ISSUES**

- 1.1 The Council regulates the licensing of taxi and private hire cars under the Civic Government (Scotland) Act 1982 and as part of this process the Council can impose conditions on taxi and private hire car licences for drivers.
- 1.2 The Civic Government (Scotland) Act 1982 does not provide that taxi and private hire cars applications must satisfy an authority as to their competence prior to obtaining a licence. However, the Scottish Government commends in the Best Practice Guidance for Taxi's and Private Hire Cars 2012, the introduction of vocational training for drivers and any conditions of licence that seek to raise standards within the taxi and private hire car trades.
- 1.3 The Committee may feel that therefore potential benefits to be obtained from introducing vocational training for taxi and private hire car drivers as a condition of licence and a variety of options are being explored.
- 1.4 One of the reasons that training is being considered is that there have been a number of concerns raised by the Public Transport Section of the Council and the Centre of Inclusive Living about the way in which disabled passengers are being transported in wheelchairs. It appears that some drivers are unfamiliar with their obligations under the Equality Act 2010. Section 165 of the Act places a number of duties on drivers of designated wheelchair accessible vehicles. These duties include taking such steps necessary to ensure that the passenger is carried in safety and in reasonable comfort and giving the passenger such mobility assistance as is reasonably required. It is hoped that training would assist taxi and private hire car drivers in meeting their legal obligations and improve the safety and comfort of disabled passengers.

- 1.5 Other reasons for introducing training beyond that of disability issues are that it would improve public safety, result in fewer complaints and create a better image of Perth.
- 1.6 Training could also be beneficial for the trade in that it could attract more drivers with the right skills, improve reliability and retention of drivers and raise standards in the quality of service provided. It would also provide taxi and private hire car drivers with an opportunity to obtain a recognised qualification and enhance the quality of service provided.
- 1.7 The type of training which is being considered is MIDAS Car and MPV training. Those undertaking the training would be able to obtain a nationally recognised vocational qualification for the taxi and private hire car trade. This training would include training for driving wheelchair accessible vehicles and passenger assistance training for the transportation of passengers with disabilities. It is similar to MIDAS training for minibus drivers and would provide taxi and private hire car drivers with the information they need to provide safe and comfortable transport of passengers. The training could be delivered by the training officers employed at the Friarton depot who are already qualified to deliver this type of training. The Council would be seeking to cover the cost of delivering this training by adding the cost of the training to the licensing fee. The cost of delivering this training has still to be assessed. In order to maintain their qualification drivers would also be required to undergo refresher training every 6 years.
- 1.8 The training topics which would be covered as part of the training are as follows:-
  - 1 Defensive driving
  - 2 Legal requirements and good practice for car and MPV drivers
  - 3 Health and Safety awareness
  - 4 Passenger awareness
  - 5 Passenger assistance
  - 6 Passenger safety
  - 7 Personal safety and abuse awareness
  - 8 Breakdown, collision and emergency procedures
  - 9 Transporting children and young people with special needs
  - 10 Child passenger safety
  - 11 Transporting adults who need care and supervision
  - 12 Safe use of passenger lifts , ramps and steps
  - 13 Safety for passengers who use wheelchairs in vehicles
  - 14 Legal requirements and good practice.
  - 15 Practical skills assessment for drivers of accessible MPVs.

- 1.9 There are other courses which could also be considered such as SVQ level 2 courses. Unite the union is running an SVQ 2 course for taxi drivers in Dundee and another course is being run by Dundee and Angus College which is a vocational related qualification which meets the knowledge requirements of SVQ level 2 in Road Passenger Transport. These courses could provide taxi and private hire car drivers with alternative ways in which obtain the required training.
- 1.10 The trade would be consulted and involved before any definite proposal to introduce training as a condition of a taxi and private hire car licence was submitted to the Committee.

## 2. PROPOSALS

- 2.1 It is recommended that the Committee note contents of the report and agree that further investigation takes place, consultation with the trade and that a further report be submitted in due course.

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### Approved

Name	Designation	Date
Ian Innes	Head of Legal Services	29 August 2014

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**1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION**

*The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed. Where the answer is 'no', the relevant section(s) should be marked 'not available (n/a)'.*

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>NO</b>
Corporate Plan	<b>NO</b>
<b>Resource Implications</b>	<b>NO</b>
Financial	<b>NO</b>
Workforce	<b>NO</b>
Asset Management (land, property, IST)	<b>NO</b>
<b>Assessments</b>	<b>NO</b>
Equality Impact Assessment	<b>NO</b>
Strategic Environmental Assessment	<b>NO</b>
Sustainability (community, economic, environmental)	<b>NO</b>
Legal and Governance	<b>NO</b>
Risk	<b>NO</b>
<b>Consultation</b>	<b>YES</b>
Internal	<b>YES</b>
External	<b>NO</b>
<b>Communication</b>	<b>NO</b>
Communications Plan	<b>NO</b>

**1. Strategic Implications**

Community Plan / Single Outcome Agreement

N/A

Corporate Plan

N/A

**2. Resource Implications**

Financial

2.1 N/A

Workforce

2.2 N/A

Asset Management (land, property, IT)

2.3 N/A

### 3. Assessments

#### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA Report as it is only an informational report.

#### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

#### Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

This section should reflect the steps that have been taken to assess the proposals.

#### Legal and Governance

N/A

- 3.4 Risk

N/A

#### **4. Consultation**

##### Internal

- 4.1 Bill Morton, Fleet Manager, Moray Fraser, transport Officer and Gary Leslie, Driving Training Officer have being consulted about the contents of this report.

##### External

- 4.2 N/A.

#### **5. Communication**

- 5.1 N/A

#### **2. BACKGROUND PAPERS**

The Scottish Government Best Practice Guidance for Taxi's and Private Hire Cars 2012.

#### **3. APPENDICES**

None