

REPORT TO	ON
GENERAL LICENSING COMMITTEE	11 JULY 2017

Jan 2017



TITLE	AUTHOR	Agenda item No.
SAFEGUARDING TRAINING	PETER HAYWOOD	

## 1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to advise members of the current requirements for licensed drivers in relation to Safeguarding; to highlight some of the concerns / difficulties relating to this; and to suggest a way forward.

## 2. RECOMMENDATIONS

Members are requested to:

- 2.1 note the contents of the report;
- 2.2 agree – in principle - to require all new applicants for a Hackney Carriage or Private Hire Driver's Licence to satisfactorily complete the online / e-learning training course on Child Sexual Exploitation (2017) run by the Lancashire Safeguarding Children's Board; and to provide proof of the successful completion of this online course (to be dated within a 3 month period immediately prior to their application) as part of the application process;
- 2.3 agree that all drivers currently licensed with this authority should provide documentary evidence of successful completion of the above course prior to each subsequent renewal of their licence; and
- 2.4 in light of the above, agree whether to consult on the proposed amendment to the Licensing Policy set out in paragraph 8.3 below, and bring this back to Committee at the earliest opportunity.

## 3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Clean, green and safe	x	Strong and healthy communities	
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	x

## 4. BACKGROUND TO THE REPORT

- 4.1 On 13 June 2017, members of the General Licensing Committee considered a report on proposed amendments to the Licensing Policy. One of the suggested amendments related to driver qualifications, and this led to a discussion on Safeguarding training which drivers / applicants should be required to attend. As a result, the minutes of the meeting on 13 June state:

“When considering the proposal relating to suitable qualifications and training, Members discussed the merits of stipulating a suggested training course or suitable training provider for the training of drivers on Child Sexual Exploitation (CSE). It was explained that this was an area of training that needed looking into more thoroughly to ensure that the prescribed training was robust and fit for purpose. The Committee considered this to be of paramount importance and asked the Licensing Manager to explore this need further.”

4.2 The purpose of this report is therefore to report back to members on a proposed way forward with regard to the important issue of Safeguarding training.

## 5. CURRENT POSITION

5.1 For all local authorities, the issue of Safeguarding (and ensuring that anyone coming into contact with children or vulnerable adults receives adequate training on the topic) is now of paramount importance. This is reflected in the current Licensing Policy, which states at section 5.9:

“Licensed drivers are an integral part of modern life and as such play an important role in providing a safe means of transport to all members of society. Their role within our communities places them in direct daily contact with some of the most vulnerable members of our society and as such licensed drivers are ideally placed to assist all those agencies who have a statutory responsibility to safeguard the vulnerable. Drivers can be vulnerable and need to know how to protect themselves. For this reason the Council believes that it is appropriate for licensed drivers to undertake basic safeguarding training to enable them to recognise the signs and report suspicious behaviour appropriately as well as identify ways in which they can protect themselves. This training will be provided by the Council and must be taken before a new licence is granted. Existing licence holders must also undertake this training before their licence is renewed.”

5.2 Accordingly, the Council has previously commissioned a reputable trainer to provide training on Safeguarding to all licensed drivers. This course was facilitated by a retired police officer with specialist Safeguarding knowledge, and was held over a number of sessions:

<b>Date</b>	<b>Sessions</b>
September 2016	5 sessions over 2 days
October 2016	3 sessions over 1 day
January 2017	2 sessions over 1 day

5.3 Section 5.9 of the existing Licensing Policy (as set out in paragraph 5.1 above) is also underpinned by current conditions. With regard to a Private Hire Driver’s Licence, Condition 6a currently states:

“During the lifetime of a drivers licence, an Authorised Officer of the Council may require a licence holder to undertake reasonable and appropriate training to meet these expectations and requirements. Such a requirement would be in writing. A reasonable time scale of up to 3 months will be set for the training to be successfully undertaken at a place designated by the Council. If there is a refusal or failure to attend, or the licensed driver does not meaningfully participate in the training or attain the training accreditation the licence may be suspended or revoked. The cost of such training will be borne by the licence holder.”

5.4 However, members should be aware that there is no directly equivalent provision for holders of a Hackney Carriage Driver’s Licence. As a result, there is no provision for the Licensing Authority to impose sanctions against Hackney Carriage drivers who, when required to do so, have failed to attend any training (whether CSE or otherwise). In order to correct this situation,

officers are therefore asking members to consider a further revision to the existing Licensing Policy (details of which are given in paragraph 8.3 below).

5.5 At the meeting of the General Licensing Committee on 13 June 2017, members agreed to consult on a revision to the Licensing Policy in relation to the Level 2 qualification required; specifically, the BTEC Level 2 Certificate in Taxi and Private Hire Driver. It is understood that this qualification does not contain a module on Safeguarding per se, but it does require successful candidates to have an appreciation of:

- ensuring that drivers act in loco parentis (delivering children safely to school or the care of an adult, not using physical restraints, the role of an escort);
- from the child's behaviour whilst in the licensed vehicle, identifying issues of bullying or other matters which may cause the child distress and reporting these appropriately; and
- the importance of communicating matters of concern to school liaison staff or parents.

If licensed drivers are to be required to obtain a separate Safeguarding qualification, this training should stand them in good stead.

5.6 In addition, members discussed the issue of dispatch staff employed by licensed operators and whether they too should be obliged to undertake Safeguarding training. It was considered that – due to the lack of regulatory control over dispatch staff, who fall outside the licensing regime – the Licensing Authority would seek to encourage training for dispatch staff as a matter of best practice.

## **6. DIFFICULTIES / CONCERNS**

6.1 It is understood that many Licensing authorities across Lancashire are struggling to obtain adequate access to Safeguarding training. This may seem surprising given the emphasis rightly placed on this matter by local authorities in recent years, but training providers who have previously supported South Ribble are no longer in the market to the same extent, and as a result it has proved difficult to ensure appropriate access to training. Consequently, other options must now be considered.

## **7. ALTERNATIVE OPTIONS**

7.1 A number of other possible options have been identified for the delivery of Safeguarding training. These include:

7.2 Online training – Lancashire Children's Safeguarding Board

Officers have recently established that a free module of online training is available via the website of the Lancashire Safeguarding Children's Board:

<http://www.lancshiresafeguarding.org.uk/learning-development.aspx>

The course module is entitled Child Sexual Exploitation 2017 and is found under the "E-Learning" section of the above page. The course literature states:

"By the end of this course you will have:

- A basic understanding of what CSE is
- Knowledge of the pre-disposing factors for CSE
- Knowledge of the warning signs in children and young people of CSE
- Knowledge of what to do if they are concerned that a child/young person is being sexually exploited

- Knowledge of the 6 CSE teams in Lancashire
- Knowledge of some of the issues regarding offenders/sexual exploiters”

The course is free to take – applicants merely need to register online. There is an initial quiz which enables applicants to gauge their current level of expertise, followed by a series of presentations on the key aspects. Understanding is then assessed by a multiple choice question approach. A certificate can be printed at the end as proof of course completion; a specimen certificate in the name of the Interim Licensing Manager is attached as Appendix 1.

### 7.3 Develop our own training package

Other authorities have developed their own in-house training which is delivered on a bespoke basis. This enables training sessions to be held locally; at the required frequency; and with consistency of delivery. However, it is resource-intensive and, with the current small staffing levels in place, would add considerably to officer workload.

In the longer term, this authority could aim to develop its own test / qualification, which could be an amalgam of the knowledge / CSE training / customer care standards and other topics we would wish to cover. The Council could then charge an appropriate sum for this service (at levels more consistent with the previous DSA fee) and generate income, whilst also providing a more responsive service to local drivers and applicants. However, as already indicated, this may not be an immediate option given staffing levels available.

### 7.4 Commission the private sector

Enquiries have revealed that there are private sector trainers available; at least one former police inspector is known to have set up in business across the north west, but the fees here seem prohibitive (c£800 per day). Alternatively, a company which already provides specialist support to the Licensing Section (as well as other local authorities) is seeking to develop a Safeguarding training provision, and informal discussions with this provider have already taken place. The company has so far offered to provide one day of training (2 sessions) at a total cost £1200. This equates to £24 per driver (including 10 free slots to keep costs down). In terms of training location, the training would be provided across a range of partner local authorities in the north west and the intention would be for the partner councils to host a session on a regular rotating basis. These sessions would be advertised on the company’s website, and drivers could register and pay for the sessions at their convenience. The company’s operations team would keep in regular communication with the partner councils to inform them of the logistics around each session.

However, members may consider that the above approach does not provide real certainty in terms of venue, with drivers probably having to travel across the County to participate.

## **8. PROPOSED WAY FORWARD**

- 8.1 On balance, it would appear that the online training provided by the Lancashire Safeguarding Children’s Board provides a cost-effective and convenient option, which would oblige all drivers to possess a suitable understanding of Child Sexual Exploitation. Members are therefore asked to consider whether all new applicants should be obliged to provide proof of passing this course (within a period of 3 months immediately prior to application) before an application for a Hackney Carriage or Private Hire Driver’s Licence will be granted.
- 8.2 Members may wish to consider whether they would want all Hackney Carriage / Private Hire drivers currently licensed with the authority to re-take the course (and provide documentary evidence of successful completion) within a period of 3 months prior to subsequent renewal of their licence. If adopted, this would require drivers to be re-taking the course every 3 years.

8.3 Should members agree with the proposals in paragraphs 8.1 and 8.2 above, in order to implement these changes it will be necessary to amend the current Licensing Policy. A revised section 5.9 of the Policy is set out below for members to consider:

“Licensed drivers are an integral part of modern life and as such play an important role in providing a safe means of transport to all members of society. Their role within our communities places them in direct daily contact with some of the most vulnerable members of our society and as such licensed drivers are ideally placed to assist all those agencies who have a statutory responsibility to safeguard the vulnerable. Drivers can be vulnerable and need to know how to protect themselves. For this reason the Council believes that it is appropriate for licensed drivers to undertake basic safeguarding training to enable them to recognise the signs and report suspicious behaviour appropriately as well as identify ways in which they can protect themselves. This training is in the form of the online / e-learning training course on Child Sexual Exploitation (2017) run by the Lancashire Safeguarding Children’s Board. (In the event that this course should be discontinued, applicants / drivers will be directed towards a replacement course which the Council considers appropriate).

Any new applicant for a Hackney Carriage / Private Hire Driver’s Licence will be required to provide proof of successful completion of the above online / e-learning training course as part of their application process. Evidence of successful completion of other courses will not be accepted. Existing licence holders must also provide proof of successful completion of the above course before their licence is renewed (ie every 3 years). In either instance, any documentation provided as evidence of successful completion must be dated within a 3 month period prior to the date on which a new application or application for renewal was made.

Any current holder of Hackney Carriage or Private Hire Driver’s Licence who has failed to attend a training course (on Safeguarding or any other matter) when obliged to do so by the Licensing Authority will be given a reasonable period (of up to 3 months) to complete the training course to the Council’s satisfaction. If there is a refusal or failure to attend, or the licensed driver does not meaningfully participate in the training or attain the training accreditation, the licence may then be suspended or revoked. The cost of such training will be borne by the licence holder.”

Members are requested to consider whether to consult on the proposed new wording of the Policy. Any further changes proposed as a result of future trade discussions will require further consultation prior to possible adoption.

**9. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION**

**9.1 Comments of the Statutory Finance Officer**

There are no financial implications as a result of this proposal as the cost of Safeguarding training will be borne by the licence holder.

**9.2 Comments of the Monitoring Officer**

**It is imperative that all drivers licensed by this authority attend CSE training** as they are in direct daily contact with some of the most vulnerable members of our society. As such licensed drivers are ideally placed to assist all those agencies who have a statutory responsibility to safeguard the vulnerable. Drivers can also be vulnerable and need to know how to protect themselves.

<p><b>Other implications:</b></p> <ul style="list-style-type: none"> <li>• <b>Risk</b></li> </ul>	<p>CSE is a major risk to the authority and its residents, and it is appropriate for all licensed drivers to provide some evidence of understanding of CSE and its implications. This report seeks</p>
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<ul style="list-style-type: none"><li>• Equality</li><li>• HR</li></ul>	to address this issue.
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**10. BACKGROUND DOCUMENTS (or there are no background papers to this report)**

Appendix 1 – certificate of LSCB course completion