

REPORT TO	ON
GENERAL LICENSING COMMITTEE	17 OCTOBER 2017

September 2017



TITLE	REPORT OF
SAFEGUARDING TRAINING	DENISE JOHNSON

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

- 1.1 Taking into account the outcome of the consultation exercise undertaken throughout August 2017 (summarised in section 9 below), this report invites members to recommend the formal adoption of a requirement for all new applicants for a driver's licence to complete appropriate online Safeguarding training prior to their application being granted; and for all licensed drivers to successfully re-take the above training prior to renewal of their licence and in accordance with certain criteria defined by the authority.

2. RECOMMENDATIONS

Members are requested to forward this report to the meeting of Council on 22 November 2017 with a recommendation for the replacement of the current section 5.9 of the Licensing Policy with new wording set out in section 10 of this report, which would have the effect of:

- 2.1 requiring 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 for all new applicants to provide proof of the successful completion of this online course as part of the application process;
- 2.2 requiring all drivers currently licensed with this authority to re-take and provide documentary evidence of successful completion of the above course prior to each subsequent renewal of their licence;
- 2.3 requiring all applicants (ie whether a new applicant or an existing licence holder seeking to renew their licence) to provide evidence of successful completion of the above course which is dated within a 3 month period prior to the date on which a new application or application for renewal is made;
- 2.4 requiring that, in all cases, the online test referred to above shall be taken under officer supervision at the Civic Centre and only upon production of proof of identity; and
- 2.5 requiring (on pain of suspension) any licensed driver to complete a training course within a reasonable period of up to 3 months when obliged to undertake one by the Licensing Authority.

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 Committee asked the Licensing Manager to explore this issue further. An update report was then presented to members at the meeting of the General Licensing Committee on 11 July 2017, where it was resolved that the proposal to require all applicants for a driver's licence to successfully complete an identified online learning course should be subject to formal consultation during August 2017.

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 this authority's 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:

Date	Sessions
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 10.1 below).

5.5 A proposal to require licensed drivers to possess the Level 2 qualification (BTEC Level 2 Certificate in Taxi and Private Hire Driver) is set out in a separate report to this Committee. 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 also to be required to obtain a separate Safeguarding qualification, the training in the professional qualification should stand them in good stead.

5.6 In addition, the issue of dispatch staff employed by licensed operators and whether they too should be obliged to undertake Safeguarding training is also part of a separate report to this Committee.

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. PROPOSED WAY FORWARD

7.1 A number of possible options were identified for the delivery of Safeguarding training and put to members of the GLC in July 2017. However, members favoured the option of online training outlined below.

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 Location of assessment

In order to ensure that the risk of identity fraud was reduced to a minimum, members confirmed their support for the approach of requiring all applicants / drivers to (i) sit the test at a dedicated computer in the Gateway area and (ii) provide proof of their identity at the time of taking the test.

7.4 Re-taking the test on renewal

It is also suggested that all Hackney Carriage / Private Hire drivers currently licensed with the authority should be expected to re-take the course (and provide documentary evidence of successful completion) prior to subsequent renewal of their licence. If adopted, this would require drivers to be re-taking the course every 3 years.

7.5 Time limits

In either case (ie whether a new applicant or an existing licence holder seeking to renew their licence), applicants should be obliged to provide proof of passing this course within a period of 3 months immediately prior to application for a Hackney Carriage or Private Hire Driver's Licence.

8. CONSULTATION / COMMUNICATION PLAN

8.1 The report presented to members on 11 July 2017 set out a proposed consultation plan. It can now be confirmed that the consultation plan as then presented was followed and a breakdown of consultation activity is given below.

8.2 Publicising the consultation exercise:

8.2.1 Officers went to considerable lengths to ensure that all interested parties were made aware that the consultation was taking place. Steps taken included:

- Proactively warning trade attendees at the Taxi Trade Forum on 13 July 2017 that the consultation was imminent;
- at the start of the consultation process a letter was sent to all drivers, proprietors and operators licensed with the Borough outlining the consultation areas under consultation and advising them of how responses may be submitted;
- Similar letters were sent to other interested parties including local disability groups; and
- Social media / tweets were used to further circulate information about the consultation.

8.3 The consultation exercise itself:

8.3.1 The consultation documents were posted on the Council's website between 1 – 31 August 2017. Again, this gave details of the proposals under consultation and how responses may be submitted.

8.3.2 Officers held 2 drop in sessions, each of 90 minutes, at the Civic Centre on 15 and 17 August 2017. The purpose of these was to allow the trade or interested parties to call in without an appointment and discuss any aspect of the proposals with officers in informal surroundings.

9. **OUTCOME OF THE CONSULTATION**

9.1 Despite the efforts to promote the consultation exercise, on balance few responses were received. However, the drop in sessions can be said to have been a success, with the following attendees:

Date of drop in session	Persons attending
15.8.17	6 drivers, 1 operator
17.8.17	1 driver

9.2 A log of all the consultation responses has been compiled for this consultation exercise. For the purposes of this report, a summary of the main submissions is set out below:

Source:	Date:	Issue:	Council response
Drivers 1-6	15.8.17	As existing licence holders, objected to having to re-take the Safeguarding training every 3 years	Safeguarding is important and this requirement will provide reassurance to the Council that the drivers know how to spot the signs of abuse and how to report them.
Driver 7	17.8.17	As above	As above
Petition signed by 12 licensed drivers		Every existing driver as of October 2016 attended a Safeguarding course at the civic offices, mandatory retesting on CSE every time driver badge renewed implies a lack of common sense and awareness on the part of the driver	
Operator	31.8.17	Broadly agrees with the proposal	

9.3 Members are invited to take the consultation responses into account when making their decision whether to adopt the documentation (as requested in section 2 above).

10. **PROPOSED CHANGE TO LICENSING POLICY**

10.1 Should members agree with the recommendations in section 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.”

11. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

11.1 Comments of the Statutory Finance Officer

There are no financial implications to this report.

11.2 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>Other implications:</p> <ul style="list-style-type: none"> ▶ Risk ▶ Equality & Diversity ▶ HR & Organisational Development 	<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 to address this issue.</p> <p>None</p> <p>None</p>
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► Property & Asset Management	None
► ICT / Technology	None

12. BACKGROUND DOCUMENTS (or there are no background papers to this report)

Appendix 1 – certificate of LSCB course completion

SMT Member's Name: Denise Johnson

Job Title: Director of Development, Enterprise & Communities

Report Author:	Telephone:	Date:
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