

Appendix A

Taxi and Private hire

Mark Marshall and Chris Hargreaves

Topics

- Health and safety of driver and passenger
- Professional standards
- Safe and legal
- Equalities and disabilities
- Children
- Regulatory frame work

Health and Safety of the Driver and Passenger

- Personal Safety
- Identifying the risks
- Safeguards
- Precautionary measures.

Personal safety-Identifying the risks

- Verbal and physical abuse
- Theft or damage
- Reputational harm – complaints
- Being left in a position of vulnerability
- Manual handling

Appendix A

Triggers

- Drunkenness
- Argumentative conversation
- Disagreements on price
- Vulnerability or loneliness

Precautionary measures

- Conflict resolution
- Assertive but polite approach
- Seating arrangements
- Communicating concerns
- CCTV
- Dynamic risk assessment (no baseball ball bats, chair legs, wheel braces or knives)

Types of theft or damage

- Making off without payment- what is the law
- Robbery by customer
- Robbery by unknown offender
- Wreckless damage
- Unintentional damage-spillages, sickness etc

What can be done

- Police action for serious crime
- Getting the office or colleagues support
- Take details asap, description, address,
- Follow up in the cold light of day.

Appendix A

Passenger Safety

- Identify any vulnerabilities .
- Safe carriage.
- Understanding the route or destination
- Seat belts and seats
- Correctly loaded and strapped including any luggage..

Lost property

- Private Hires- 72 hours deliver to operator who should retain for 12 weeks.
- Hackney Carriage- 48 hours lodged with the Council and obtain a receipt. Entitled to maximum of £5 for delivery.
- Theft by finding- report to the police station if not claimed can then assume the rights of the owner after 28 days.

Vulnerabilities

- CSE – What is it and what should you do ?
- Special needs or adjustments ?
- Drunkenness

Unit outcomes

- ☐ Know how to use map reading and navigational tools
- ☐ Know rules, safety measures and restrictions related to picking up and setting down passengers
- ☐ Know how to accurately charge out a fare for transporting passengers within a hire and reward system

Blackpool & The Fylde College CT264

Appendix A

Maps and route planning 1.2

- The types of maps required by drivers will reflect the type of work undertaken; for most drivers it will depend on 'local knowledge' and if need be, resort to using town and city maps, tourist maps, road atlases and satellite navigation.



Blackpool & The Fylde College CT234

1.3 Benefits of Advanced Communication Technology 1

- ☐ Bluetooth (mobile phone)
- ☐ Personal digital assistant (PDA)
- ☐ Global positioning satellite (GPS)
- ☐ General packet radio service (GPRS)
- ☐ Professional mobile radio (PMR)
- ☐ Short message service (SMS)



Blackpool & The Fylde College CT234

Setting down and Picking up Customers 2.1

- ☐ Traffic conditions
- ☐ Weather conditions
- ☐ Parking restrictions
- ☐ Assistance required
- ☐ Seat belt legislation

Blackpool & The Fylde College CT234

Picking up and Setting Down 2.1

Usually there is no set time limit for stopping and setting down as it may take a disabled passenger some considerable time to board or alight; if ramps have to be deployed that will increase the waiting period as the priority is passenger safety.



If there are waiting or parking restrictions the taxi cannot stop for longer than is necessary to safely complete the boarding or alighting.

Blackpool & The Fylde College CT234

Appendix A

Picking up and Setting Down 2.1

Penalty Charge Notice

Notice No. [] Date of Issue 14/11/18 Time 09:00

The Motor Vehicle with Registration No. A111 233

Make: Ford Colour: Grey

Was used by: APT 27033

From: 14/11/18 / 09:00 To: 14/11/18 / 18:00

By: Parking Authority (number) 11

Signature: []

who has responsibility to read the bottom of the following parking authorities leaflet document 12

If the driver receives a PCN (penalty charge notice) while genuinely giving essential help to a passenger, the driver should record details of the passenger and the event, and lodge an appeal to the licensing authority.

Most licensing authorities will support a driver where passenger safety is concerned.

If your parking appeal for picking up and setting down fails you could make a further appeal

Drivers should check with their own Highway Authority or local traffic enforcement rules for picking up and setting down of passengers.

Blackpool & The Fylde College CT144

Safety Measures at Depots 2.2

☐ Airports-parking, waiting restrictions, fees, passenger identity, meeting points, luggage trolleys

☐ Rail stations-parking, drop off points, luggage loading/unloading, porter service

☐ Hospitals-parking, ambulance bays, wheelchair passengers, pick-up points, short stay parking spaces

Blackpool & The Fylde College CT144

Airport Railway and Hospital security 2.2



You must

- Co-operate with the police and security staff
- Keep alert to any new rules and regulations
- If you have a company representative at arrivals, maintain contact with them and note your parking area
- Clarify with the customer that it is your vehicle that has been booked
- If you note anything suspicious alert the police or security staff
- Be patient, restrictions can be a nuisance, but they are there for a reason

Blackpool & The Fylde College CT144

Section 2. Professional manner

- Speed limit
- Road rage
- Stop signs/traffic signals.
- Mobile phones
- Smoking/ eating
- Dress and foot wear
- Personal hygiene

Appendix A

Professional manner

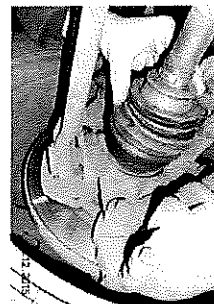
- Vehicle cleanliness
- Receipts (if requested)
- Conversation civil polite but not overly personal.

Safe and legal

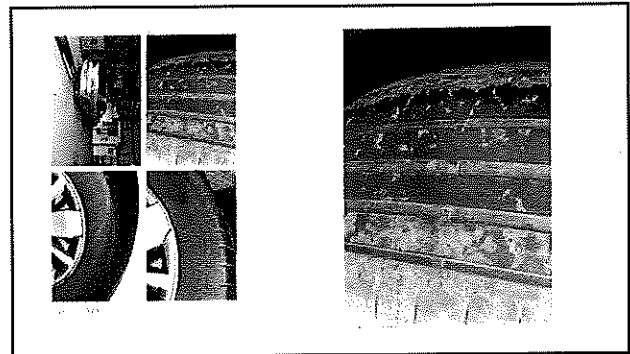
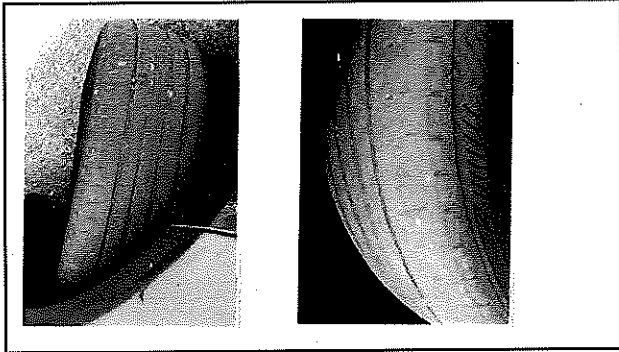
- Driver checks ?
- Tyres
- Lights
- Washers and wipers
- Seat belts
- Door locks
- Hand brake
- Loose panels and sharp edges.

Safe and legal

- Tyres . Legal tread depth 1.6 mil over the central ¾.
- Exposed cords
- Tyre walls structurally sound and free from excessive splits or cracks.
- Correctly inflated



Appendix A



Lights

- Head lights and main beam.
- Tail and brake lights.
- Reverse and fog

Offence committed under the Road Traffic Act if any lighting defects are found

Driver checks

- MOT failures
- Inoperative handbrake
- Lighting defects
- Washers and wipers not working
- Illegal tires
- Door locks failing
- Corrosion.

Appendix A

Outcomes

- ☐ Understand the role of the driver in ensuring that the vehicle and its ancillary components are fit for purpose
- ☐ Understand how to safely pick up and transport children and young persons to a destination point where they can be safely handed over to an authorised person

Blackpool & The Fylde College C7236

Duty of Care/Negligence 1.3

Duty of Care:-

- ☐ Especially children
 - ☐ Loco parentis
 - ☐ Seat belt regulations- age/height limits
- Negligence:-**
- ☐ Civil proceedings
 - ☐ Fines
 - ☐ Licence penalties

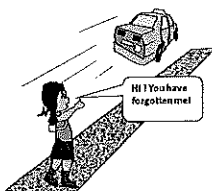
Blackpool & The Fylde College C7236

Transporting children and young persons Duty of Care & Negligence 1.3

Rules and regulations

Accepting the terms of a school contract implies that you understand the term 'Duty of Care'.

Negligence is the main reason drivers and operators fall in their duty of care.



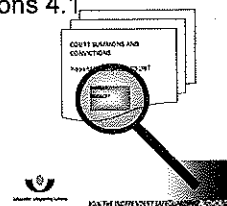
You must provide a safe environment for the children and young persons in your care

Blackpool & The Fylde College C7236

Transporting children and young persons 4.1

The driver will require

- ☐ an enhanced criminal records check to search several databases P.N.C. (Police National Computer Database) for convictions, reprimands and cautions; Sex Offenders List; I.S.A. Children & Vulnerable barred list
- ☐ to be registered as a member of the Independent Safeguarding Authority



Blackpool & The Fylde College C7236

Appendix A

Transporting children and young persons 2.3/4

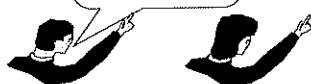
Driver's Responsibility to ensure safety when entering and leaving the vehicle:- The engine should be turned off and vehicle stationary whilst children entering and child locks activated

Communicate danger areas around the vehicle that could cause harm or injury

When and how to enter or leave the vehicle, assist where necessary

Assist with wheelchair access but not expected to lift or physically handle the child in anyway

Help to maintain the dignity of the child when assisting with boarding and alighting

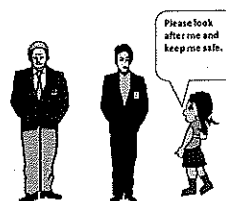


Blackpool & The Fylde College CT236

Transporting children and young persons 2.6

Loco parentis

The driver and escort who are under contract from the local authority to transport children to and from school, have in many cases, the legal status of 'in loco parentis' - that is, 'in place of parent'.



Blackpool & The Fylde College CT236

Transporting children and young persons 2.7

Types of incidents you may have to deal with:-

- ❖ An unwell child
- ❖ Travel sickness
- ❖ Reports of bullying
- ❖ Misbehaviour
- ❖ A distressed child

However, if the child looks unwell:



Carefully question the child to ascertain the seriousness of the problem coupled with how they look; for example, are they

- flushed and lack colour
- sweating
- are they in pain

Many children suffer from travel sickness and the driver should be prepared for this eventuality by carrying vomit bags.

Blackpool & The Fylde College CT236

Transporting children and young persons 2.7/8

❑ **Misbehaviour**-calmly tell the child that you will be making a report to parent/school or authority

(Never acceptable to smack, shout or threaten a child)

(Never remove a child/young person from the vehicle)

❑ **Distressed child**-ask simple questions to find the cause but explain you can only help with aspects of the journey, anything else such as bullying you must refer matter to parent, guardian because you are not trained to counsel

Blackpool & The Fylde College CT236

Appendix A

Regulatory Framework

- Taxis and Private Hires
- Licensing Conditions and Policy
- Committee Framework
- Powers

Taxi and Private Hires What's the difference

- HC's can stand or Ply for Hire in there district.
- HC's Can pick up any where within there district (flag down)
- Must have a top sign and metre
- Should have a plate front and rear.
- Compelled to carry unless there is a reasonable excuse.
- No person other than the hirer unless consent .
- Fixed number never to be exceeded.

Private Hires

- Must be pre booked
- All 3 licences should line up.
- Don't need meters and can set there own rate.
- Driver cannot accept a booking other than through a Licensed Operator. (Nottingham City Council v Woodings)
- Design and appearance should not lead to confusion that the vehicle is a hackney carriage. Sec 48 LGMP Act

Drivers- mandatory

- Requirements- Section 51
- Must be fit and proper
- Must have been authorised to drive a motor car for 12 months

Appendix A

Drivers- Discretionary Requirement's

- Conditions of Licence (Private hire)
- Hackney carriage drivers subject only to Byelaw's (Neath v Porttallbot)
- Policy requirements- CSE Training Knowledge of the Borough, medicals

Refusing a Licence

- Policy requirements not achieved
- Triggers Conviction Policy
- Medical fitness
- Complaints
- Concerns with historical convictions even though they don't trigger the convictions policy

Refusing a Licence

- Policy requirements not achieved
- Triggers Conviction Policy
- Medical fitness
- Complaints
- Concerns with historical convictions even though they don't trigger the convictions policy

Reasonable Cause ?

- Conduct/complaints
- Failed to comply with compulsory requirements
- Repeated attendances before the Committee
- Vehicle maintenance issues

Appendix A

Justifying the suspension

- Can be used as a deterrent or punishment (only in this regime)
- Clear reason linking to the time frame given ie time to retrain/attend a course etc. If setting for punishment why 6 weeks and not 3 weeks ??
- No guidance on the subject other Sect 182, para 11.23 (different regime)
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

When does the Suspension take effect.

- 21 days from the date of the decision being communicated. (notice given)
- Opportunity to appeal to magistrates within those 21 days which stays the suspension until the outcome of the appeal.
- Can take immediate effect but separate reasons for the immediacy (in the interests of public safety) must be given.
- Can still appeal an immediate suspension or revocation but they are off the road whilst the appeal process runs.

Revoking the Licence

- Can revoke vehicle or drivers licence
- Same powers as the suspension powers (Section 61) takes effect 21 days after the notice unless separate decision to make it immediate.
- Emergency Powers to revoke or suspend now available. Standing order 35

Taxi Metres

- Required in all Hackneys but not in Private hire.
- Must not exceed the rate set by the Council
- Must be clearly visible
- Should be engaged at the start of the journey
- Can add extras for luggage and passengers
- Can not add extras for offering assistance to disabled passengers.