

25<sup>th</sup> January 2019

**Re. Review of Uttlesford District Council's Taxi Licensing Policies**

Dear Uttlesford District Council,

I write to you with regard to the consultation currently in place on the District Council's proposals regarding taxi licensing. I write in my role as a National Leader of Education for children with special educational needs and disabilities.

It is very pleasing to see that the council is making a commitment to increase awareness regarding disability and the implementation of the Equality Act 2010.

My specific points relate to whether the council has conducted an impact assessment of the proposals in regard to school transport for children with special educational needs and/or disabilities (SEND).

As a former Headteacher of a special school in Essex I have seen the benefit of the implementation of single contractor service to schools. This was a key moment in securing a service that gave both families and schools confidence and the single contractor to liaise with where such issues as training and awareness could be more fully addressed. The key difference between the disability training I see envisaged as part of the proposals is that it does not mention those with cognition difficulties as part of their disability. This group of people represent a particularly vulnerable group and there are significant safeguarding issues to consider.

In Appendix A there is mention of the group with 'learning differences' and those who are 'autistic'. It is positive to see this.

Can I ask that further consideration be given to the following points:

- The training which drivers will receive for this group of people; some existing contractors as well as Essex CC offer additional bespoke training in this area which could be beneficial for all.
- Many of the personnel who take part in school contracts are not taxi drivers or private hire drivers; they are often people who want to make a difference to our community and particularly for those with disabilities – has an impact assessment been conducted on the implications of the proposals for these people and the clients they serve?
- Essex CC passenger assistance training is very closely aligned to the sort of training drivers should receive for a person with a disability - this has helped to ensure that children arrived at school in the best condition to learn and at their home in a happy and safe condition.

- Some drivers may have to engage in training which is not specific to their roles and not entirely relevant – any reduction in the quality of bespoke training for the group of people I am highlighting would be concerning.
- The school driver is usually an employed driver paid to transport someone in a wheel chair or other disability and they know they are going to be taking that type of person on from the day they start their contract for a minimum of a year; this is so important to safety and security for that disabled person.
- Can operators who currently do their own training be accepted and incorporated as influencers into the programme proposed by the District Council so that their existing expertise is not lost?
- There is always the risk of shortfall of qualified drivers in the school system – can a further assessment be conducted with current operators to understand any concerns they might have regarding the direct impact of these proposals on children served by school contracts?

I thank you for your consideration of these points.

Yours sincerely,

**RESPONSE:**

Thank you for your letter and we appreciate you acknowledging our efforts to raise awareness of wide issues of disability of all types. I will try to explain this point by responding to the questions you raise.

Appendix A of the report is an indicative list of what could be included in any training that is provided. This cannot be finalised until the authority has agreed to implement training or not. The courses that are currently provided to other authorities do include both the visible and non-visible (cognition) disabilities to varying degrees but the final content of the course will be tailored to the requirements of UDC and its particular trade as much as possible. What needs to be appreciated is that UDC issues licences to drivers that can carry out any type of either private hire or hackney carriage work so the standards and training provided must cover the broad spectrum and offer the best assurance of safety to all sectors of the public.

Below are answers to your specific points:

- UDC issues driver and vehicle licences that work across many counties and fall under many education authorities. From the research that has been done the standards differ wildly.

*Hertfordshire County Council provides its own driver training but we have been informed by the UDC Safeguarding officer that Essex County Council does not provide or require this. In a response from the Integrated Passenger Transport Unit at Essex County Council they have stated that “Comments have been regarding the cost increase for the new training and*

*concern for the impact that might have on driver recruitment for the local transport operators but it is felt that the training will drive an improvement in standards.”*

*To avoid duplication we have also contacted all 100+ licensed operators to ask what training they provide as all of these operate school's contracts. Again the responses vary hugely as some require drivers to read their safeguarding policy, some provide customer service training and other provide nothing to their drivers. None of the operator's that responded say that they require driver's to attend any sort of disability awareness training. The largest provider of private hire vehicles licensed by Uttlesford has stated that it shows its new drivers a passenger assistance video from ECC and then test drivers understanding. UDC does not believe that any of the above provides the assurance that there is any sort of consistent standard of training or competency amongst its licensed trade.*

*It is clear that there are some highly skilled drivers out there operating specialised vehicles and nothing that is being proposed will change that. These drivers will continue to be able to drive the same vehicles and fulfil all of the same contracts. Those entering the trade for the first time will have received comprehensive training and, as commented on by ECC, these drivers will be of a higher standard than previously expected of those entering the trade.*

The proposed training will raise standards across the trade, particularly for the vulnerable, and will allow UDC further assurance that its primary obligation of public safety is being fulfilled. There is nothing to stop drivers undertaking additional training if appropriate or where mandated as part of a particular contract and where best practice comes to light it can be incorporated into the UDC training.

- All of the people carrying out school contracts have to be licensed to drive licensed vehicles and undertake contracts for licensed operators. I appreciate that they may not be carrying out other private hire work but the licence that is granted to them allows them to do those other types of work. Therefore UDC must ensure that every driver meets a standard for the type of licence they are issued with. The focus is mainly on the impact on passengers as the taxi licensing regime is not in place to ensure that people have jobs and can earn a living as the regime must ensure public safety. UDC has considered and sort legal advice on the possibility of issuing a 'restricted' drivers licence which would allow individuals to carry out only school contracts. The legality of such a licence is untested in the courts and it is believed that the potential impacts on public safety outweigh the potential benefits to the travelling public.
- We commend any training that is provided and helps to ensure anyone, especially the most vulnerable, arrive at their destination happy and safe. That is the aim of proposal to introduce training for new and existing drivers. The inconsistencies between any training currently provided by different operators or education authorities are covered above.
- UDC would not wish to see any reduction in bespoke training. As highlighted above there is no consistency between what is currently being provided and this is what the UDC course will provide. A private hire driver who is carrying out a school contract could, without

notifying UDC, change to carry out normal private hire work carrying the public rather than just doing a specific school contract. As a result UDC must ensure that the standard of training is adequate that any driver carrying out any operation whilst licensed by the authority is adequate to ensure public safety.

- UDC appreciates your point but drivers can be switched from contract to contract and can even carry out ordinary private hire work without notifying the authority.
- As mentioned above we have enquired with all operators as to the training they provide and have been consulting the operators, trade body and individuals. However, some of those that have stated that they provide training and testing have not provided details of the training or testing regime that's in place so it cannot be taken into consideration. The course will be constantly monitored and as it is bespoke to UDC the content can be amended to include best practice as detailed above.
- UDC has engaged with the trade regarding the possible shortfall of qualified drivers and will continue to do so.

I hope this response helps to address your concerns.