

**Committee:** Licensing and Environmental Health

**Agenda Item**

**Date:** 20 September 2017

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**Title:** Immigration Act 2016, Right to Work Checks-Video Conferencing Trial update

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Item for decision:  
no

## Summary

1. The purpose of this report is to update the Committee on the remote checking of ID documents for Right to Work Checks for Taxi Licensing as required by the Immigration Act 2016.

## Recommendations

2. That Members note the content of this report.

## Financial Implications

3. None.

## Background Papers

4. None.

## Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

## Situation

6. On 25 January 2017 I presented a report to Committee outlining the requirements of the Immigration Act 2016 in relation to Right to Work checks on all new applicants applying for driver or operator licences and on the first renewal of driver and operator licences. Point 13 of the report explained that original documents must be checked, but that this may be in the physical presence of the applicant or by live video conference. One of our large operators, 24 x 7 had requested that we look into carrying out the checks using tablets and face to face internet communication and I reported that we were looking into this. At the time it was felt that there would be financial implications in terms of one off costs for tablets and costs for the use of Skype or Airtime software. The Licensing Team also had concerns about storing applicants' passports and or birth certificates.
7. Following discussions between the Operator and the Licensing Team it was decided to run a trial with the applicant sending their documents to the Operator who would then send up a member of staff by appointment with the ID documents and a tablet allowing live video conferencing. At the end of the interview the Operator would take the ID documents back with them to return to the applicant. This solution has several benefits: there is no added financial burden to the Council as the Operator supplies the technology required to carry out the checks; the Operator's representative is responsible for using the equipment and making contact with the applicant; there is no need for the Licensing Team to look after applicants' ID documents.
8. The trial began in February 2017 and was initially for 2 weeks to allow us to ensure that we could see applicants clearly enough to meet the requirements of the legislation and to identify any other issues that should arise. 24 x 7 Ltd has school contracts through their Stansted base to licence drivers in various locations around the Country. So far only 2 of their remote bases, Hampshire and Lincolnshire have opted to take part in the remote checking of documents. In the six months February to July 2017 231 Right to Work checks were carried out for 24 x 7 of which 74 were done remotely.
9. It quickly became clear that a longer trial period was necessary in order to get a true picture of how things were working. Initially there were some problems with the technology, but these have been ironed out for the most part and we now usually have a dedicated member of staff from 24 x 7 Ltd who is familiar with the equipment. Contacting applicants via Facebook is not normally an issue, but there were problems with Skype. On one occasion early on in the trial 45 minutes was wasted trying to establish contact using Skype and, despite one of our IT section trying to assist, in the end we had to abandon the attempt and reschedule for another time. Setting up a connection with an applicant here at the office also wasted time and the operator was requested to establish a connection prior to the appointment to save everyone's time.
10. **Appointments** - Initially we said that licensing staff would be available to carry out checks on Monday afternoons and on Tuesday and Thursday mornings. In practice the Monday afternoon slot was not being used and most checks take place between 10.30 and 11.30 on Tuesdays and Thursdays which seems to work out well, but we do try to be flexible regarding appointments.

Occasionally there can be a problem with applicants at the other end not responding when they are called, but the local managers they now give us a number to call if this happens so that they can make contact with their drivers themselves.

11. **Paperwork** – When we started to carry out RTW checks in December 2016 we asked drivers to come in with their complete applications to avoid confusion with documents coming in to the office on an ad hoc basis. This approach did not work so well with remote RTW checks and we have now agreed on a solution which I believe works well for both sides.
12. **Feedback from the Operator** - The Manager at Hants reports *“We have completed 50+ RTW checks through video conference since January 2017, most of these have been completed without any issue with just a few needing to be rearranged due mainly to connectivity issues, usually with the individual being checked. I do believe that we are getting better at briefing drivers before the event as we learn more about the potential pitfalls so expect these issues to be ironed out in the course of time.”* The Director of Operations at Lincs reports that the system has worked relatively well, but that having to send documents to Stansted can cause delays. Both agree that it is better than having to send drivers in personally with the Manager from Hants saying, *“From our point of view, a video conference RTW check is a very positive alternative to face to face. Drivers that are based in Hampshire would otherwise have to travel for over 5 hours with a round trip of 200 miles+, so I would suggest that the environmental and wellbeing impact is significantly reduced and we would certainly wish to continue with video conferencing”*.
13. **Conclusion** – The picture quality on the tablet/phone is acceptable to establish the identity of the applicant. Being able to contact six or seven applicants in one session saves time and avoids applicants having to travel a long way for individual appointments which are more difficult to set up. The Licensing team see no reason to discontinue video conferencing and would be willing to extend it to any other large operators on request providing the same procedure is followed.

## **Risk Analysis**

14. There are no risks associated with this report.