

Appendix 2 - Table of consultation responses.

(Please note the names of the individual companies have been removed from their responses)

National Standard	WHBC Current policy	Proposal	Comments from Consultation
<p>Criminality checks for vehicle proprietors.</p> <p>paragraph 7.2 of the standards states:</p> <p><i>Enhanced DBS and barred list checks are not available for vehicle licensing. Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually. Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.</i></p>	<p>Not in current policy.</p>	<p>Proposal 1 Amend the policy to require annual Basic DBS checks for any vehicle proprietor that does not hold a driver licence with this Authority.</p>	<p>1 Currently some Licensing Authorities we hold licences with excepting Welwyn Hatfield makes provision for the vehicle proprietor to have a DBS check carried out and to utilise the update service to ensure this is renewed without interruption</p> <p>2 No Objection</p>

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<p>Criminality checks for private hire vehicle operators,</p> <p>paragraph 8.2 of the standards states: <i>Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually. Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.</i></p>	<p>Individual applicants or the applicant is a company, all the Directors, are required to supply a Basic DBS check at first application.</p>	<p>Proposal 2: Amend the Policy so that holders of operator licences are required to carry out a Basic DBS annually.</p>	<p>1 We have undertaken DBS checks for the Director, Management or named representatives for all operator’s licences it holds regularly excepting Welwyn Hatfield. We would expect to undertake a DBS check regularly in order to be provided and Operator’s licence. We would welcome the option to utilise the update service for this</p> <p>2 No real objection to this other than the increase in cost. I was always under the impression that operators of Directors of a company that hold an operators Licence are required to disclose any material changes in circumstances. If this is being followed, then the need for annual DBS checks is not required.</p>
<p>Booking and dispatch staff,</p> <p>paragraph 8.8 of the standards states: <i>Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.</i></p>	<p>Not in current policy.</p>	<p>Proposal 3: To amend Private Hire Operator licence conditions to require a register for all staff who will be taking bookings and/or dispatch of vehicles</p>	<p>1 A register of staff and who takes what booking is already available and can be accessed by WH upon request. We also carry out DBS checks on all staff. A register would be more robust if this was included as a requirement for the register. We would be interested as to how this would be maintained and updated by the LA in line with GDPR.</p> <p>2 No objection so as the register is held at Operator level</p>

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<p>Booking and dispatch staff,</p> <p>paragraph 8.9 of the standards states:</p> <p><i>Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a 'responsible organisation' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.</i></p>	<p>Not in the current policy</p>	<p>Proposal 4: To amend Private Hire Operator licence conditions to require operators to ensure annual Basic DBS checks are carried out and viewed for everyone included on their register</p>	<p>1 We already carry out DBS checks and would welcome that this is a condition.</p> <p>Would the LA provide a list of preferred checkers or access to reduced fees for this? staff.</p> <p>2 This review is based on passenger safety. People that have physical contact with the public should be DBS checked however, staff taking bookings and dispatching vehicles should be treated no differently than those working in a call centre where no DBS checks take place.</p> <p>A DBS check for staff may put off employees with spent convictions from applying for a role with the company as they may not wish their past to be disclosed. We have always taken the view of measuring the capabilities of an employee based on their competency, attitude and contribution.</p> <p>This proposal may also be difficult for Operators given the part time nature of people in these roles and the elapsed time from making an offer of employment and someone starting work.</p> <p>The cost of an annual DBS is also a consideration as this will increase recruitment and staff retention costs.</p>
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<p>Booking and dispatch staff,</p> <p>paragraph 8.11 of the standards states:</p> <p><i>Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.</i></p>	<p>Not in current policy.</p>	<p>Proposal 5: To amend Private Hire Operator licence conditions so that where booking and dispatch is outsourced operators are required to evidence that the outsourced staff are vetted to the same level as if they worked directly for the operator.</p>	<p>1 We currently ensures that the highest standard or any licensing authority is adopted as policy. ie if the records are to be kept for 6 months by one authority but 12 by another then we adopts the 12 month policy.</p> <p>It would be ideal if each licensing authority adopted a national standard and operated a national register and one system. There is a huge disparity nationally. Some licensing authorities send an email to current operators every time a driver has a licence revoked. Others have an online register for us to check to see a new driver is current and valid with the LA. This is extremely helpful and such standardisation would be helpful.</p> <p>2 No objections</p>
<p>Booking and dispatch staff.</p> <p>paragraph 8.12 of the standards states:</p> <p><i>Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a</i></p>	<p>Not in current policy.</p>	<p>Proposal 6: To amend Private Hire Operator licence conditions so that the authority's standards which apply to Operators (as detailed in the "Conduct of Operator") must be applied by the operator to all staff that have contact with the</p>	<p>1 We currently have a policy in place. However, we would appreciate support in this matter ie guidance from the LA. No annexe attached so we would need to see which offences are included before commenting further.</p>

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<p><i>conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.</i></p>		<p>public and/or oversee the dispatching of vehicles.</p>	<p>2 No objections to any staff in physical contact with the public.</p> <p>Do not see the relevance of this proposal for staff speaking with the public or dispatching vehicles (Call centre example outlined above)</p>
<p>Record Keeping, paragraph 8.13 of the standards states:</p> <p><i>Section 56 of the Local Government (Miscellaneous Provisions) Act 1976 requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking:</i></p> <ul style="list-style-type: none"> • <i>the name of the passenger;</i> • <i>the time of the request;</i> • <i>the pick-up point;</i> • <i>the destination;</i> • <i>the name of the driver;</i> • <i>the driver's licence number;</i> • <i>the vehicle registration number of the vehicle;</i> • <i>the name of any individual that responded to the booking request;</i> • <i>the name of any individual that dispatched the vehicle.</i> 	<p>Operators must keep legible and complete records of taxi bookings, must keep these at the place where they are licensed to operate and must make these records available to authorised Licensing Officers on request. Must maintain records for at least 6 months which show details of the bookings taken and the driver/vehicle which carried out the contract.</p>	<p>Proposal 7: To amend Private Hire Operator licence conditions so that they require this information to be recorded as a minimum.</p>	<p>1 We currently records all the above plus additional information ie operator's landline called by passenger, name of operator's licence that accepts the booking and name of operator's licence who the job is transferred to and accepts the booking.</p> <p>We currently send details to the customer via app bookings and when mobile numbers are supplied. It is not possible to send these to withheld or landline numbers.</p> <p>2 No objections</p>