

**Professional
Driver
Handbook
2022**

Useful Phone Numbers

Who?	Why?	Contact Details
Police	Emergency – serious threat	999
	To report general concerns or information. 24-hour non-emergency number	101
Crimestoppers	To report intel or concerns where you wish to remain anonymous	0800 555 111 www.crimestoppers-uk.org
Anti-Terrorist Hotline	To report intel or concerns	0800 789 321
Safeguarding	Where you think a vulnerable adult is at risk	0345 603 7630
	Where you think a child is at risk	0345 603 7627
NSPCC	For advice on helping and protecting children	0808 800 5000 www.nspcc.org.uk
Modern Slavery Helpline	Where you think someone is a victim of slavery or trafficking	08000 121 700 www.modernslaveryhelpline.org
Stop the Hate	Reporting Hate Crime	www.stopthehate.org.uk
Citizens Advice Bureau	For general advice on your rights	0344 4994719 www.bhwcab.org.uk
Samaritans	Providing emotional support to anyone who needs it.	08457 90 90 90 www.samaritans.org.uk
South East and Central Essex Mind	Supporting mental health in your community	01245 345083 www.seandcessexmind.org.uk
Hertfordshire Mind	Supporting mental health in your community	0203 727 3600 www.hertsmindnetwork.org
Victim Support Services	Support for those effected by crime	0845 45 65 995 www.victimsupport.org.uk
Open Road	Drug and Alcohol Recovery support charity in Essex and Medway	01245 284772 www.openroad.org.uk

Frank	information and support for people with substance misuse concerns or for parents requiring more information	0300 123 6600 www.talktofrank.com
Gamblers Anonymous	Support and advice on gambling problems	www.gamblersanonymous.org.uk
NHS Smoke Free	Stop Smoking Advice	www.nhs.uk/smokefree
ROSPA Royal Society for the Prevention of Accidents	Working to save lives and reduce injuries	0121 248 2000 www.rospa.com



Use the space below to write any useful numbers

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Introduction

Thank you for booking on the Professional Driver Training Course. We hope that you will find the training helpful and worthwhile. The aim of the training is to set you on the right course for a successful, safe and stress free career as a licensed taxi or private hire driver.

This booklet has been made to provide you with the information you will need to know to successfully complete the training course and to keep you and your passengers safe when you are working as a licensed driver after your licence is granted.

Please read this booklet carefully. You may be taking a written test as part of the training day and the answers to all of the questions can be found in here. We will use the booklet throughout the day to support the course.

The licensing authority licences drivers, proprietors (owners of vehicles) and private hire vehicle operators to ensure they are **fit and proper** people to hold licences, and that vehicles are mechanically safe and comfortable.

The over-riding consideration is the protection and safety of the public, both passengers and other road-users.

Once licensed it is a driver's responsibility to keep up to date with changes to the law, licensing procedures and to learn any other skills that may be useful to them to build their businesses such as first aid or advanced driving.

Throughout your time as a licensed driver you should remember that you can always call your local licensing team for help and advice.

General Notes

There are five types of licence talked about in this book:

Hackney Carriage Driver's Licence

Private Hire Driver's Licence

Hackney Carriage Vehicle Licence

Private Hire Vehicle Licence

Private Hire Operators Licence

In some authority areas drivers are issued with both a Hackney Carriage and a Private Hire drivers' licence at the same time (known as a "DUAL" or "Combined" licence) rather than a Hackney Carriage or Private Hire only badge. Which badge is issued is dependent upon local authority policy and which vehicles you want to be able to drive.

Length of Licences

Type of licence	Length of licence	When to apply to renew (recommended)
Drivers' licences	Up to 3 years	At least 8 weeks before expiry
Vehicle licences	Up to 1 year	No more than 30 days before
Operator's licences	Up to 5 years	At least 4 weeks before expiry

It is your responsibility to submit properly completed renewal applications in good time. Your local licensing team may issue reminders for driver, vehicle and operator licences but there is no legal requirement for them to do this. They may have a mobile phone number and/or email address for correspondence so make sure you keep these updated.

If your driver, vehicle or operator licence expires and you have not made a renewal application by the expiry date then you will not be able to work.

Being a Professional Licensed Driver

Being a licensed driver is about more than simply taking someone from A to B and being paid to do so.

Being a licensed driver means being '**fit and proper**'. This is the legal term used by the licensing authority when they decide whether to grant a licence or not.

Fit and proper is a very broad term. The best way to think about it is to imagine that you will be trusted to carry children and vulnerable adults, possibly travelling on their own, and that you will be expected to look after them at each stage of the journey. Many licensing authorities now use the additional phrase of '**safe and suitable**' in policies which help to decide whether someone should have a licence.

You will be expected to act with honesty and integrity at all times, including when not at work. Your character as a whole is under consideration at all times that you are a licence holder.

As well as your general character, your criminal history will be considered. This includes all convictions no matter how old, and also things like arrests, charges, cautions and other types of outcomes. If you have not already done so you should read your licensing authorities policy relating to convictions. If you do have convictions or other historical issues this does not automatically mean you will not be successful in getting a licence. However it will be much more difficult and you will have to prove why you are now 'fit and proper'.

Local Authorities

The licensing team

The licensing team are there to support you in your application for a licence and during the time you hold a licence.

The licensing team cannot deal with some issues such as:

Parking tickets

Traffic light sequencing

Use of bus lanes

These issues are all dealt with by different departments of the council or the County Council and you should contact the right department directly if you want them to help with something. Your licensing team should be able to tell you who to contact if they cannot deal with your query.

The licensing team are concerned with your safety as well as the safety of the public. If you have any safety concerns you should contact your licensing team to discuss these.

The County Council

The County Council do not licence taxi or private hire drivers, proprietors or operators. However, they do use these services to provide transport for different groups of people. Mostly they use taxi and private hire drivers to transport children to school.

This type of work is highly sought as it provides a regular income for drivers. There is competition to win this work and you should give serious consideration to how you can show the County Council or the operator you work for that you have the right skills to do the job. You should be able to show that you are the best choice to make sure the passenger will be looked after.

Rules and Regulations

Some rules are common sense and mean that you keep your customers happy. If your customers are happy with you, they are more likely to give you tips and to use you or your company again. You are more likely to be safe. This is because rules and regulations tend to lead to good customer service and good customer service is more likely to keep customers calm and satisfied.

Some rules are what the national law says you must do. If you do not follow these rules, the local authority or police will investigate and may:

- take no any action
- issue a formal verbal or written warning to you
- issue a formal caution which could be mentioned in court if you appear at a later date
- suspend your driver or vehicle licence
- revoke your driver, vehicle or operator licence
- prosecute you in court, for which you can be fined and receive a criminal record

Ignorance of the law is no excuse.

As well as national laws, there are local licensing laws (byelaws) and standard conditions you must follow. Licence conditions can vary between local authority areas but many are generally the same.

These local rules and regulations (byelaws and conditions) are kept under regular review and are included at the back of this handbook.

You should read and learn the following national rules which are the same across almost all licensing areas:

Private Hire Drivers or those with a DUAL licence must WEAR their small badge at all times they are working. If a second badge is issued (sometimes referred to as a larger photo badge) this must be on display to passengers inside the car at all times. (section 54 Local Government (Miscellaneous Provisions) Act 1976)

Private Hire Vehicle owners must ensure the correct council licence plate or disc is displayed on their car in the manner required by the authority at all times that the vehicle is used for work. (section 48 Local Government (Miscellaneous Provisions) Act 1976)

Vehicle owners must tell the local authority licensing team within 72 hours if they have any accidents in the car that materially affect its safety, comfort or appearance. Failure to do so may affect the vehicle insurance as well as any licence renewal. (section 54 Local Government (Miscellaneous Provisions) Act 1976)

For private hire bookings the contract is between the passenger and the operator (section 55 Local Government (Miscellaneous Provisions) Act 1976)

You must return the plates immediately if your vehicle licence expires or if the local authority serve you a notice requiring you to return them. Any notice will state the exact time period in which you must comply with it. (section 58 Local Government (Miscellaneous Provisions) Act 1976)

You must return your badges straight away on demand if your driver's licence is suspended, taken away or expires. The badges remain Council property at all times. (section 61 Local Government (Miscellaneous Provisions) Act 1976)

You may not carry more passengers than that allowed by your vehicle licence and detailed on the vehicle plate. In some licensing areas you may carry more passengers if they include any children under 3 years old and they are being carried in the rear seats and no child restraint seat is available. The rules about seat-belts are shown at the back of this guide. However, you are strongly advised to check with your insurance company before carrying more passengers than your licence allows even if local licensing regulations allow it. (section 48 Local Government (Miscellaneous Provisions) Act 1976)

You must not use your horn to let customers know you have arrived. This is illegal. The law says that you may only use your horn between the hours of 7am and 11pm to alert other road users of your presence on the road in the event of danger. (Highway Code Rule 112)

You must make sure that the car you drive is fit and safe to drive. It is your responsibility to ensure it has a current MOT certificate, is insured and taxed.

It is illegal for you to use hand-held mobile phones whilst driving; irrespective of whether you are speaking, texting or using any other communication service on the phone. You can be fined and have your DLVA licence endorsed for using a mobile phone whilst driving unless it is “hands-free”. A driver may call 999 in response to a genuine emergency. (sections 41D of the Road Traffic Act 1988 and Regulation 110 of the Road Vehicles (Construction and Use) Regulations 1986)

Using 2-way radio equipment when driving is not a specific offence. Remember that a conversation could still distract from the concentration needed to drive safely. If you do not have proper control, then the police can still take action for driving with undue care and attention or dangerous driving. (Regulation 110(4) of the Road Vehicles (Construction and Use) Regulations 1986)

It is illegal to refuse to carry a disabled person with an assistance dog unless you have been granted a medical exemption certificate by the Council and which is displayed in the vehicle’s windscreen. Any exemption certificate must be renewed when you renew your badges. (section 168 and section 170 Equality Act 2010)

It is illegal to refuse to carry a person using a wheelchair if you drive a designated wheelchair accessible vehicle. (section 165 and section 167 Equality Act 2010)

It is illegal for you to smoke in a licensed vehicle, to fail to take reasonable steps to prevent someone else from smoking, or failing to have no-smoking signs in the vehicle. (section 7 Health Act 2006)

Private Hire vehicles are not permitted to stop on Hackney Carriage ranks except in cases of emergency. (section 64 Local Government (Miscellaneous Provisions) Act 1976)

You are responsible for making sure passengers under the age of 14 are wearing a seatbelt. (The Road Traffic Act 1988)

Hackney carriage drivers must use the meter for all pre-booked (private hire) jobs that take place within the licensed district. Drivers may charge less than the meter rate at the end of the journey if they wish. It is a criminal offence to charge more than the meter shows for all journeys unless the journey goes outside the licensed district area and a higher fee has been agreed with the customer in advance. (section 65, section 66 and section 67 Local Government (Miscellaneous Provisions) Act 1976)

Hackney carriage drivers can refuse a journey providing they have 'any reasonable excuse' or if the journey goes beyond the district boundary. (section 53 Town Police Clauses Act 1847)

Drivers can stop to drop off or pick up passengers on single or double yellow lines but only where the passenger is ready to exit or enter at that time. You cannot wait or park but loading is permitted. (Highway Code Rule 238)

Drivers must not ask other people to tout for customers on their behalf (section 167 Criminal Justice and Public Order Act 1994)

Some other common sense rules

- Make sure your car is well-serviced and kept clean at all times.
- Always be polite to your passengers, even if they are rude to you.
- Before starting a journey, check where the passengers are going to.
- Help passengers with any reasonable amount of luggage, to and from the pick-up point/destination.
- Apologise for any delays or other problems and explain to passengers why something may have gone wrong. If you do this, they may be less likely to complain about you.
- Keep your controller informed of any problems so they have a chance to sort things out quickly.
- You must keep customer details (their names, addresses and destinations, for example) confidential. You may be breaking the Data Protection Acts if you do let other people know information about your passengers.

Smoking

The Health Act 2006 makes it illegal to smoke in any vehicle that is used for public transport and which is not used primarily for private purposes. This also includes when you do not have any passengers, or when you are off-duty.

The Smoke-free Regulations 2007 requires all vehicles used for public transportation to be smoke-free at all times and also need to display the no-smoking symbol of at least 70mm in diameter.

It is against the law to:

- **Smoke in smoke-free premises or work vehicles:** a fixed penalty notice of £50 (reduced to £30 if paid in 15 days) can be imposed on the person smoking. Or a maximum fine of £200 if prosecuted and convicted by a court.
- **Fail to display no-smoking signs:** a fixed penalty notice of £200 (reduced to £150 if paid in 15 days) can be imposed on whoever manages or occupies the smoke-free premises or vehicle. Or a maximum fine of £1000 if prosecuted and convicted by a court.
- **Fail to prevent smoking in a smoke-free place:** a maximum fine of £2500 imposed on whoever manages or controls the smokefree premises or vehicle if prosecuted and convicted by a court. There is no fixed penalty notice for this offence.

For more information about the smokefree laws, visit www.smokefreeengland.co.uk.

Taxi Ranks

Hackney Carriage drivers must be fully aware of the location of taxi ranks within their licensed area and the rules for their use. Council's usually make byelaws about using hackney carriage ranks. These include:

- if a taxi rank is full when you arrive, you must drive to another rank;
- when another vehicle immediately front is driven off or moved forward, drive forward to fill the space that has just been left empty;
- not leaving your vehicle unattended if you are in the first or second position on the rank.

Misuse of Hackney Carriage ranks will result in enforcement action in accordance with your local authority compliance procedures.

Signs at each rank indicate the times that the rank is in operation and may include how many Hackney Carriages may use the rank at one time.

Private hire drivers are not permitted to stop on taxi ranks for any purpose except in an emergency. If you have a passenger to pick up near to a rank you must let them know they should wait away from the rank.

Seatbelts

Seat belt wearing saves thousands of lives every year. Everyone knows they should wear a seat belt in the front seat, but many people still don't realise how dangerous it is not to wear a seat belt in the back.

In a crash at 30mph, if you are unrestrained, you will hit the front seat, and anyone in it, with a force of between 30 and 60 times your own body weight. This could result in death or serious injury to you and people sitting in the front seat.

Any compensation for injury following an accident may be reduced if you were not wearing a seat belt.

The laws concerning seatbelts are slightly different for taxis, minicabs and private vehicles than they are for normal vehicles.

In a private vehicle the driver and any passengers are required to use a seat belt. Children up to 135cms in height must use the correct child restraint.

In taxis and minicabs, all customers are required to use a seatbelt. Children must use an adult seat belt if no child car seat is available. You do not have to provide a child car seat but a customer can bring their own if they choose to and you allow them to. You should not allow children to sit in the front seat of the vehicle.

The driver must wear a seat belt in cars where one is fitted. There are very few exceptions to this:

- Hackney carriage drivers plying for hire, or carrying a passenger, do not have to wear a seatbelt.

- Private Hire drivers carrying a passenger do not have to wear a seatbelt.

However, it is highly recommended that you wear a seat belt at all times unless you think your personal safety may be at risk.

The driver is responsible for making sure passengers are wearing seatbelts. You are legally responsible, and liable to prosecution, if a child under 14 years does not wear a seat belt in your vehicle.

REMEMBER! – You are always responsible for the overall safety of your passengers when travelling. This includes adults and children.

You must not carry an unrestrained child in the front seat of any vehicle.

	Front seat	Rear seat	Who is legally responsible
Taxi Driver	Seat belt should always be worn for safety. However, the law says you do not have to wear a seatbelt if you are plying for hire, or have a passenger on board.	The Motor Vehicles (Wearing of Seat Belts) Regulations 1993 Act	Driver
Private Hire Driver	Seat belt should always be worn for safety. However, the law says you do not have to wear a seatbelt if you have a passenger on board.	The Motor Vehicles (Wearing of Seat Belts) Regulations 1993 Act	
Child under 3 years of age	Correct child seat must be used	The Road Traffic Act 1988. If child seat is not available in a hackney carriage or private hire vehicle, may travel unrestrained on parent or guardian's lap but ONLY in the rear seats.	Driver
Child from 3rd birthday up to	Correct child seat must be used	The Road Traffic Act 1988.	Driver

135cms in height (approx 4'5") (or 12th birthday, whichever they reach first)		If child seat is not available in hackney carriage or private hire vehicle must use adult belt in rear seat if correct child restraint not available	
Child 12 or 13, or over 135cms (approx 4ft 5ins) in height	Adult seat belt must be worn	Adult seat belt must be worn	Driver
Over 14 years of age	Adult seat belt must be worn	Adult seat belt must be worn	Passenger

Customer Service

The Customers who are well treated will return to your business and they will often recommend your service to friends or family. There are a lot of taxis and private hire companies out there. You should work extra hard to make your company stand out by offering the best service you can.

Making a customer feel safe is a combination of customer service and ensuring you follow all of the rules at all times. Here are some basic steps you should follow where possible (considering any ongoing infection control issues):

- Help the customer in to the car by asking if you can open the door for them. It doesn't matter how old they are or whether they look like they need help, ask first and be prepared to open the door.
- Load and unload any bags or shopping the customer may have and help carry them to the entrance of any building they are going to.
- Make sure the customer is comfortable and has had time to put their seatbelt on before setting off.
- Ask the customer which route they would like to go. Make suggestions if you think you can help. Make sure you go the way you are asked unless there is a good reason you cannot.
- Ask the customer if they have confirmed a price with the company. If not, point out the meter in the car and explain which tariff you are using.
- At the end of the journey, offer the passenger (or at least one of them if there are a group) a receipt. Write your details on this receipt so that you can be identified. You must provide:
 - your badge number
 - the date
 - the fare
- If there is any dispute over the price, stay calm and explain to the customer how the tariff or meter charge operates.

- If there is still a dispute you can call the police and report the matter. You may choose to negotiate with the passenger.
- If after all you have done the customer wants to make a complaint, give them your badge and plate numbers without delay. Tell them they should contact the licensing team at the council and let us sort the situation out for you.

The vast majority of complaints are the result of misunderstandings. Remember to keep calm and explain clearly what the situation is. If you have acted within the law, you will be supported by the council.

Choosing a route

The law says that you must not 'unnecessarily prolong a journey'. Allowing the customer to choose a route is also good customer service.

Some customers have a preferred route. Some may have a route that makes them feel safe and comfortable.

If a customer suggests a route that is likely to be more expensive, you can advise that this is the case. If they insist on taking the route then you should follow their instruction unless you think it would be unsafe to do so.

It is okay to go an alternative route if you can show why you did this.

For example, it may be that an accident has closed a major road and you have to take a detour. The key element is that you should always be looking to take the shortest route by time and distance. The shortest route is not always going to be along the main roads. This is why it is important that you know how to plan a route in advance.

If you are planning on being a hackney carriage driver, you may need to take a more detailed routes test depending on the area in which you are applying for a licence. This is because many licensing authorities expect hackney carriage drivers to be able to pick up on the rank or the side of the road and to take a passenger immediately without using a sat-nav or map.

Private hire drivers who are booked through an office can take a few minutes to check their route before setting off to collect their passengers. For this reason, private hire drivers can start off in the trade having a lower overall knowledge of routes, but it is still important to understand the law about picking the correct route.

Remember these simple steps and you should not go far wrong:

- 1) Always ask your passenger if they have a preferred route.**
- 2) If the passenger suggests a long route, suggest an alternative and explain why this may be better.**
- 3) Some passengers may need to go a particular route for medical or personal reasons. Once a customer has been advised of the alternative options, if they stick to their original route you should take them without further comment.**
- 4) Advise your passengers of any delays to the usual route.**
- 5) Advise your passengers if you become stuck in traffic and think you should turn around or take a different route. Allow the customer to decide with you.**
- 6) Never exceed the speed limit no matter what, even if the passenger asks you to.**
- 7) Make sure you only park in a safe and legal place when arriving at your destination – remember, you can temporarily stop on a single yellow line or double yellow line to allow passengers to get in and out of the vehicle but not on any other waiting restrictions such as loading bays, disabled parking ways or zebra crossings. Waiting at cash points, banks or other places for passengers to return may lead to parking offences being committed.**

Fares

Fares vary significantly from company to company and between hackney carriage and private hire services.

Your customer may not understand why the price varies so much and you should take the time to explain this to them. It is likely to save you problems at the end of the journey.

Hackney Carriage fares are set by the council. This is sometimes known as the “Tariff”.

Private hire fares are set by individual companies.

Hackney Carriage

As a Hackney Carriage driver, you should always give an indication of how much the fare is likely to be. You may ask for a reasonable deposit for some longer journeys ending outside of your licensed district or borough area.

Passengers can negotiate a different fare with you before the journey starts if the destination is outside of the licensed area.

Hackney Carriages cannot charge more than the meter rate for journey's starting and ending within the Borough/District, even if used as Private Hire vehicles. You can only start the meter at the point the customer is picked up and onboard the vehicle ready to go.

Private Hire

As a Private Hire driver, the contract for the journey is between the **customer and the operator**. Customers must be told how the journey will be charged at the time of booking. This is either a fixed price or by the meter or chart in the vehicle.

Driver Safety

Being a licensed driver involves allowing a person you may not have met before in to your vehicle.

This can have safety implications for both you, as a licensed driver, and for the public as customers.

You must make every effort to ensure that customers travel in safety and that they feel safe, secure and well treated at all times from the start of the journey to the end.

You must take care to protect yourself from dangerous customers.

Keeping Yourself Safe

Being a licensed driver can sometimes be a dangerous job. To reduce the risk of becoming a victim of crime and to help the police should you be unfortunate enough to become the victim of crime, here are a few ideas:

A passenger in your vehicle could possibly be a threat to you and your property, although this is the exception rather than the rule. The goal is to maximise your personal safety by taking some simple steps.

Keeping Safe

- Try not to carry more than a small amount of cash with you, and never openly display valuables such as expensive watches or other jewellery - better still, leave valuable items at home.

Collecting your passengers

- If you don't feel confident with a passenger who tries to get into your vehicle, refuse to take them. **Remember** - as a hackney carriage driver you can refuse to carry a person if you have 'a reasonable excuse' or the journey takes you outside of your licensed area. As a private hire driver you do not have to accept a booking. **In both cases you must not refuse on grounds that are discriminatory.**

- Always act professionally, positively and with confidence - especially when someone approaches you.
- Always establish - prior to starting the journey - exactly what the destination is and ensure that it is not a location that is unsafe. Make it clear that you will not accept any change to destinations booked through an office unless the customer contacts the office to re-book.
- Always advise your control (if you have one) of your destination.
- Controllers should always get the full name of a passenger to be collected in case they need to be identified at a later date.
- If you are unhappy about entering a particular building to collect passengers, ask your controller to try and telephone instead to tell them you have arrived and are waiting outside.
- If you are picking up at a location where there may be a large group of people waiting, keep the doors locked and speak through a partially open window. Only when you have identified your customer and are satisfied there is no threat to your safety, allow your passenger(s) into the vehicle.
- Be aware of your customer's behaviour throughout the journey and, if you feel uncomfortable, terminate the journey in a safe, well-lit location, such as a petrol station.
- Look at your customers; notice any distinguishing features that might help should you have to describe them later.

On the journey

- The law says that you do not need to wear your seatbelt when you have a passenger on board. You are advised to always wear your seat belt unless you think you may need to get out of the vehicle quickly.
- Use code words that only you and your controller or colleagues know about to describe situations when you think your safety is at risk. This will allow the Police to be called to assist you without alerting your passengers.

At the end of the journey

- Never stop your car in a position where you may become trapped. If necessary, turn the car around before you let your passengers out and do not turn off the engine.
- Consider accepting payment methods other than cash – such as credit or debit card payments.
- Where the vehicle has a partition, take payment through the partition rather than through your driver's window.

If there are problems

- Report all incidents to the Police, your controller and the council. What may have seemed to be a little problem to you could be a major problem to another driver and your information may be useful. It may identify particular places, times or people involved in crimes against drivers.
- In the event of an offence occurring, the law says you may only use "reasonable force" to defend yourself. NEVER carry weapons - you may be prosecuted, or worse, they may be used against you.

In an Emergency

- In an emergency, call the Police using 999
- Give your EXACT location and the details of your vehicle.
- Give as much detail of the offender(s) as possible and if they have left the area, the direction in which they made off.

CCTV

CCTV can be an extremely valuable tool in staying safe. Not only does it protect customer, it can also protect the driver from false allegations.

The rules about CCTV are not complicated but you need to carefully follow them. If you break these rules you may break data protection laws which can be very costly to you and your business.

If you install CCTV you must have signs that tell the passengers:

- CCTV is recording
- How they can access a copy of the footage if they need it
- How long the footage is stored

The Data Protection Act 2018 allows customers to make a Subject Access Request to obtain footage that you hold of them. There is no cost to the customer and you must provide the footage in 30 days.

However, the customer must prove who they are in order for you to supply the footage and this will usually mean providing a form of ID (passport, drivers licence) that gives their name and address.

You must never use the footage for any purpose other than to protect yourself or to assist your customers to protect themselves. You must never post footage to the internet, social media or share it with family and friends, even if you think the customer has committed a crime against you, for example, not paying the fare.

Please leave it to the Police or Licensing Team to investigate properly. Posting footage to social media is likely to be against the law and it could result in your licence being revoked even if you don't face criminal charges.

Hate Crimes and Hate Incidents

A hate crime (any criminal offence) or hate incident (non-crime) is something which is believed to be caused by hostility or prejudice, based on any of the following:

- Disability
- Race or ethnicity
- Religion or belief
- Sexual orientation
- Transgender identity

And can take the form of:

- Verbal abuse
- Threats
- Insults
- Nuisance telephone calls

- Name calling
- Physical assaults and physical violence varying from pushing to serious attacks
- Attacks against someone’s property, insulting graffiti, vandalism, breaking windows, theft, damaging cars and arson
- Publishing or distributing material such as newspapers and leaflets which could be likely to cause hate crime

Anyone could be a victim of a hate crime. The victim may not even realise it is a hate crime, but it could be that a witness thinks it is – that still counts as a hate crime.

Reporting Crime

As a professional licensed driver you should not have to tolerate behaviour from customers that makes you feel unsafe, uncomfortable or that is criminal.

You should report any behaviour or action that affects you. Below are the most common types of incident and how you can report them.

Reporting is very important to ensure that the authorities are aware of the true scale of crimes committed against drivers and to make sure action is taken to prevent this.

You should be prepared to make a statement but this can be at a time convenient to you.

If you are or know somebody who has been a victim of crime, including hate crime or a hate incident, we actively encourage you to report it.

You can contact your local Police force directly by calling **101** to report all non-urgent cases.

You can contact your local council who can support you through the reporting process.

If you or anyone else is in immediate danger, call **999**.

Police forces have links with other agencies, such as public and voluntary sector organisations, who will also be able to provide you with support and advice.

Crime Types

Theft

The offence of 'making off without payment' is a criminal offence under section 3 of the Theft Act 1978. This happens when a passenger fails to pay for the fare when they know the payment is expected there and then (i.e. at the end of the journey) and they 'make off' (leave the vehicle) without offering payment or any other details or explanation as to how they intend to pay.

You should report these incidents to the Police and ask them to log this as a crime. The Police may tell you that this is a civil matter but it could also be a crime which should be properly investigated. Keep the crime reference number safe to help track progress of the investigation.

Fraud

The offence of 'obtaining services by deception' is a criminal offence under section 11 Fraud Act 2006. This happens when a passenger causes you to make a loss, or for them to make a gain (i.e. a free journey) if they knew at the beginning of the journey they did not have the money to pay the fare.

You should report these incidents to the Police and ask them to log this as a crime.

Verbal Abuse

Verbal abuse may be a criminal offence under common assault or a public order offence depending on the nature of the abuse.

You should report these incidents to the Police and ask them to log this as a crime.

Common Assault

Common assault occurs when one person makes another feel they are in imminent danger of the use of unlawful force. There does not have to be physical contact for common assault to occur. Common assault can be verbal. Assault with physical contact is the offence of Battery.

You should report these incidents to the Police and ask them to log this as a crime.

Criminal Damage

Criminal damage is the intentional and malicious damage to the home, other property or vehicles and includes graffiti. Being drunk is not a defence to causing criminal damage.

You should report these incidents to the Police and ask them to log this as a crime.

Non-criminal Actions

Civil Dispute

Civil disputes are non-criminal matters. These are contract disputes and are most likely to occur if there is a promise to pay at a later date or if the amount of fare is disputed, i.e. you ask for £10 but the customer only wants to pay £5.

Civil disputes are a private matter and you can resolve them by going to the small claims court or by reaching an agreement with the customer.

If you think the issue is a criminal matter but you have been told it is civil, you can always contact your local Licensing Team or a legal advisor to ask for help in understanding why a decision has been made.

Taxi Marshals

In some areas taxi marshals are employed at busy taxi ranks at night to help reduce alcohol-related crime and disorder, and to protect drivers from violence.

The marshals will help make sure that passengers wait in a queue, and that they are not allowed to get into a taxi if they are:

- Excessively drunk, violent or abusive
- Smoking, eating or drinking
- Unsure of their destination
- Do not have enough money for their fare

Marshals will sometimes match groups of passengers up to the most appropriate vehicle, for example to allow a group of six passengers to get into a larger vehicle. You must help the marshals by keeping your doors locked when on the taxi rank until the marshal signals that your passengers are ready to enter the vehicle.

If you have a complaint against a marshal you should note the time, date and name of the marshal and report this. Your local Licensing Team will be able to advise how the matter should be reported.

Accidents

You must stop if you have an accident, regardless of who is at fault. Do not argue about whose fault the collision was, concentrate on your safety, the safety of your passengers and the safety of anyone else involved.

You may need to call the emergency services, move vehicles (if possible) to a place of safety or give First Aid if you are trained to do so. Call the police if the crashed vehicles is causing an obstruction or traffic hazard, and warn other motorists by using warning triangles or hazard warning lights.

Never drive a vehicle after an accident if you think it is not roadworthy. If you are involved in an accident that involves:

- Injury to another person
- Injury to animals including dogs, sheep or horses
- Damage to another vehicle; or
- Damage to roadside property such as lamp-posts, trees, signs or gates

The law says you must stop and give the following details to any person with reasonable grounds to ask for them (such as an injured person or the owner of a damaged vehicle or property):

- Your name and address
- The name and address of the vehicle owner (if it is not you)
- The vehicle registration number
- your insurance details

If you are unable to do this, you must report the accident to the police as soon as reasonably practicable and no later than within 24 hours, and produce the insurance certificate to a nominated police station within 7 days.

The law requires you to report even minor accidents affecting the safety, comfort or appearance of the vehicle to the Licensing Team in writing within 72 hours of it happening.

You should be aware that insurers make requests for information concerning accidents from time to time and if a driver has not followed the law in reporting the

incident to the Licensing Team within 72 hours, this could affect your claim if challenged.

- At the scene of an accident, you should make a note of:
- The names and addresses of drivers, owners, and registration numbers of all other vehicles involved in the accident
- Details of the insurance companies of the other parties involved
- Names and addresses of any witnesses
- Names, numbers and the Police station of any police officers attending the incident

If it is safe to take photographs at the scene then these can be very useful if, at a later stage, any details of the accident or resulting damage are disputed.

Try to show the road and weather conditions, position of vehicles involved and any other traffic, position of traffic signs, skid marks, traffic islands, turnings, etc. If you cannot take pictures safely then try to show these in a sketch or diagram done as soon after the accident as possible.

Safe Guarding

Over the past few years there has been a significant increase of focus on the role of drivers in 'safe-guarding' taxi and private hire passengers.

Safe guarding is a broad term and it may be more helpful for you to think about it as 'looking after people'.

As 'fit and proper' people drivers have always been expected to look after people. The only change to this now is that you are being given more information on how you can do this effectively and safely.

If you do not think you want to do this you should consider very carefully whether applying for a licence is the right decision for you.

There are different types of safe-guarding concerns that you may be able to help us with. We need you to help to spot and report any concerns about the following:

- Child Sexual Exploitation
- Modern Slavery and Human Trafficking
- Drug Dealing through 'County Lines'
- Extremism

Over the next few pages you will be given some outline information on each of these; what they are, how to spot them and how to report them. You will be given more detailed information as part of the training package attached to this handbook.

Particular care should be taken when carrying children and young people, especially when they are not accompanied by an adult. Although there will usually be a perfectly ordinary reason for them travelling, we ask drivers to remain vigilant to any unusual circumstances or signs that things are not right.

Any person under 18 is legally classified as a child. Drivers who have concerns about the safety of any child travelling in their vehicle are asked to report those concerns to the police by dialling 101, or in an emergency, 999.

General concerns may include:

- Picking up a child or young person late at night
- Picking up a child or young person who appears to be under the influence of drink or drugs
- Picking up or dropping off a young person at a location that seems inappropriate such as a hotel

Remember, you may not think it is your business but this person may need your help to escape a bad situation.

Child Sexual Abuse and Exploitation

Child Sexual Abuse and Exploitation, or CSE as it is often called, happens when a child (anyone under the age of 18) receives something in return for providing sex or sexual acts.

The thing they receive can be anything. It does not have to be money. It can be shelter, food or even friendship.

A child can never give consent to be exploited.

Use this checklist if you have concerns that your passenger(s) may be victims of CSE:

- Going missing from home – are they talking about leaving? Are you taking them to a bus or train station?
- Relationships with older males or females
- Not attending school
- Involved in offending behaviour – are they making multiple drops on behalf of others?
- Unexplained mobile phones/cash
- Sending and receiving inappropriate images - talking about this with friends in your vehicle? Are they discussing situations involving online relationships that sound dangerous?

Modern Slavery and Human Trafficking

Modern Slavery describes a situation where a person is forced to work – through coercion or mental or physical threat.

They may be owned or controlled by an 'employer', through mental or physical abuse or the threat of abuse, dehumanised and treated as a commodity or bought and sold as 'property'.

They may be physically constrained or have restrictions placed on their freedom of movement but often the restrictions they face are the result of mental abuse.

Use this checklist if you have concerns that your passenger(s) may be victims of Modern Slavery and Human Trafficking:

Physical appearance

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid.
- Exhibits unusually fearful or anxious behaviour/Appear withdrawn/Avoids eye contact.
- Appears malnourished.
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture.

Isolation - Who else is travelling with the person?

- Not allowed to travel on their own.
- Rarely interacts with others.
- Unfamiliar with their neighbourhood or where they work.
- Seem under the control of others.

Lack of control – who booked the journey?

- Has few or no personal possessions.
- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating).
- May wear the same clothes every day or wear clothes that are inappropriate for the work being done.

Poor living conditions – where are you picking up and dropping off?

- Dirty cramped environment.
- Over-crowded accommodation.
- Living and working at the same place.

Unusual travel times

- Maybe dropped off and collected for work on a regular basis either very early or late at night.

Drug Dealing through ‘County Lines’

‘County Lines’ describes an operational method through which gangs and organised crime networks exploit children and vulnerable adults to sell drugs.

Often these children and adults are made to travel across counties away from larger Towns and Cities where they are placed in smaller towns and rural areas. The “County Line” is the mobile phone line used to take orders for drugs.

The controlling gangs are based in large cities many miles from the front line supply. They are insulated from the risk of selling and enforce these structures with extreme violence.

Use this checklist if you have concerns that your passenger(s) may be victims of ‘County Lines’:

- A child or young person going missing from school – they are in your vehicle and it is school time.
- A child or young person going missing from home or significant changes in emotional well-being
- A young person meeting adults in strange circumstances
- A change to the behaviour of children you know well
- The use of drugs and alcohol in your vehicle
- Young people or children acquiring or showing money or expensive gifts where you think it seems unlikely they could account for how they got them.
- Lone children from outside of the area travelling at strange times of day and paying in cash from large denomination bank notes.
- Individuals with multiple mobile phones or tablets or ‘SIM cards’
- Young people with more money, expensive clothing, or accessories than they can account for
- Unknown or suspicious looking characters coming and going from a houses you regularly drop off or pick up from
- Young people in relationships with controlling or older individuals or associated with gangs
- A suspicion of self-harm, physical assault or unexplained injuries

Extremism

Extremism is a broad term which describes the holding of extreme political or religious views. It is sometimes called fanaticism.

Extremists will often be vocal and active in their opposition to fundamental values, including democracy, the rule of law, individual liberty, and respect and tolerance for different faiths and beliefs.

There are many types of extremism including political and religious extremism.

Use this checklist if you have concerns that your passenger(s) may be victims of, or exhibiting the signs of, extremism:

- They have spoken about or demonstrated that they are isolating themselves from family and friends.
- They talk as if from a scripted speech – information they may have read on a website or blog.
- They are unwilling or unable to discuss their views as they do not know how to deal with criticism of the views or how to answer challenging questions over some of the contradictions.
- If challenged they may have a sudden disrespectful attitude towards others.
- They show increased levels of anger.

Other safe-guarding issues

Infection Control

The global pandemic that resulted from the outbreak of Covid-19 is a reminder of the risk that we all face as new diseases emerge.

Having effective infection control methods in place in your vehicle is essential to protect you and your customers.

You should undertake a **risk assessment** on your business to work out what **control methods** you should have in place.

A risk assessment should list the things that could cause you danger and the measures you have put in place to reduce or remove the risk of danger.

For example:

- | | | |
|---------|---|---|
| Risk | - | There may be a risk of infection from customers coughing or sneezing in the vehicle. |
| Control | - | You may consider cleaning all touch surfaces, such as buttons and handles, after every journey. |

Full details of how to create a risk assessment can be found on the Health and Safety Executive website at www.hse.gov.uk

Cannabis Cultivation

It is illegal to produce or grow cannabis.

This may happen in residential properties or industrial properties and some signs that might suggest this is happening include:

- Metal grills over the windows outside or windows that are permanently covered on the inside
- Vents coming out from the roof or a rear window that do not appear normal
- A pungent smell coming from the property
- Irregular visits to the property late at night or early in the morning
- Noises that are out of the ordinary for the type of property
- Compost bags, black sacks, laundry bags or gardening equipment left outside the premises that seems out of the ordinary for the property

Vulnerable People

As a Taxi Driver you may transport people who may be in a vulnerable position. This may include lone females travelling late at night or other lone fares who may be drunk.

The best customer care practice when dropping off a lone female at night is to be helpful with any specific requests they have about dropping them off.

What should you do if someone falls asleep in your taxi? This could be particularly difficult when dealing with members of the opposite sex.

- Don't touch the person
- Don't lean over the person - if they wake up suddenly they will not appreciate you standing over them and this could be intimidating
- Do use your voice and try and wake the person

A safe option would be to knock on the door at the address and ask for someone there to wake their family member or friend.

Reporting your concerns

In an emergency where there is imminent threat to life always dial 999

If you cannot speak because you are in danger, press 55 on the keypad if possible. This will alert police that you need assistance but cannot speak.

Because the indicators of risk are so similar across all forms of exploitation, you do not need to worry too much about reporting to a specific organisation.

The easiest way to report any concern is by calling the police.

Do not over-think the problem. You are not the expert and nor are the licensing officers at the council. The experts will take your report and they will decide if anything needs to be done.

You will never be criticised for reporting a concern about someone you think is in danger and in need of help.

If you do want to talk to someone other than the police about the issue, you can always call the licensing team but it is better to contact one of the following expert organisations who will listen to the problem and give you the best advice:

Concern about a young person – **NSPCC** – 0808 800 5000

Concern about Modern Slavery or Human Trafficking - **Modern Slavery Helpline** – 08000 121 700

Concern about 'County Lines' – **Police** 101 or 999

Concern about Extremism – **Crimestoppers** – 0800 555 111

Crimestoppers is an independent charity and operates a secure national 24/7 intelligence gathering service for people to give information about crime or criminals anonymously.

- You don't have to give your name or address
- You won't have to make a statement to the police or go to court
- The online form is encrypted to ensure anonymity
- You may qualify for a cash reward

Crimestoppers is completely anonymous. In the 25 years that Crimestoppers has been running, no one has ever been identified after giving information. They do not record any details of the call, contact details or even computer IP numbers when people contact them.

Disability, Equality and Dementia Awareness

Treating all customers with respect

An understanding and awareness of how to help any person who has additional needs is an essential skill a professional driver needs to have to be successful in running a business.

Providing 'reasonable assistance to customers' is a legal duty for all companies including self-employed people.

As a licensed driver you must ensure that you offer your services equally to all people regardless of their 'protected characteristics'.

This means that you cannot discriminate on any of the following grounds:

- age
- gender reassignment
- being married/in civil partnership
- being pregnant/on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

Statistically, 1 in 5 of your customers is likely to have a disability. Not all disabilities are visible and it is down to you to ensure you have a good understanding of disabilities so that you can provide the correct assistance if your customers tell you that they require assistance. Do not assume they need assistance. Ask first, listen carefully and act on the responses given.

There is too much information to include in this handbook and all drivers are advised to undertake separate disability awareness training. The following are some basic reminders of the law.

Summary of the main rules

As a service provider you must make 'reasonable adjustment' to make sure customers can use your service in a fair way.

Reasonable adjustment must take into account all factors, not only the cost of any adjustment. You must show that if you refuse service, you did so as a 'proportionate means to a legitimate end'.

Always ASK before assuming a customer needs help.

Follow rules and regulations that may be designed to assist customers and make them feel safe and comfortable.

Ask yourself the following questions:

- Am I treating this person differently to any other customer?
- Is this treatment negative? (charging a higher fare, not securing the passenger correctly)
- Is the reason for this treatment linked to the person being disabled?

If the answer to these questions is 'yes' you must change your approach.

Assistance Dogs

Refusing to carry an assistance dog is a criminal offence if you do not have an exemption certificate issued by the council.

Assistance dogs are trained to sit on the floor of the vehicle, and will not soil it. In many saloon cars there may be more room for the dog on the floor in the front of the vehicle.

An assistance dog does not have to be wearing a harness to prove it is an assistance dog. Dogs sometimes wear a harness and sometimes they do not.

An assistance dog is highly trained and under the control of its owner at all times. Whilst the safety of the vehicle is your duty, you are very unlikely to justify the refusal of a dog on the grounds that it should be restrained with a seatbelt.

If you are unsure if the dog is a genuine assistance dog, ASK.

Assistance Dogs UK is a coalition of 8 assistance dog training organisations but there are other charities and businesses that are not part of Assistance Dogs UK that may train genuine assistance dogs.

If you are still unsure if the dog is a genuine assistance dog, make notes of the incident at the time.

Your attitude and understanding towards all of your customers is very important, particularly disabled passengers. Treat your customers the way you would like to be treated.

You may find some of these suggestions useful for all customers, not just those with disabilities.

Wheelchair Users

Refusing to carry or over-charging a wheelchair user in a **designated vehicle** is a criminal offence if you do not have an exemption certificate issued by the council.

Refusing to carry or over-charging a person who requires mobility assistance to enter or exit **any vehicle type** is a criminal offence.

If you drive a saloon or estate car, you may take wheelchair users if they are able to transfer into the vehicle. Ask the passenger what help they need, and be polite and ask before you touch or move your customer. Act as they suggest. You **must** offer reasonable mobility assistance unless you have an exemption certificate issued by the council.

Take care when loading the wheelchair into the boot as they are expensive to repair or replace and the disabled person may not be able to move at all without it.

If you drive a vehicle that can carry passengers who can sit in their wheelchairs, make sure you regularly check all of the equipment (such as ramps and straps) that none is missing and it is in working order.

Make sure you know exactly how it works, and how to help passengers into the vehicle. Get expert advice if you do not know the best way to help.

Passengers with other mobility needs

Some - but not all - disabled people will need to walk with sticks or crutches. If passengers seem to have walking difficulties, or are frail or elderly, offer the use of a swivel seat if you have one. If you use a swivel seat, make sure it is locked back into position once inside the vehicle. You **must** offer reasonable mobility assistance unless you have an exemption certificate issued by the council.

Visual Impairment or blindness

Blind or partially-sighted passengers have other needs. If you are collecting a passenger from a pre-booked location, go and personally let them know you are there - do not sit in the car and sound your horn. Tell the passenger what sort of car they are entering (especially if they are not getting into an ordinary saloon or estate car).

Tell them which way the doors open. Place their hand on the open door and where the roof is. Make sure they know which way the car is facing so they can get in easily. You may have to show them or help them with their seatbelt.

If you have to take a different route from the one they might expect, tell them why you have changed it.

At the end of the journey, tell them exactly how much the fare is and count out the change. Every customer must be set down in a safe place, but you should check blind customers know where they are going. If they want you to accompany them into a building, offer them your arm. Gripping you just above your elbow will help them to be guided more easily.

Hard of Hearing or Deafness

When speaking to people who are deaf or hard of hearing:

- look at them
- speak clearly
- Don't shout, and don't mumble
- speak slowly and precisely
- If you have difficulty in communicating, write down what you have to say instead.

Invisible Disabilities

As mentioned earlier the vast majority of disabilities will not be obvious just by looking at a person.

Your passenger does not have to justify a request (providing it is reasonable) and you should not ask questions that could embarrass or upset the customer.

Learning Disabilities

- Customers with learning difficulties may need more time to complete the journey
- Makes sure you are wearing your badge! - the customer may want re-assurance about who you are.
- Be sure to point out the meter, if used, the amount charged and any change given. You may need to help the customer with the payment
- Provide a receipt on request that identifies you as the driver of the vehicle
- Do not rush the customer
- Be patient and try to answer all questions as helpfully as you can

Autism

- Some passengers may need to follow a set routine before a journey begins, such as tapping the door handle
- Some passengers may be very sensitive to the route you take
- Some passengers may be sensitive to sounds and road noises
- Be aware of your passenger's needs and act accordingly

Dementia Awareness

Dementia is caused by diseases that affect the brain. It affects every person differently. It is not an inevitable part of aging but more people are affected by dementia as more people are living longer.

Dementia often starts with short-term memory loss but it can affect the way that people think, speak and do things. People with dementia can become confused, find it difficult to communicate. They may have difficulty remembering the words that they want, and can have difficulties planning.

Because more people will live with and experience dementia we want to make sure that we are doing all we can to make the towns we live and work in safe places.

One day this safety net could be important for you or one of your family.

As a driver you should familiarise yourself with this chart. You will not see all of these symptoms as some are only things that would be noticed by friends, family and co-workers. But you may come across them all at some point:



Helping Passengers with Dementia

For operators:

Introduce systems so carers of people with dementia can set up monthly accounts or pay online to avoid cash being needed during the journey.

Ask staff to inform their manager of any concerns about passengers and be aware of safeguarding. Managers then, where appropriate, will pass on concerns to local organisations or the Police. This includes people who may be lost or confused on the streets when a driver passes them.

Make allowances for the extra time it will take a driver to transport a person living with dementia when making bookings. They may need an extra couple of minutes to get in and out of the car.

Where possible, try to ensure the same driver or two/three drivers are booked for the same individual. This allows both the driver and individual to get to know each other well and feel more confident.

For drivers:

Ring the person on arrival and offer a prompt of the reason for the journey

Tell the customer the make and colour of the taxi car

Where possible, make sure the passenger can see you clearly when you speak to them

Speak slowly, calmly and clearly

Avoid asking lots of questions suddenly; allow extra time for the passenger to respond. If you do ask a question, try to make sure it is precise so that the person does not have to think of too many things at once.

For example, instead of saying, “Where are we going today?” you could say, “We are going to the market then, is that right?”

Reduce background noise if possible e.g. radio

You can offer to write down or repeat fares and information, some people find this easier to understand.

Dementia Friendly Towns/Keep Safe Scheme

Some towns are ‘dementia friendly’. This means that local service providers (such as taxi and private hire drivers), shops, restaurants, banks, etc. are being trained to look out for and assist people who may be having difficulty when out and about.

Doing simple things to assist people who may be confused can mean the difference between someone getting home safely and someone becoming trapped in their home through fear of being harmed.

Keep Safe is a community scheme running in some areas. The scheme is for vulnerable people, for example older people, people with learning disabilities or people living with dementia.

Shops and businesses agree to be Keep Safe venues which means they will offer the use of their telephone or make a call on behalf of someone in distress for whatever reason whilst they are out and about in the local area.

Users of the scheme carry a card and keyring with the contact telephone number of someone they would want contacted should they get into distress.

Cards and keyrings are free; if you know someone that would like one please contact your local Licensing Team to ask if the scheme operates in your area.

Additional Skills

The next few pages include some useful information but this is not an exhaustive list and you should always think about skills that will improve your service and set you apart from others competing for the same business.

First Aid

Health and Safety at Work laws mean that you have a duty to make sure your workplace is safe.

You do not have to provide first aid assistance to customers but having these skills may mean that you are more likely to win valuable contracts such as school contracts and regular work carrying passengers to and from hospitals.

You can find out about first aid courses online or by contacting the Licensing Team.

Advanced & Defensive Driving Skills

As a professional driver it is your responsibility to ensure you understand and obey the Highway Code. This includes understanding the rules about the use of seatbelts, mobile telephones and parking restrictions.

Defensive driving means driving safely to avoid preventable accidents. Most accidents on the road can be avoided by ensuring vehicles are properly maintained, by properly planning your journey and concentrating and anticipating the movement of other road users.

Concentration, observation and anticipation

You must be constantly concentrating to observe the movement of other road users, and be ready to adjust your own driving in good time. By driving within speed limits, you will give yourself enough time to look at traffic problems as they happen, and give you time to decide on appropriate action.

Safe driver

Adjust your driving to the special hazards caused by changing conditions – you will need to change your driving pattern because of the weather, traffic conditions, road surface, or your physical or mental state.

Although there are no specific rules about drivers' working hours for Private Hire and Hackney Carriage vehicle drivers, you should not drive when you are tired or straight after another job that involves driving or operating complex machinery.

Remember to 'read the road' as far ahead as possible. When driving, adopt a position in the road where you are able to see beyond the vehicle in front, and where you can stop quickly in an emergency. Driving by anticipating other road users is safer and can also save fuel by avoiding unnecessary acceleration and braking.

Vehicle Maintenance

Maintain your vehicle to a professional standard

Your vehicle is your business. It is your office. Look after it.

Before using your vehicle each day, you should conduct some basic checks:

- Headlights, indicators and brake-lights should be working, and clean
- Windows, reflectors and mirrors are clean and wiper blades should be working without smearing the windscreens
- There are no obvious fuel or oil leaks
- Brakes and handbrake are working properly
- The speedometer is working correctly
- Litter is removed from the vehicle
- Engine oil, brake fluid and water are all at the correct levels without obvious leaks
- The battery is secure in the engine compartment
- Seats and seat-belts are working properly, without signs of wear and tear or fraying.
- The horn is working properly
- You should ensure tyres (including the spare if one is carried) are inflated to the correct pressure and are in good condition. If your vehicle carries a canister instead of a spare, ensure that the canister is present and pressurised.
- Tyres must have a minimum tread depth of 1.6 mm over the central three-quarters of the tyre width, around the whole of the tyre
- Washer bottles should be full
- That the vehicle does not emit excessive smoke

- That the vehicle licence plate is clearly displayed in accordance with local regulations
- That the internal badge or plate (where one is issued) is clearly visible to front-seat passengers and through the windscreen
- That the taximeter is working properly
- That the taxi fare tariff (for hackney carriages) is available (some authorities require this to be displayed so check with you local Licensing Team)

The Local Licensing Authority

The licensing system exists to ensure the safety of the public. If the licensing system was removed, the risk to public safety would be significant. There would be a risk to jobs as any person would be able to pick people up for money.

To maintain confidence in the licensing system, local authority officers have the power to:

- Demand to see your driving licence within five days.
- Demand to see a current certificate of insurance for the vehicle at any time.
- Test and inspect your Hackney Carriage or Private Hire vehicle up to three times a year (Hackney Carriages can also be inspected at any reasonable time).
- Test and inspect the meter up to three times a year.
- Prosecute for other offences such as making false statements in application forms or for other road traffic offences (such as not having correct insurance).
- Demand, and if necessary remove, vehicle plates if they are not returned within 7 days of a vehicle licence being suspended, revoked or expiring.

It is an offence to obstruct an authorised officer or a Police officer who is carrying out duties relating to licensing. An authorised officer should be able to show identification proving their authorisation.

It is an offence to fail to comply with any reasonable request made by an authorised officer or a Police officer without reasonable excuse, or without reasonable cause fail to give any other assistance or information that may be reasonably required.

Licensing Committee

The Council's Licensing Committee is made up of fifteen elected Councillors. The Committee is responsible for agreeing rules and policies for the licensing of Hackney Carriages and Private Hire drivers, vehicles and operators.

The Council's officers are responsible for drafting those policies and following the correct process to put them into place. Whilst officers may have some discretion in some cases, there are other cases where either the law or the policies do not allow for exceptions to be made. Each case is decided on its own merits.

Whilst the larger policy decisions are made by the full Licensing Committee matters such as decisions in individual cases are generally decided by a **Sub-Committee** of the full Committee. The Sub-Committee will be made up of three Local Councillors who are members of the Licensing Committee and have been appropriately trained,

Trade Consultations

Whenever a change to a policy is proposed the council must consult with the local trade. This consultation with stakeholders allows the council to develop policies that work for all parties and that are realistic and manageable.

As a stakeholder in the Hackney carriage and Private Hire trade it is essential that you respond to these consultations and that you give your view. If you do not respond you may find rules being made that you disagree with. Once the rules are changed, it is much harder to challenge them.

Often Licensing Teams produce Newsletters or hold regular trade meetings. It is in your best interest to read these documents and attend meetings whenever possible. If you don't know what is happening and don't make your views known then you can't influence how things work.

Complaints

Not all complaints will mean that you risk action being taken against you. No action will be taken if the investigating authority cannot prove the complaint or feel that it is not justified.

Where an authority investigates a complaint, the authority will offer you the chance to tell them what happened.

If a passenger wishes to make a complaint against you, provide them your badge number and vehicle plate number and leave the investigation of the incident to the council. The council will always act impartially.

If a complaint is made about you to the County Council there is an agreed protocol in how this will be dealt with. This will usually mean the County Council informing the local licensing team so that they can investigate.

Formal Action

The Licensing Authority can suspend, revoke or refuse to renew a licence in the following circumstances:

LICENCE	REASONS
Vehicles	<ul style="list-style-type: none"> • the vehicle is unfit for its use as a Private Hire Vehicle or a Hackney Carriage • as a driver or operator, you have committed an offence, or not followed, any part of the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 • for any other reasonable cause
Drivers	<ul style="list-style-type: none"> • since being granted the licence you have been convicted of an offence involving dishonesty, violence and indecency • you have been convicted of an offence under or failed to comply with a provision of the 1847 or the 1976 Act or • for any other reasonable cause
Operators	<ul style="list-style-type: none"> • any offence has been committed under Local Government (Miscellaneous Provisions) Act 1976 or you have failed to comply with any part of Part 2 of the Act • any conduct on the part of the operator appears to the Council you are unfit to hold an operator's licence • any material change has happened

	<p>since the grant of the licence in any of the circumstances of the operator on the basis of which the licence was granted or</p> <ul style="list-style-type: none"> • any other reasonable cause
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Proven serious offences concerning:

- dishonesty
- breach of trust
- violence or aggression
- putting a member of the public in danger or in an unsafe position

may lead to a driver’s licence being suspended, revoked or in prosecution. Your previous history will be taken into account when making this decision along with other factors such as your attitude, the impact of the offence, etc.

No suspension or revocation will take place until the end of the 21-day period for lodging appeals to the Magistrates’ Court unless the authority feels the action should take immediate effect on the grounds of public safety. If a decision is made that action should take immediate effect then the notice you will be sent will give the reasons for this decision.

Case Reviews




In some authority areas (but not all) drivers who receive repeated written warnings or show a history of similar offences may be invited to a Case Review meeting with a Senior Council officer to discuss their future conduct.

Licence Suspensions and Revocation

Drivers who re-offend after having their licences suspended or a successful prosecution, or who commit a very serious first offence, will be referred to a Licensing Sub-Committee or, in some areas, a Senior officer. Drivers may also be referred following a Case Review meeting. The decision maker will consider whether the driver is still fit and proper to hold a licence and whether any action should be taken against the licence, for example, a suspension or revocation.. You will be permitted to make representations against a revocation at this time.

Appeals

You have a right to appeal against an authorities licensing decisions:

LICENSING DECISION	LAW*	APPEAL TO	TIME LIMIT**		
Refusal to grant hackney carriage vehicle licence	Town Police Clauses Act 1847 and Public Health Acts Amendment Act 1907	Crown Court			
Refusal of a driver's licence	LG(MP)A 1976 section 52 and 59				
Suspension of driver's licence	LG(MP)A 1976 section 61				
Revocation of driver's licence					
Conditions on private hire vehicle driver's licence	LG(MP)A 1976 section 52				
Refusal of private hire vehicle licence	LG(MP)A 1976 section 48				
Conditions on private hire vehicle licence					
Suspension of vehicle licence	LG(MP)A 1976 section 60				
Revocation of vehicle licence					
Refusal to renew hackney carriage vehicle licence					
Conditions on hackney carriage vehicle licence	LG(MP)A 1976 section 47			Magistrates' Court	21 days
Refusal of private hire operator's licence	LG(MP)A 1976 section 62				
Revocation of private hire operator's licence					
Conditions on private hire operator's licence	LG(MP)A 1976 section 55				
Suspension of private hire operator's licence					

- * LG(MP)A 1976 is the Local Government (Miscellaneous Provisions) Act 1976
- ** This is the time that you have to lodge your appeal from the time that you receive the written notice of the local authority's decision.

Appeals are governed by section 77 of the Local Government (Miscellaneous Provisions) Act 1976 and sections 300 – 302 of the Public Health Act 1936.

If you have a licence at the time of making the appeal, it will usually carry on in force until the appeal has finished. However, a licensing authority may suspend or revoke a driver's licence with immediate effect on the grounds of public safety.

The licensing authority will give you a letter explaining your rights of appeal with every licence. Make sure that you ask for this if you are not given it. The letter will explain the law in more detail.

You have the right of appeal if any licence is suspended or revoked.

Notifying the Licensing Team of Incidents, Arrests, Criminal Convictions

Nearly all local authorities have a policy relating to drivers, vehicle proprietors and Private Hire vehicle operators who either have criminal convictions when they apply for their licence or are convicted of an offence whilst they hold a licence. **Please read this before you make an application, it should be on the authority's website but if not ask the Licensing Team for a copy – it may save you a lot of money and wasted effort.**

“Convictions” includes cautions, bind-overs, and fixed penalty notices/penalty notices for disorder.

You must report any arrests, convictions, cautions, driving licence endorsements or fixed penalty notices to the authority in writing within a fixed period of time. For most authorities this is 48 hours from the date of the incident or arrest. Forms are available to do this.

If you have a “conviction” the Licensing Team will usually arrange an interview with you to discuss it before making a decision on how to proceed.

It is always best to be honest when making a new application and during the life of any licence you are granted. You will be subject to an Enhanced Criminal record check and possibly a check via the Police National Computer (PNC check) which will

show up any previous misconduct however old. By omitting any information or not updating the Licensing Team when things happen or you could face prosecution as well as action against your licence or a refusal to grant.

If in doubt contact your local Licensing Team to discuss whether a matter is relevant and they will discuss the implications with you.

After You Pass the Training Day

For those of you who have been sent this handbook as part of the Professional Driver Training Course program, or as part of your renewal process, after you have completed the training day and passed any relevant tests (not all attendees take a test so don't worry if you are not expecting one) there may be further actions you need to take in order to obtain a licence.

Driver Licences

Before your driver's licence is issued the local authority will need to complete a Disclosure and Barring Service (DBS) check to an Enhanced level; examine your Driver and Vehicle Licensing Agency (DVLA) driving licence and complete a DVLA check; and have a photograph of you on record. You must provide a medical examination certificate completed by a doctor and your practical driving pass certificate. The authority must check that you have the right to work in the UK. They must be satisfied that you are a **'fit and proper'** person to hold a licence. Until officers have carried out these checks the authority cannot make a decision.

Drivers' renewal applications must be submitted a reasonable time before the expiry date. In some licensing authority areas you may book an appointment online. Each authority has a different process for applications but they are working to make these as similar as possible to make things easier for applicants.

An authority may sometimes need more time to conduct any other checks and to process your application.

You may not work as a driver once your licence has expired. You must wait until a new licence is issued. You should surrender and return your badges if you no longer wish to work as a driver. You must return your badges if your licence has expired.

In some licensing areas you will have to attend a Professional Driver Skills Update course before your driver's licence is renewed and re-issued. There may be a charge to attend the course.

It is illegal for you to work as a licensed driver until a new licence is granted. Licensing authorities will only temporarily extend a licence after it has expired if you have applied in good time and there has been a delay in one of your checks which is beyond your control.

When applying for a driver licence a licensing authority needs at least:

- a completed driver licence application form
- your DVLA driving licence (including the photo-card and the paper licence)
- your full address history for the last 5 years
- your National Insurance number

In addition to your DVLA driving licence you will need to produce two other forms of identification, such as your passport, birth certificate, recent bank statement or recent utility bill, which are needed to complete your criminal record check.

You should check local regulations in case there is other information needed.

Medical Fitness

Before being granted a licence you are required to undergo a medical examination by your own doctor using an official form.

The licensing authority may ask you for regular medical examinations if you suffer from certain conditions such as diabetes or heart disease.

You may be required to undergo more regular medical check-ups once you have passed a certain age. Please check your local authority policy for full details.

You must be able to read a standard number plate in good daylight at a distance of 20.5 metres (67 feet). It is an offence to drive with uncorrected vision.

You must tell DVLA Swansea and the licensing authority if you have any of the following medical conditions:

- Epileptic seizures or fits
- Sudden attacks of disabling giddiness, fainting or black-outs
- Severe mental handicap or serious memory problems
- A pacemaker, defibrillator or anti-ventricular tachycardia device fitted
- Diabetes controlled by insulin or tablets
- Angina (heart pain)
- Parkinson’s disease
- A serious problem with confusion
- A major or minor stroke
- Any type of brain surgery, brain tumour or serious head injury involving hospital in-patient treatment
- Any severe psychiatric illness or mental disorder
- Continuing permanent difficulty in the use of arms or legs which affects your ability to control your vehicle safely
- Dependence on the use or misuse of alcohol, illicit drugs or chemical substances in the past three years
- Any visual disability which affects both eyes (not including short/long sight or colour blindness).

Where DVLA has not revoked a licence because of these medical conditions, the licensing authority may require a medical report from your doctor or consultant as to your continued fitness to drive. They may require regular medical examinations in the light of this information.

Driving Tests

All new applicants must undertake the hackney carriage or private hire vehicle driver assessments conducted by one of the council’s approved suppliers.

For more details of who provides these tests please visit your local authority website .You need to pay the provider directly for the assessment.

Looking After Yourself

As a professional driver you may spend 8, 9 or 10 hours in your car every day. This is a lot of time to be sat in a restricted position.

Clinical studies have shown that driving for long periods of time, day after day, without taking a break can significantly contribute to the chance of developing lower back pain.

A poor driving position can reduce your comfort and safety by increasing muscular effort and tiredness, causing pain and discomfort and by interrupting your concentration. All of these factors can contribute to a slow response time in dangerous or emergency situations.

General Hints

Try not to drive for more than two hours at a time without taking a short break. This is particularly difficult to achieve if you are a professional driver but even a short five minute break out of the car can help. If you drive for a long distance, exercise breaks will help your circulation and help keep you fresh and alert. You can improve your circulation by getting out of the car and walking a short distance, or doing one or two neck exercises.

Coats, jackets and thick sweaters can crumple up and change the shape and support patterns of your seat. This can push you further forward in your seat, making the seat base shorter and making it more uncomfortable.

Fresh air is important. Overheating can make you drowsy so make sure the car is not too warm. The key to staying alert is adequate air flow, preferably with fresh cool air to your head. Cars with air conditioning are obviously the best to provide fresh, dehumidified air but you must balance the needs of your customers who may not like air conditioning. Ask if they mind you using the air conditioning or if the temperature is right for them.

Poor diet, stress and not enough exercise all add up to making drivers less fit to drive. Thirty minutes of brisk exercise a day should make you better to drive, and fitter in general.

Mental Health

Driving a taxi or private hire vehicle is recognised as a stressful job. You are often likely to be spending long hours alone, dealing with difficult situations with only your own skills and judgement to rely upon.

If you feel as if you need a break you should take one. There may be other organisations you can join such as a local driver association or other professional body, such as a union.

Here are some tips for how to prevent health issues caused by the stresses of driving professionally:

Take regular breaks

Make sure you are in contact with other drivers so that you can relieve the stress of customer service issues

If you would like to speak to someone about these issues you can contact your local Mind organisation. The numbers for these are in the front of this handbook.

More Information

If you need any information on this handbook, contact:

Watford Borough Council
Town Hall
Watford
Hertfordshire
WD17 3EX