

Licensing and Registration Committee 06 November 2019

A.2 Child Sexual Exploitation (CSE) Training for Hackney Carriage and Private Hire Drivers and Operators

(Report prepared by Karen Townshend)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To request that the Licensing and Registration Committee agree that Child Sexual Exploitation (CSE) training become a mandatory condition on the Hackney Carriage and Private Hire driver and operator licences for existing and new drivers and operators.

This request was considered at the last Licensing and Registration Committee held on 10 April 2019. Minute 84 states, "It was therefore moved by Councillor Amos, seconded by Councillor Winfield and unanimously **RESOLVED** that –

- (a) the Committee agrees, in principle, to the requirement of Hackney Carriage and Private Hire drivers and operators completing CSE training, as a mandatory condition on the Hackney Carriage and Private Hire driver and operator licences for existing and new drivers and operators.
- (b) The Licensing Manager be authorised to undertake external consultation over a 28 day period, and to report the results of such consultation to the next scheduled meeting of the Committee for its final decision.

The Licensing Manager can confirm that there were not any representations received as a result of the public consultation period.

If this request is agreed, funding will be finalised and once received, CSE training will be able to be implemented; this also allows for a 28 day implementation period.

EXECUTIVE SUMMARY

The Licensing and Registration Committee is asked to consider and determine a request from the Licensing Manager for the Council to consider CSE training for Hackney Carriage and Private Hire drivers in an aim to improve awareness of the crucial and privileged role that drivers play in the safety of this community. This proposal has received the support of Essex Police and the Community Safety Partnership.

RECOMMENDATION(S)

- (a) It is recommended that: the Committee agrees to the requirement of Hackney Carriage and Private Hire drivers and operators to complete CSE training, as a mandatory condition on the Hackney Carriage and Private Hire driver and operator licence for existing and new drivers and operators.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The delivery of CSE training for drivers will ultimately improve awareness of the signs and dangers associated with CSE and linked activities, such as County Lines operations, the prevention of modern day slavery and human trafficking, and the important role and unique position that drivers hold. It will provide them with the confidence about what their actions should be and as to where and when they should report any information. This will greatly contribute to the improvement of community safety and the safe guarding of vulnerable

children and people; it is important that this authority is seen to be taking proactive action against such abhorrent crime.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Should a decision be made for this proposal to become a mandatory condition then from the date of adoption, all new drivers will undertake this training as part of the application process. Existing drivers will need to complete and pass the training in order to update their current licence.

The purchase price of the online training package from Barnardo's is £7320 plus VAT, which entitles this authority to run the programme and provides 2000 licences (course and certificate of pass and completion). At present this authority has 326 licensed drivers and 24 operators.

Funding will be sought from the Responsible Authorities Group (RAG) in order to cover costs of £5000. The outstanding finance would be requested through the Licensing budget for 2019/20; alternatively extra funding could be sought from the Police, Fire and Crime Commissioner's (PFCC) budget that is allocated for community safety initiatives.

Any proposed mandatory condition would need to be advertised under statutory procedures, the cost of which can be met from within the Hackney Carriage revenue budget for 2019/2020.

Risk

A disadvantage to introducing mandatory CSE training to Hackney Carriage and Private Hire driver and operators would be a resistance to complete the training. There is also the possibility of suspensions and revocations for drivers and operators if they do not complete the training once it is made a mandatory condition, resulting in a possible loss of service and an increase in Officer time and administration.

LEGAL

The District Council, acting as the Licensing Authority, may attach to the grant of Hackney Carriage and Private Hire Drivers and Operators licence, such conditions as they may consider reasonably necessary pursuant to the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

The Committee has a responsibility to ensure that their policies and procedures are robust to ensure that only fit and proper persons hold a taxi licence. It is open to the Committee to update the Council's policies and procedures to require licensed drivers and operators to undertake safeguarding training. It is regarded as good practice to undertake consultation prior to the Committee amending or revising its licensing policies.

In 2017, the Government used its powers under section 177 of the Policing and Crime Act 2017 to issue statutory guidance on the protection of children and vulnerable adults with regards to taxi and private hire vehicle services.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Consultation/Public Engagement.

CRIME AND DISORDER

Promoting awareness of CSE, its signs and dangers, and the risks it poses to young or vulnerable persons will, as a minimum, support community safety initiatives and encourage the safeguarding of such persons and may lead to the prevention or reduction of some criminal offending.

EQUALITY AND DIVERSITY

Under the Equality Act 2010 (the Act) a public authority is required to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act under which “age” is a protected characteristic. Adoption of such training should assist in reducing the victimisation of young or vulnerable persons.

AREA/WARDS AFFECTED

All wards

CONSULTATION

A 28 day external consultation period has been conducted, along with consultation with existing licence holders and stakeholder, during which time no representations were received.

PART 3 – SUPPORTING INFORMATION**BACKGROUND**

In recent years the public have been alerted to the growing frequency and numbers falling victim to the crime of child sexual exploitation, and indeed exploitation of vulnerable people; along with the growing operation of County Lines – the sale and supply of illegal drugs frequently using children or other vulnerable persons. It is a well-documented fact that these vulnerable children and people are often transported to and from various venues across the country in taxis. The payments are usually made by adults either upon booking, collection or drop off. More often than not the child or vulnerable person does not know where they are going to or for what purpose/what the situation may be.

Hackney Carriage and Private Hire drivers are in the unique position of potentially and unwittingly transporting this group of people. All drivers have a duty of care to their passengers and they are therefore in a unique position to be ‘the eyes and ears’ in a bid to prevent and disrupt these crimes from happening or to at least minimise them, and be able to pass intelligence to the relevant authorities. Ultimately, the safety of the driver and the passenger is the main concern of this authority; so it is important that drivers know the signs to look for and how to take appropriate action in passing information to the police and authorities.

This proposal is a joint collaboration with the Community Safety Partnership (CSP), as the topic areas covers aspects of both departments. The CSP would utilise the training programme and available licences in order to address the training needs of around 200 TDC front line staff.

The training programme that is available from Barnardo’s is an online package which may be accessed 24/7, allowing the greatest flexibility available for drivers and operators to complete the training around their work commitments. Front line staff would also be able to complete at a time that is suitable in their work schedule. Should those required to complete the course not have access to the internet, then the training may be done within

TDC offices on the Licensing laptop and iPad.

The Committee may now wish to consider whether it is reasonable to introduce CSE training as a mandatory condition to the Hackney Carriage and Private Hire driver and operator licence. Should the Committee be minded to introduce this motion, Officers consider that it would be reasonable to introduce this as a mandatory condition with a reasonable time frame allowed for the completion of all existing drivers to complete the training.

CURRENT POSITION

No training of this nature currently exists within this authority, whilst other authorities have successfully introduced such training as part of their conditions. A total of 18 local authorities are currently using the CSE online training programme that is provided by Barnardo's. Local authorities providing CSE training presently include Rochford, Castle Point, Brentwood and Thurrock.

A recent Task and Finish Group (TFG) on Taxi and Private Hire Vehicle Licensing was established in Sep 2017 and was chaired by Professor Mohammed Abdul-Haq. Prof Abdul-Haq concluded the TFG by submitting a report to the Secretary of State for Transport on 09 Jul 18. The three key measures that have been recommended are:

- National minimum standards
- National enforcement powers
- A national licensing database

The TFG recommendation number 25 states, "Licensing authorities must use their existing powers to require all drivers to undertake safeguarding/child sexual abuse and exploitation awareness training including the positive role that taxi/PHV drivers can play in spotting and reporting signs of abuse and neglect of vulnerable passengers. This requirement must form part of future national minimum standards."

The Government response to recommendation 25 is as follows:

The Government welcomes this recommendation and the acknowledgement that such a requirement can be universally applied under powers already available to licensing authorities. The draft statutory guidance which has been issued for consultation alongside this response includes a recommendation that licensees should be required to undertake safeguarding/child sexual abuse and exploitation awareness training. In the longer term, the Government intends that this requirement would be included in national minimum standards.

Other recommendations contained within the report are already conducted within this authority, i.e. the requirement for drivers to have completed a disability awareness course.

It is the view of the Licensing Section and Community Safety Partnership that this training should be included as a mandatory condition before this becomes a national minimum standard.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Barnardo's CSE training demonstration (to be shown live at Licensing and Registration Committee)

Government response to Task and Finish Group (TFG) on Taxi and Private Hire Vehicle Licensing