



Taxi and PHV policy

Statutory and best practice guidance





- Contains the power for the Secretary of State to issue **Statutory Guidance** to licensing authorities in relation to “safeguarding”: this is much stronger than current Best Practice Guidance.
- **The power is in Clause 145:**
 - (1) The Secretary of State may issue guidance to public authorities as to how their licensing functions under taxi and private hire vehicle legislation may be exercised so as to protect children, and vulnerable individuals who are 18 or over, from harm.
 - (4) Any public authority which has licensing functions under taxi and private hire vehicle legislation must have regard to any guidance issued under this section.
- We must **consult** on the guidance before it comes into force
 - This will start formally once the bill has Royal Assent – but today’s discussion is part of the stakeholder engagement we are doing in advance.





- The Best Practice document (with its much wider scope) will continue alongside the new statutory guidance: it requires judgement calls about where the split lies. Note: we plan to consult on both at the same time.
- The new guidance is subject to consultation (as required by clause 145(5)). We want it to contain practical measures that local authorities can consider adopting to better safeguard children and vulnerable individuals, *including*:
 - Emphasising that passenger safety should be at the forefront of licensing policies and the consideration of committees
 - Tests that can be used to ensure that licensed drivers are ‘fit and proper’ to work with children and vulnerable adults;
 - Making best use of local intelligence, including use of Disclosure and Barring Service checks;
 - Immigration checks [*NB: a legal requirement in their own right*] and *Certificates of Good Character*
 - DBS checks for PHV staff that take bookings and control vehicles
 - Safeguarding and CSE awareness training;
 - CCTV in vehicles and;
 - Enforcement.





- Are there any issues that need to be included in the guidance?
- What other problems need to be addressed?
- Is there any good practice that we should be aware of?
- Please contact me if you have any thoughts or questions:
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