

Report of	Meeting	Date
Director of Early Intervention	Licensing and Public Safety Committee	20 July 2016

## **SAFEGUARDING AND CSE AWARENESS TRAINING FOR THE LICENSING TRADE**

### **PURPOSE OF REPORT**

1. For the Licensing and Public Safety Committee to note the arrangements made for the safeguarding and child sexual exploitation (CSE) awareness training of the licensing trade.

### **RECOMMENDATION(S)**

2. That the Licensing and Public Safety Committee consider to the following training proposals and resolve to adopt the recommendations:
  - a) That all current holders of Hackney Carriage and Private Hire Drivers Licences, Private Hire Operators Licences complete mandatory Safeguarding and CSE awareness training.
  - b) The mandatory training for existing licence holders will take the form of a seminar, facilitated by Chorley Council, where the police will provide the training, so to ensure a consistent level of training in line with that provided across the Lancashire Authorities.
  - c) Those invited for mandatory training will be provided with a selection of training dates and times. They must register for a training event and sign in at the event using their licence as identification.
  - d) A training certificate will be presented to each delegate at the end of the training session. They must retain this certificate as proof of attendance and completion of the training.
  - e) Training will also be available for other licence holders, such as premises licence holders and personal licence holders, this will be on a voluntary basis, numbers may be restricted for some seminars in order to ensure that all mandatory training requirements are met first.
  - f) The granting of any new Hackney Carriage and Private Hire Drivers Licence and Private Hire Operators Licence will include an application pre-requisite to complete the Lancashire County Council on-line training programme.
  - g) That on-line update training is required as part of the renewal processes for each driver and operator (timescales to be agreed by members with reference to Paragraph 17).
  - h) The current policies will be updated to reflect the requirement for training for both renewal and grant.
  - i) Where existing licence holders fail to attend the training they will be unable to renew their licence.

### **EXECUTIVE SUMMARY OF REPORT**

3. On 18 November 2015 the Licensing and Public Safety Committee RESOLVED for officers to submit a report to the next meeting of the Licensing and Public Safety Committee to look at the options regarding the delivery of Child Sexual Exploitation training for all the Council's licensing functions and to consider making any such training a mandatory requirement.
4. Information was not available for the committee, with specific regard to the approach and delivery options that other Lancashire Authorities were pursuing, therefore, the report was deferred to a future meeting.

5. Many other Lancashire Authorities are commissioning Lancashire Constabulary or an approved consultant (former Lancashire Police CSE investigator Tony Baxter) to provide the training, and Chorley want to ensure consistency across the locality, as many drivers work across a number of boroughs.
6. The Police training package is free to Chorley Council and the Consultant Services are low cost, at £250 per day for delivery of up to 5 sessions per day. The Council will meet any costs of training for existing drivers from the public purse as it would be inappropriate to impose additional costs on those already licenced by the authority.
7. There are currently 353 hackney and private hire driver licences issued by the council, however, a number of these will be to the same individuals who have both licences. There are 13 private hire operators, 36 hackney carriage vehicle proprietors (most of which also hold a HC driver's licence) and approximately 140 private hire vehicles. It is estimated that about 400-450 people will require mandatory training and it is proposed to limit attendance to 50 per session and therefore undertake approximately 8-10 training sessions over the course of two days over the next 2 months, depending upon trainer availability.
8. It is anticipated that the first training sessions will commence no later than August 2016 and we will write to all those licence holders with first come first served options for the sessions.
9. The cost of training associated with the grant of a new licence will be considered in the upcoming fees and charges review and the costs of the licence amended according to any additional costs incurred by the Council. Lancashire Council County on-line training is currently a free to use service.
10. Members need to consider if on-line update training is appropriate for the trade at renewal and also the timescales that would be appropriate.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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## CORPORATE PRIORITIES

11. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

## BACKGROUND

12. Safeguarding and CSE awareness training for the licenced trades in Chorley is a top priority for Chorley Council.
13. The council has resolved to make such training mandatory for the taxi trade and voluntary for other licence holders.
14. Any costs associated with the training should not be a burden to existing licence holders as the Council cannot impose any additional costs after the grant of the current licence.
15. Any costs for training associated with the grant or renewal of a new licence will need to be reflected in the application fees following the next review of fees and charges.
16. The trade were consulted with regard to the potential impact on fees in the future at the licensing liaison panel meeting.
17. Driver licences currently last for 3 years and Private Hire Operator's licences for 5 years. Members are asked to consider what would be appropriate for update training, if this is required by Committee. Where an existing driver or operator has attended training but their renewal is due within the next 12 months, members need to consider if it is appropriate to require additional training at renewal of that licence.

18. An amendment to the Policing Crime Bill places a duty on public authorities who have a licensing function under taxi and private hire vehicle legislation to exercise those functions so as to protect children and vulnerable adults from harm. The amendment provides for the Secretary of State to issue guidance and it also imposes a duty on those public authorities to have regard to the guidance.
19. The new Clause 56 reads:

Licensing functions under taxi and PHV legislation: protection of children and vulnerable adults

(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.

(2) The Secretary of State may revise any guidance issued under this section.

(3) The Secretary of State must arrange for any guidance issued under this section, and any revision of it, to be published.

(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.

(5) Before issuing guidance under this section, the Secretary of State must consult—

(a) the National Police Chiefs' Council,

(b) persons who appear to the Secretary of State to represent the interests of public authorities who are required to have regard to the guidance,

(c) persons who appear to the Secretary of State to represent the interests of those whose livelihood is affected by the exercise of the licensing functions to which the guidance relates, and

(d) such other persons as the Secretary of State considers appropriate.

(6) In this section, "taxi and private hire vehicle legislation" means—

(a) the London Hackney Carriages Act 1843;

(b) sections 37 to 68 of the Town Police Clauses Act 1847;

(c) the Metropolitan Public Carriage Act 1869;

(d) Part 2 of the Local Government (Miscellaneous Provisions) Act 1976;

(e) the Private Hire Vehicles (London) Act 1998;

(f) the Plymouth City Council Act 1975

## **OTHER CONSIDERATIONS**

20. A number of Chorley Council Early Intervention Directorate staff are qualified to present CSE training, however this option was discounted at this time due to limited staff resources following the recent restructure, the timescales to provide the training in house and the need to ensure consistency in the level of training across the County.

## IMPLICATIONS OF REPORT

21. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	X
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

## COMMENTS OF THE MONITORING OFFICER

22. The Council must only grant private hire driver licences, hackney carriage driver licences and private hire operator licences to persons who are fit and proper.
23. The Council 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 Councils policies and procedures to require licensed drivers and operators to undertake safeguarding training.

## COMMENTS OF THE FINANCE OFFICER

JAMIE CARSON  
DIRECTOR OF EARLY INTERVENTION

The following background papers are pertinent to this report:

<http://mod/ieListDocuments.aspx?CId=564&MId=4444&Ver=4>

Report Author	Ext	Date	Doc ID
Lesley Miller	5299	June 2016	***