

## APPENDIX 5 - DRIVER STANDARDS

| Driver Proposed Standard 1  | Trafford Current standard  |
|---|--|
| <p><b>Enhanced Criminal Record Checks*</b></p> <p>It is proposed that all drivers will be required to undertake an enhanced disclosure check through the DBS to include barred lists (such as details of unspent convictions and police cautions). Drivers must also register to the DBS Update Service and maintain that registration to enable the licensing authority to routinely check for new information every 6 months as a minimum.</p> <p>NB. If a licence has not been issued within 6 months of a DBS certificate issue date, then a further enhanced DBS will be required (unless the applicant is registered with the Update Service)</p> <p>Licensing Authority to ensure sufficient background checks are conducted on applicants who have (from the age of 18) spent 3 continuous months or more living outside of the UK – this includes requiring a certificate of good conduct authenticated by the relevant embassy as necessary.</p>  | <p>Drivers required to undertake an enhance DBS check every 3 years to include barred lists (such as details of unspent convictions and police cautions). Drivers NOT currently required to register with the DBS update service.</p> <p>Certificate of good conduct required from any new applicant who has resided in the UK for less than 5 years – certificate authenticated by the relevant embassy as necessary.</p> |
| <p><b>Reason for Proposal</b></p>   |  |
| <p>There is currently no legal requirement for licensing authorities to conduct an Enhanced DBS Check (including barred list) or to conduct interim checks on the Driver's DBS status using the DBS Update Service.</p> <p>Whilst the GM authorities all currently require the enhanced check, not all require registration with the Update Service in order to facilitate interim checks during the currency of the licence. Without this requirement, the onus is on the driver to self-report any criminal matters to the licensing authority or the Police to advise the licensing authority if they are aware of the driver's occupation.</p> <p>Further, in 2015, licensing authorities were required by law to issue Driver licences for a standard length of 3 years (unless the authority thinks it is appropriate to issue for a shorter period in the specific circumstances of the individual case). This change meant that drivers who usually had a DBS check at the point of annual renewal, were now not having their DBS status checked (unless the local authority put procedures in place to do so) during the currency of the 3 year licence.</p> |  |

Due to a number of different factors and scenarios (for example, an applicant could provide a certificate that was issued some months ago, or take a number of months to pass a knowledge test, or be referred to a hearing during their application process), and as all application processes vary by authority; it can sometimes be a number of months between the date of issue on the DBS certificate and the date the licence application is then determined. As such, the proposed policy is that the applicant must have a certificate that is less than 6 months old at the point the licence is issued (or be registered with the Update Service so that a check can be made prior to issue).

This standard was proposed to ensure that all GM licensed drivers were being checked proactively, regularly and consistently by the licensing authority; and that the regime was not reliant on third parties reporting matters of concern to the authority. By ensuring that all drivers must register (and remain registered) with the Update Service, those checks can be conducted by the authority at least every 6 months. This in turn provides a greater level of confidence to the travelling public that the driver is being regularly and continuously monitored to ensure they remain a 'fit and proper' person to be transporting members of the public.

The DBS cannot access criminal records held overseas (only foreign convictions that are held on the Police National Computer may, subject to disclosure rules, be disclosed). Therefore the DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas.

## Consultation Response

### GM level summary:

96 comments were made from general public respondents

29 comments were made from trade respondents

Of the 9 Driver related standards, this standard received the second highest number of comments.

The following table shows a breakdown of the number of comments made for this standard by type of respondent:

| STANDARD                              | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|---------------------------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Enhanced Criminal Records Check (DBS) | 96             | 6               | 12          | 1             | 0        | 1                       | 9               |

This table provides more detail on the type of themes that came out in the comments made by respondent type:

| Comment Theme   | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|---|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Enhanced DBS should be mandatory  | 74             | 6               | 7           | 1             | 0          | 1                       | 6               |
| DBS check would make passengers feel safer                                  | 12             | 0               | 0           | 0             | 0          | 0                       | 1               |
| All drivers should not have a criminal background / have enhanced DBS check | 5              | 0               | 2           | 0             | 0          | 0                       | 1               |
| DBS check every six months is expensive                                     | 1              | 0               | 3           | 0             | 0          | 0                       | 0               |
| Concern checks don't cover convictions obtained abroad                      | 9              | 0               | 1           | 0             | 0          | 0                       | 2               |
| <b>Base</b>   | <b>96</b>      | <b>6</b>        | <b>12</b>   | <b>1</b>      | <b>0</b>   | <b>1</b>                | <b>8</b>        |

Comments made in relation to criminal record checks were very supportive: *"I feel it is appropriate for drivers to have an enhanced criminal record check – it would make me feel a lot safer allowing my disabled daughter (who also has a learning disability) to travel under their care. After all, all staff currently involved in her care have to have one. I feel it is appropriate."* (Public, age 45-54, Bury)

Very few comments were received from the trade, but those that did comment were also supportive of additional checks. All drivers spoken to in qualitative research felt that it was a positive standard which encouraged trust in drivers from users, especially if it is explicit to all users that this is a mandatory standard. The in-depth interviews with users, drivers and operators showed that most respondents assumed this standard was already in place and felt that if it wasn't mandatory then it should be.

Trafford Response:

| STANDARD          | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|-------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Enhanced Criminal | 7              | 1               | 0           | 0             | 0          | 0                       | 0               |

## Records Check (DBS)

Seven members of the public commented on the criminal record check proposals with some feeling it would make them feel safer; but two raised concerns that foreign convictions wouldn't be picked up.

*"In view of reports of cab drivers attacking women, stealing from clients, etc, all drivers should have an enhanced DBS check and if they are new to country I believe their records in their home country should also be checked. Many criminals run away from their past only to reoffend." (Public, age 55-64)*

## Comments and considerations

The Statutory guidance issued in July 2020 advises that authorities should carry out an Enhanced DBS check including barred lists and require drivers to evidence continuous registration with the Update Service to conduct checks at least every 6 months, and notes the particular high risks to passengers within this industry by the private nature of the mode of travel. The guidance advises that if drivers do not subscribe to the Update Service, they should still be subject to a check (by production of new certificate) every 6 months.

Licensing Authorities should do all they can to minimise the risk to the public and be proactive in doing so. This standard ensures that in addition to the enhanced DBS certificates already required by all 10 authorities, that every authority also requires drivers to be registered with the Update Service and subsequent 6 monthly checks conducted on their DBS status, thereby ensuring consistency on the frequency of proactive checks and ensuring that authorities are not reliant on the honesty of licence holders declaring relevant issues and offences.

This standard also has the added benefit of reducing the cost long term to the licensee as an enhanced DBS certificate costs a minimum of £40 and a new certificate would be required each time the authority wanted to check the status of the licensee's DBS – however registration with the Update service is only £13 per annum, and the licensee need never obtain a further certificate at full cost should their DBS remain clear.

There was overwhelming support from the consultation and strong public safety benefits of this proposed standard, as well as reduced overall costs to the licence holder.

In relation to overseas background checks; due to significant concerns about the current system and the value of conducting these checks against the cost that would be reflected in the licence application fee, Officers will be reflecting further on the

current system and engaging with the Government on the best way to conduct such checks going forward and will, if deemed necessary, prepare a further report.

**Recommendation**

To implement the Standard on DBS certificates and checks as proposed.

To reflect and engage with government further on the requirement for certificates of good conduct overseas and prepare a further report if necessary.

| <b>Driver Proposed Standard 2</b>   | <b>Trafford Current standard</b>  |
|---|---|
| <p><b>Driver Medical Examinations</b><br/>It is proposed that:</p> <ul style="list-style-type: none"> <li>• Group 2 medical examinations are used to check drivers are medically fit to drive [the same examinations as applied by the Driver and Vehicle Standards Agency (DVSA) for lorry and bus drivers]</li> <li>• That the medical assessment is conducted by a registered GP or registered Doctor who has reviewed the applicant and has access to their full medical history</li> <li>• That the medical certificate is no more than 4 months old on the date the licence is granted</li> <li>• Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; at age 45; and every 5 years thereafter until the age of 65 when it is required annually</li> </ul> | <p>Group 1 medical examinations are used to check drivers are medically fit to drive.</p> <p>The medical assessment must be conducted by the driver's own GP who will have access to their full medical history.</p> <p>Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; and every 5 years thereafter until the age of 65 when it is required annually</p> |
| <p><b>Reason for Proposal</b></p>   |   |
| <p>Taxis and private hire vehicles are public transport providers and it is important that the travelling public are assured with regards to the medical fitness of their designated driver. The medical standards for Group 2 drivers are substantially higher than Group 1; not permitting various medical conditions deemed to be too high risk for driving occupations where the driver typically spends lengthy periods of time in the vehicle, has a responsibility to members of the public and need to be able to assist passengers with disabilities.</p>  |   |

Currently nine districts require the Group 2 medical assessment standard, but not all have a policy standard that requires the assessment to be made by a GP or Doctor who has access to the applicant's full medical history, or a standard that the medical is no more than 4 months old at the date the licence is granted. This proposal brings all 10 pre-requisites on this element of the licence application process into line, alongside the statutory frequency standard for medical certificates being renewed.

## Consultation Response

### GM level response:

This proposal perhaps unsurprisingly elicited very few comments as there are only minor changes to current the current policy standard across the board:

17 comments were made from general public respondents

18 comments were made from trade respondents

Of those that did comment, most agreed with the standard.

The following table provides a breakdown of the number of comments by respondent category:

| STANDARD             | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|----------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Medical Examinations | 17             | 4               | 5           | 1             | 1          | 0                       | 7               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme   | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|---|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| The cost of the medical is expensive                              | 0              | 0               | 2           | 0             | 0        | 0                       | 0               |
| Health check should include being able to handle wheelchair users | 1              | 0               | 0           | 0             | 1        | 0                       | 0               |
| Driver medical examinations are not necessary                     | 5              | 0               | 2           | 0             | 0        | 0                       | 0               |
| Agree with medical examination                                    | 11             | 4               | 1           | 1             | 0        | 0                       | 7               |

|  |    |   |   |   |   |   |   |
|--|----|---|---|---|---|---|---|
| Non-NHS organisations should be allowed to issue medical certification | 0  | 0 | 0 | 0 | 0 | 0 | 1 |
| Base   | 17 | 4 | 5 | 1 | 1 | 0 | 7 |

Two respondents mentioned that driver's being physically unable to assist wheelchair users can be an issue, with some driver's complaining they had a 'bad back' or that the chair was too heavy.

A trade association made the following comment:

*"Something that is problematic however is the fact that individual licensing authorities have differing standards requirements for DVSA Group 2 medicals. Many 'forward thinking' licensing authorities are currently using DVSA medical providers that are approved by the Road Haulage Association (RHA)..... we implore the 10 Unifying TfGM Authorities to immediately utilise these service providers like the RHA does" (Organisation, LPHCA)*

Trafford Response:

| STANDARD             | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|----------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Medical Examinations | 1              | 0               | 0           | 0             | 0        | 0                       | 0               |

. The respondent agreed with the proposals.

### Comments and considerations

In the absence of a statutory standard, best practice guidance does advise on the application of the Group 2 standard but remains silent on whether a GP or registered Doctor can conduct the assessment in the absence of the full medical records. From experience and following engagement with the Institute of Licensing and medical professionals, lead officers understand it is important that the GP/Doctor assessing the applicant has access to their full records and not just a summary of the applicant's medical records which could omit critical information.

The cost of medical assessments is not within the jurisdiction of licensing authorities, but as long as the GP/Doctor has access to the full medical records, authorities do not otherwise stipulate which GP/Doctor can be used which allows applicant's to search the market for what is most suitable to them at the time. Given the impact on

the trade following the pandemic, and reports of ongoing delays accessing medical assessments, officers consider it best not to stipulate specific providers at this time, although this is something that could be considered in the future.

**Recommendation**

- Group 2 medical examinations are used to check drivers are medically fit to drive [the same examinations as applied by the Driver and Vehicle Standards Agency (DVSA) for lorry and bus drivers]
- That the medical assessment is conducted by a registered GP or registered Doctor who has reviewed the applicant and has access to their full medical history
- That the medical certificate is no more than 4 months old on the date the licence is granted
- Medical certificates are required minimally (unless otherwise directed by a medical professional) on first application; and every 5 years thereafter until the age of 65 when it is required annually

7.3

| Driver Proposed Standard 3   | Trafford Current standard  |
|--|--|
| <p><b>Knowledge Tests</b><br/>It is proposed that applicants undertake a knowledge test. Authorities will be able to determine what is included in their local test but topics covered may include; local area knowledge, local conditions, licensing law, road safety, highway code, numeracy and safeguarding.</p> | <p>All new applicants must complete and pass a local area knowledge test. The test consists of topographical questions about the Trafford area but also extends across the Greater Manchester region.</p> <ul style="list-style-type: none"> <li>○ The test also includes questions about:           <ul style="list-style-type: none"> <li>▪ disability awareness;</li> <li>▪ safeguarding children and vulnerable people;</li> <li>▪ child exploitation;</li> <li>▪ domestic violence;</li> <li>▪ Road Safety;</li> <li>▪ Basic vehicle maintenance;</li> <li>▪ Customer care / customer awareness;</li> </ul> </li> </ul> |



- licensing law and the driver conditions; and
- local knowledge
- numeracy and literacy.

### Reason for Proposal

Local area knowledge has long been considered an important feature and a strategic objective to licence a high-quality fleet of drivers that supports visitors and business growth in the region. This is not just proposed from a customer service perspective; so that passengers are not waiting unnecessarily due to driver confusion about buildings/stations/locations, or so they are not charged unnecessarily if the driver does not take the most direct route. More importantly than that, having sound and sufficient knowledge of the local area is widely considered essential for public safety, as in the worst scenarios, lacking a decent understanding of local routes can lead to passengers being in dangerous or vulnerable locations.

All 10 authorities currently require a local knowledge test and this proposal seeks to protect and embed this standard within the suite of common standards.

### Consultation Response

GM level response:

This standard elicited the second highest number of comments from respondents within the Driver standards section.

123 comments were made from general public respondents  
47 comments were made from trade respondents

| STANDARD       | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|----------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Knowledge Test | 123            | 12              | 22          | 4             | 0        | 2                       | 7               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme   | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|---|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| The local knowledge test is not needed as most people use sat nav | 15             | 5               | 8           | 1             | 0        | 2                       | 3               |

|   |     |    |    |   |   |   |   |
|---|-----|----|----|---|---|---|---|
| The local knowledge test is needed - issue with drivers' poor local knowledge | 108 | 7  | 9  | 3 | 0 | 0 | 4 |
| Knowledge test is only required for new drivers                               | 0   | 0  | 6  | 0 | 0 | 0 | 0 |
| Base  | 123 | 12 | 22 | 4 | 0 | 2 | 7 |

As the table shows, the most commonly held view was that the knowledge test was needed and that drivers' poor local knowledge was an issue for the general public. Those public respondent cited cost of travel and concerns for safety as the main reasons for their view:

*"I have pre-booked taxis within the borough I live in (Oldham) and in Manchester and have found that ..... the driver does not have local knowledge of the borough. As I often travel alone, I find this disconcerting and have found myself anxious on many a journey."* (Public, age 35-44, Oldham)

*"Knowledge Test: This is very important. One in every three that I have travelled with asks me for directions. When my daughter, with special needs, travels alone and is asked for directions she is unable to do that. This has caused a long unnecessary journey."* (Public, age 75+, Oldham)

*"Knowledge tests- too often we are asked to provide directions to the location we are travelling or spend minutes at the start of each journey trying to explain. I think a basic understanding of the areas in Greater Manchester is a must."* (Public age 25-34, Stockport)

*"Knowledge tests should be required every five years to ensure drivers are aware of changes in the Highway Code and reminded of best practice. They should also be required after a driver is convicted/fined or reported for any breach of the Highway Code or other offence."* (Public, age 65-74, Manchester)

One user respondent in the qualitative focus groups gave this example:

*"Driver pulls up at the side of the road to ask me where a certain place was. It wasn't far away but because of the diversions in place due to roadworks, his sat nav was useless as it wasn't picking it up or giving him an alternative route. So, I ended up getting in with him and showing him the way as he was struggling, didn't know the area and his passenger was getting quite irate. I shouldn't need to do that though. (User, Group 16).*

Trade respondents' comments mostly supported the standard:

*"I once had one driver pull up and ask me where Old Trafford was, when working in Trafford. I get you might not know little places, hard to reach, but Old Trafford stands out and is well signposted and this driver was clueless. Had no idea. That's not good enough in my eyes."* (Hackney Driver, Trafford)

*"Now, part of the stipulation for your badge, hackney badge employees, you take the shortest direct route. Unless instructed by the customer. They've got Google maps, everything they do is app based, Uber is app based and its app based on Google maps. Google maps is not the shortest, it's the fastest. If there's a motorway anywhere near where you're going or you're coming from, he'll jump on it and the customer has to pay, because it's all done on distance. That is going against the bylaws of the town. The bylaws state that if you're an operating service it's got to be shortest, most direct route." (Hackney Driver, Stockport)*

Although 5 Hackney drivers and 8 private hire drivers did not feel the knowledge test was necessary due to the widespread use of Sat Nav technology:

*"Knowledge test not essential since today technology can find and direct driver to any destination" (Hackney Driver, Manchester)*

*"Knowledge tests are not as needed as it once was. Most jobs undertaken via some sort of Sat Nav and many with the journey already mapped out before the customer even enters the vehicle." (Vehicle lease company, Stockport)*

Trafford Response:

| STANDARD       | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|----------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Knowledge Test | 12             | 3               | 4           | 0             | 0          | 0                       | 0               |

All members of the public who commented on the knowledge test agreed that it was needed; conversely drivers felt that it was unnecessary due to SatNav.

*"Often drivers use satnav. This is generally ok, however it can frequently result in drivers taking a long route that results in higher charges to the customer. If drivers have good local knowledge they can take more efficient routes." (Public, age 35-44)*

*"With the use of Sat Nav is the knowledge test a necessity, especially considering most drivers reside within the vicinity." (PHV driver)*

*"Knowledge test are now redundant as most drivers now use sat navs and those whom don't like me learn the area by working in it as I did 40 odd years ago" (Hackney driver)*

**Comments and considerations**

Whilst most responses support the standard that is already in place, a minority of respondents disagree citing the use of satellite navigation technology, and this assertion is often made on and off by trade groups to local authorities. There are

many examples of when Sat Nav technology cannot be relied upon, including a well-publicised example that took place in April 2021 in Eccles in Salford, where an ‘out of town’ private hire driver drove a passenger in his vehicle into the Bridgewater Canal, telling the Police he was following his Sat Nav.

It is much more preferable that locally licensed drivers have a sound local knowledge of their area as technology can fail, or signal can be lost, and passengers (who may be children and/or vulnerable) should have the confidence that the driver is able to transport them to their destination regardless of whether they have access to technology or not. In short, Sat Nav should be seen as a supplement to, not a replacement for, local knowledge.

A risk that should be noted, is the cost implication of delivering (whether in house or via a third party) local knowledge tests and therefore ultimately the cost to the applicant. This will generally only apply to new applicants rather than existing licence holders. Whilst other local authorities outside of the region choose not to require this element in their licensing of drivers, this could remain a motivation for drivers to seek their licences elsewhere. As all authorities currently have the standard within their fee structure, it is considered best to retain the standard and continue to make this point to the DfT.

**Recommendation**

To retain the standard as proposed.

| <b>Driver Proposed Standard 4</b>   | <b>Trafford Current standard</b>   |
|---|--|
| <p><b>English Language Test*</b></p> <p>It is proposed that new drivers undertake an assessment to ensure they are able to communicate in spoken English and in writing to a standard that is required to fulfil their duties, including in emergency and challenging situations.</p> <p>Whilst the standard is not specified further and will be for authorities to determine, the expectation is that that all authorities have a test requirement that can demonstrate the ability to communicate effectively to:</p> <ul style="list-style-type: none"> <li>- Establish the passenger(s) destination and provide answers to common passenger queries or requests</li> </ul> | <p>Applicants must provide evidence of ability in English (speaking and listening) at least to Entry Level 2 standard (as defined in the Regulated Qualifications Framework); or a similar qualification at an equivalent level.</p> |

- Be able to provide customers with correct change
- Be able to provide a legibly written receipt upon request

### Reason for Proposal

It is essential in providing a safe experience that licensed drivers are able to communicate effectively with passengers to establish their needs, and provide accurate information with regards to journey time, fare and the operation of the vehicle, and provide legible receipts upon request. It remains a common complaint to authorities that some drivers lack the ability to communicate effectively.

Licensed drivers also have a key role to play in the public transport network, often driving vulnerable individuals (on schools' contracts for example), or visitors who are unfamiliar to the area. It is important that passengers are able to communicate effectively in all situations (particularly in an emergency) with their driver to ensure their needs are met, particularly those with disabilities or additional needs. We also know from various reviews that the sector can play a critical role in the identification of exploitation and criminal activity, including county lines; so drivers must be able to identify and clearly report harm and risk through their understanding of spoken English.

### Consultation Response

GM level response:

94 comments were made from general public respondents  
39 comments were made from trade respondents

| Standard              | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|-----------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| English Language Test | 94             | 13              | 18          | 2             | 0        | 1                       | 5               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme                    | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|----------------------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Agree with language requirements | 72             | 10              | 14          | 1             | 0        | 0                       | 4               |

|   |           |           |           |          |          |          |          |
|---|-----------|-----------|-----------|----------|----------|----------|----------|
| The enforcement of language tests will be controversial   | 3         | 0         | 1         | 0        | 0        | 0        | 0        |
| Only a speaking / listening test is required, writing is not important                                    | 11        | 0         | 0         | 0        | 0        | 1        | 2        |
| English and maths test are discriminating people with disabilities who are already a hackney / PHV driver | 3         | 1         | 0         | 1        | 0        | 0        | 0        |
| Language requirement is not necessary   | 7         | 2         | 4         | 0        | 0        | 0        | 0        |
| <b>Base</b>   | <b>94</b> | <b>13</b> | <b>18</b> | <b>2</b> | <b>0</b> | <b>1</b> | <b>5</b> |

As Members will see, the majority of those who made an additional comment on this standard made positive remarks in support of the proposal:

*“I believe that an English test is crucial as many passengers have told me they’ve had drivers who are unable to speak a word of English. Just imagine you’re in a private hire and you tell the driver you have cut yourself. You need a plaster. And the driver tells you he doesn’t understand. There’s many other scenarios I could give you.” (PHV Driver, Manchester)*

*“Having good communication skills is essential so that the passenger can feel confident and secure, knowing that they have been understood and can understand what the driver is saying to them. I know this because I work with people who have dementia and need this extra care” (Public, age 55-64, Manchester)*

However, a small number of comments were made raising concerns about this standard:

*“The English language tests. I feel like this will alienate a lot of drivers and tests like these are biased against immigrant taxi drivers. Most councils have these enhanced checks” (Public, age 25-34, Manchester)*

*“All of the above already exist in my council but it is stupid that someone with a PHD who is of an age where they cannot find their O levels from 50 years ago still has to take an English/Math test because councils currently say if you don’t have GCSE, GCE or equivalent O level you have to take an English test even though English is first language and far superior qualifications have been gained over a career.” (Operator, Bury)*

*“English language test- since when has this ever been a problem before? I think there are unconscious biases at play here you need to address. Really unfair to suggest current taxi drivers can't speak or write English. When has this ever been an issue? Speaking a language and writing it are two very different things. I don't think you need to be able to write to drive taxis. Having these criteria will exclude those who probably already struggle to get work elsewhere e.g. people with learning disabilities, people whose second language is English. They can speak English but can't write. Really disappointed with these criteria.” (Public, age 35-44, Rochdale)*

Aecom noted that there was no significant difference in the number of comments received by district or ethnic origin.

Trafford Response:

| Standard              | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|-----------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| English Language Test | 4              | 2               | 0           | 0             | 0        | 0                       | 0               |

Four of the respondents agreed with the proposals; one respondent felt that it would discriminate against people with disabilities who were already a taxi driver; and one respondent thought a language requirement was unnecessary.

**Comments and considerations**

Whilst the comments against the standard are few, it is still important to address concerns raised that may be based on misconceptions about the rationale for having a licensed driver fleet proficient in the use of both written and oral English. The primary purpose of licensing is always public safety and it is with this in mind, that most GM authorities already have this requirement in their regime.

Whilst it is understood that the sector does attract newly migrant workers, it is important that users and licensees understand the important role licensed drivers play as a public transport provider and their responsibilities to passengers. Authorities strive to licence a driver fleet that plays an active role in safeguarding matters. As stated in the Statutory Guidance; “A lack of language proficiency could impact on a driver’s ability to understand important documents, such as policies and guidance relating to the protection of children and vulnerable adults. Oral proficiency will also be of relevance in the identification of exploitation through communicating with passengers and their interaction with others”.

A risk that should be noted, is the cost implication of delivering (whether in house or via a third party) language proficiency tests and therefore ultimately the cost to the applicant. Whilst some local authorities outside of the city region choose not to require this element in their licensing of drivers, this could remain a motivation for drivers to seek their licences elsewhere. As most GM authorities currently have this standard already within their fee structure, it is considered best to retain the standard and continue to make this point to the DfT. Officers will be looking at options for joint procurement of providers going forward.

**Recommendation**

To implement the standard as proposed.

| <b>Driver Proposed Standard 5</b>   | <b>Trafford Current standard</b>                                  |
|---|---|
| <p><b>Driving Proficiency Tests</b><br/>It is proposed that all new drivers will be required to pass a taxi/private hire on-road assessment with a GM approved supplier.</p>  | <p>No current requirement to pass a driving proficiency test.</p> |
| <p><b>Reason for Proposal</b></p>   |   |
| <p>Driving a licensed vehicle does require additional skills to those assessed in a standard driving test. Taxi and PH driving proficiency tests are conducted by DSA test examiners and require the driver to demonstrate a level of driving skill and ability associated with that of an experienced driver as well as a sound knowledge of the highway code. The test takes into account that drivers have additional road safety responsibilities to their passengers, and the safe conveyance of passengers. Some manoeuvres tested include:</p> <ul style="list-style-type: none"> <li>• Safe turning of the car around in the road</li> <li>• Safe stopping at the side of the road (a safe distance from the kerb and ensuring there are no obstructions for passengers)</li> <li>• A wheelchair exercise (loading/unloading and securing safely)</li> </ul> <p>Authorities regularly receive complaints from customers who feel their driver lacked safe driving skills, or sufficient knowledge of the highway code and this proposal seeks to improve the overall quality of driver licensed within the region.</p> <p>Currently half the GM authorities have this requirement in policy, and the proposal is that all new drivers will be required to pass a taxi or private hire on-road assessment with a GM approved supplier (those that currently require have a list of approved suppliers at present).</p> |   |



Due to some drivers who have migrated from Europe being able to convert to a UK licence it is highly likely that they will not have been tested against UK standards including the highway code.

## Consultation Response

GM level response:

53 comments were made from general public respondents  
28 comments were made from trade respondents

| Standard                 | General public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|--------------------------|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Driving Proficiency Test | 53             | 10              | 10          | 3             | 0        | 0                       | 5               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme  | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|--|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Support proficiency tests proposals  | 39             | 7               | 3           | 1             | 0        | 0                       | 5               |
| Proficiency training / test should be live not virtual                         | 3              | 0               | 0           | 1             | 0        | 0                       | 0               |
| A driver proficiency test would not serve any purpose for experienced drivers. | 6              | 3               | 7           | 1             | 0        | 0                       | 0               |
| Driving proficiency should be constantly tested                                | 6              | 0               | 0           | 0             | 0        | 0                       | 0               |
| <b>Base</b>  | <b>53</b>      | <b>10</b>       | <b>10</b>   | <b>3</b>      | <b>0</b> | <b>0</b>                | <b>5</b>        |

This proposal didn't elicit as many comments are other standard, but of those comments made, most were in general support and felt that it should be compulsory.

*"Driving proficiency tests - most drivers are ok, but I have come across several that I wonder how they ever passed a driving test. Some have total ignorance e.g. doing a 3 point turn on a busy main road at a blind junction is stupid, this happened to us in a taxi - nearly caused an accident -the taxi driver started shouting at the other innocent drivers calling them stupid." (Public, age 65-74, Trafford)*

*“Driver proficiency test. Driving standards need to be improved, there are currently many private hire vehicles driven badly, with seemingly little awareness of traffic laws, and a lack of consideration for other road users.” (Public, age 35-44, Bury)*

*“Drivers need to be taught how to drive a Taxi, not just a vehicle. It is a customer service industry. Poor local knowledge and a reliance on technology has severely lowered standards.” (Hackney Driver, Wigan)*

*“Driving proficiency should be constantly tested. Perhaps every 3 years or after complaints on their driving conduct.” (Public, age 25-34, Stockport)*

*“Driving proficiency tests. Applicants must have held a UK licence for a minimum of two years. Foreign and EU countries licences not acceptable to drive a PHV or taxi in the UK. A minimum of 45 minutes’ drive on a variety of road types plus several stops to alight as if requested by passengers. A safe reversing manoeuvre and three-point turn. Questions on the highway code, and some road signs. Must demonstrate ability to remain calm and focused whilst being questioned en route. No serious or dangerous faults allowable.” (Operator, Manchester)*

However, some drivers (10 in total) did comment that they did not feel the test was necessary:

*“With the use of Sat Nav is the knowledge test a necessity, especially considering most drivers reside within the vicinity. Driver proficiency is just unnecessary especially if a driver has more than 5+ years of driving experience” (PHV Driver, Trafford and outside Greater Manchester)*

*“Driving proficiency tests not ness just another pain in neck current driving licence enough.” (Hackney Driver, Wigan)*

Trafford Response:

| Standard                 | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|--------------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Driving Proficiency Test | 2              | 0               | 2           | 0             | 0          | 0                       | 0               |

Two of the respondents supported the proposals; and two respondents felt that a proficiency test would not serve any purpose for experienced drivers.

**Comments and considerations**

As this proposal is for new applicants only, Members have raised that the majority of the existing fleet of over 18,000 GM licensed drivers will not have undertaken this assessment and benefited from the knowledge provided in training. Members also

highlighted that such courses should be repeated at intervals (akin to other transport sectors) to realise the benefits for the travelling public but recognise the additional cost burden this would present to licensees at this challenging time. It is noted however that a proposal to implement the standard for existing fleets has not been consulted upon at this time and so due consideration will have to be given to this in the future if this is proposed.

However, as is the case currently, where a driver's proficiency is called into question (through complaints, officer observations and/or traffic related offences), it remains an option for authorities upon review of the driver's licence, to determine that the driver undertake a relevant proficiency course and assessment.

Fees for these tests average around £100 (for both theory and practical). Again, joint procurement is likely across GM for this policy area.

It is noted that the introduction of this standard across the board at this uncertain time for the trade may also further deter new and renewal applicants to GM authorities; who instead seek to find the easiest and cheapest route to being licensed elsewhere. As well as further risking licensing services cost recovery models; under the current national system, such drivers would continue to work and operate within GM anyway (thereby GM residents and visitors would not benefit from this standard in any event). Again, continued lobbying of government can seek to highlight and address this risk.

**Recommendation**

To implement the standard for new drivers at an agreed date in 2022, and utilise in licence reviews as appropriate with immediate effect.

To consider the implementation for existing drivers at a later date.

| <b>Driver Proposed Standard 6</b>   | <b>Trafford Current standard</b>  |
|---|---|
| <p><b>Driving Training*</b><br/>           It is proposed that all authorities require drivers to undertake training in the following areas as a minimum:</p> <ul style="list-style-type: none"> <li>- Safeguarding</li> <li>- Child Sexual Exploitation</li> <li>- Human Trafficking and County Lines</li> <li>- Disability and dementia awareness</li> <li>- Licensing Law</li> </ul> | <p>All applicants are required to undertake a Driver Induction Course which includes training in safeguarding, child exploitation, domestic violence and disability awareness; and licensing law.</p> |

## Reason for Proposal

The primary purpose of any training required for a licensed driver is to improve public safety. By ensuring that licence holders are aware of important issues related to their occupation as a public transport provider; ensuring they understand their responsibilities, the licensing regulatory regime, the requirements of their licence conditions and what role they play in identifying and reporting safeguarding issues and criminal activity.

As front facing services to the public, licensing authorities recognise the significant and positive role that licensees can play in supporting regulators to protect members of the public, by identifying and reporting concerns relating to safeguarding and criminality. Driver training builds on this recognition to ensure licensees are well placed in identifying relevant issues, knowing how to report and in turn supporting the public safety objective.

## Consultation Response

GM level response:

70 comments were made from general public respondents  
29 comments were made from trade respondents

| Standard        | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|-----------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Driver training | 70             | 9               | 7           | 1             | 2          | 0                       | 10              |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme                                   | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|---|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Additional training subjects should be included | 26             | 2               | 2           | 0             | 1        | 0                       | 5               |
| Any Driver Training should be optional          | 5              | 5               | 4           | 1             | 0        | 0                       | 1               |
| Safety needs improving for vulnerable groups    | 23             | 0               | 1           | 0             | 0        | 0                       | 2               |
| Driver behaviour needs improvement              | 13             | 0               | 0           | 0             | 1        | 0                       | 0               |
| Agree with driver training                      | 11             | 3               | 0           | 0             | 0        | 0                       | 4               |
| <b>Base</b>                                     | <b>70</b>      | <b>9</b>        | <b>7</b>    | <b>1</b>      | <b>2</b> | <b>0</b>                | <b>10</b>       |

Those making comments on this standard were mostly supportive or had additional suggestions to make with regards to improving the training. Safety, vulnerability, disabilities and additional needs were common threads.

*“Driver training to make drivers aware of peoples disabilities that should be obvious and treated as such. Basic driver courtesy of exiting the vehicle and assisting passenger with alighting the vehicle and also to any baggage that may be carried.” (Public, age 55-64, Tameside)*

*“Knowledge tests should also include the use of facilities and technology within vehicles as they relate to disabled people. This is absolutely crucial and should include the use of ramps and the level of gradient which should be as shallow as possible, howto provide assistance to disabled passengers to access the vehicle, howto secure passengers within the vehicle, including all types of wheelchairs and scooters and non-standards cycles, sometimes used by disabled people and provision of information to passengers about the licensing information of the drivers and vehicle.” (Organisation, Manchester Disabled People's Access Group)*

*“In driver training it should include training regarding impact on pedestrians of pavement parking.” (Public, age 35-44, Stockport)*

*“Driver training regarding vulnerable road users such as cyclists. I'm nearly hit daily by taxi drivers in Manchester while commuting.” (Public, age 25-34, Manchester)*

*“I was just going to say that disability covers so many different impairments and people can have multiple impairments, some of which are not obvious, as well as mental health and all these may be challenging for the driver. The driver's mental health should also be identified in there. It is also important to do training around speech impediments as a lot of drivers could identify somebody as drunk so yes, I think driver training is very important.” (User, Group 1)*

Amongst trade respondents, comments were very low again but those that did comment mostly felt the training should be optional:

*“I really don't think there is any need for existing drivers to have driver training, when you have been driving a taxi for a number of years, and dealing with challenging road users, and the safety of your passengers, as you do as a professional driver, and the longer you have done this profession, I really don't think there is any need for any other driver training, it would be a waste of resources.” (Hackney Driver, Wigan)*

*“It is waste of time to do all this on regular basis, people have been driving for years and they do not need any more training for driving a taxi, all they need is a driving licence and good record as a citizen.” (Hackney Driver, Oldham)*

Other comments made on the standard were:

*“Pretty much, yeah, I think they do like a day's training when you apply for a new badge, but they didn't apply it to existing badge holders, so I think now if you were applying you have to do like a half a day course of some kind. But when they brought it in, they didn't apply it to existing badge holders who have never done it. (PHV Driver, Rochdale)*

*“We’ve never heard of it. So, none of my drivers have had child safeguarding training. I’ve never had it. Yet in the new minimum standards proposals I’m supposed to be doing a DBS every single year, because I’m an operator.” (Operator, Trafford)*

*“The whole strategy for driver training should be centred around motivation to do well at the job and each training experience should leave a driver feeling positive and valued. Spending that bit extra finance if needed will be well worth it if these outcomes can be achieved. To raise standards in private hire in Greater Manchester I implore you to use the carrot as well as the stick. If drivers are attending training, whatever the subject, it can be made an enjoyable and attractive experience.” (Councillor, area not provided)*

**Trafford Response:**

| Standard        | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|-----------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Driver training | 9              | 0               | 1           | 0             | 0          | 0                       | 0               |

Several members of the public offered comments on driver training suggesting training is needed to improve safety (n=2), driver behaviour (n=2). Some suggested other subjects such as disability training (n=3).

*“lots more disability training please” (Public, age 25-34)*

*“The knowledge is a good thing. I also want to know that I’m safe when I leave home at present I’m not always sure” (Public, age 55-64)*

**Comments and considerations**

Most of the GM authorities already require driver training for all new applicants, and some have retrospectively delivered safeguarding training to their existing drivers. The proposal seeks to ensure a fully consistent approach for new applicants, embedding the key elements of safeguarding, exploitation and disability awareness into the requirements for a licensed driver in the region.

Whilst there is inevitably a cost associated to this requirement (whether delivered in house or by a third party provider), for most authorities it wouldn’t be additional to their current costs which already include this standard. There is again the risk that it may deter some applicants, but the risk of not requiring this training is considered to be much more significant to the travelling public. If delivered in house, this can be provided at a lower cost than some external courses on the market. The proposal did not elicit many comments from respondents and the majority made were in support.

Authorities are at liberty to consider if and how they may wish to introduce the standard for existing licence holders.

**Recommendation**

To implement the standard as proposed.

| <b>Driver Proposed Standard 7</b>  | <b>Trafford Current standard</b>                        |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
|--|---|-----------------|----------------|-----------------|-------------|-------------------------|-----------------|-------------------------|-----------------|------------|-----|----|----|---|---|---|----|
| <p><b>Dress Code</b><br/>         It is proposed that a dress code is introduced to promote an improved and positive image of the licensed trade across the region. The recommended code is attached as <b>Appendix 1</b></p>  | <p>No current requirement to adhere to a dress code</p> |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
| <b>Reason for Proposal</b>   |   |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
| <p>Licensing Authorities receive numerous complaints annually with regards to driver dress standards and related personal hygiene. In the worst examples, passengers have reported that drivers wearing shorts have had their private parts on display.</p> <p>Authorities are striving to achieve a higher standard of licensed driver fleet, and positive driver image for resident and visitor passengers is part of that standard of professionalism we aim to achieve. It is merely about drivers considering and reflecting on what they wear as a licensed driver and not about uniform.</p>  |   |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
| <b>Consultation Response</b>   |   |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
| <p><u>GM level response:</u></p> <p>102 comments were made from general public respondents<br/>         91 comments were made from trade respondents</p>   |   |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |
| <table border="1"> <thead> <tr> <th data-bbox="209 1720 352 1821">Standard</th> <th data-bbox="360 1720 528 1821">General public</th> <th data-bbox="536 1720 687 1821">Hackney Drivers</th> <th data-bbox="695 1720 815 1821">PHV Drivers</th> <th data-bbox="823 1720 975 1821">PHV Operators</th> <th data-bbox="983 1720 1118 1821">Businesses</th> <th data-bbox="1126 1720 1294 1821">Vehicle Leasing Company</th> <th data-bbox="1302 1720 1437 1821">Representatives</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 1832 352 1865">Dress Code</td> <td data-bbox="360 1832 528 1865">102</td> <td data-bbox="536 1832 687 1865">27</td> <td data-bbox="695 1832 815 1865">49</td> <td data-bbox="823 1832 975 1865">4</td> <td data-bbox="983 1832 1118 1865">0</td> <td data-bbox="1126 1832 1294 1865">1</td> <td data-bbox="1302 1832 1437 1865">10</td> </tr> </tbody> </table> |   | Standard        | General public | Hackney Drivers | PHV Drivers | PHV Operators           | Businesses      | Vehicle Leasing Company | Representatives | Dress Code | 102 | 27 | 49 | 4 | 0 | 1 | 10 |
| Standard   | General public  | Hackney Drivers | PHV Drivers    | PHV Operators   | Businesses  | Vehicle Leasing Company | Representatives |                         |                 |            |     |    |    |   |   |   |    |
| Dress Code   | 102   | 27              | 49             | 4               | 0           | 1                       | 10              |                         |                 |            |     |    |    |   |   |   |    |
| <p>This table breaks those comments down thematically across the respondent categories:</p>  |   |                 |                |                 |             |                         |                 |                         |                 |            |     |    |    |   |   |   |    |

| Comment Theme   | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|---|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Agree with dress code                                     | 21             | 2               | 2           | 1             | 0        | 0                       | 2               |
| A designated uniform is uncomfortable to drive in all day | 9              | 9               | 8           | 0             | 0        | 0                       | 3               |
| Disagree with a uniform (dress code)                      | 70             | 17              | 39          | 2             | 0        | 1                       | 5               |
| Cultural / religious attire should be permitted           | 2              | 0               | 0           | 0             | 0        | 0                       | 0               |
| Dress code should be decided by the firm                  | 1              | 0               | 0           | 1             | 0        | 0                       | 0               |
| <b>Base</b>   | <b>102</b>     | <b>27</b>       | <b>49</b>   | <b>4</b>      | <b>0</b> | <b>1</b>                | <b>10</b>       |

This proposal received a relatively high number of comments compared to some of the other standards. The majority of those that made comments (among both public and trade) disagreed with the idea of a 'uniform' stating it wasn't necessary or was uncomfortable. Comments made included:

*"Dress code as we are self-employed it is up to us what we wear as long as it is appropriate and not offensive" (PHV Driver, Tameside)*

*"I don't think there is need to change the dress code as long as the driver is dressed appropriately." (Hackney Driver, Manchester)*

*"I am worried about dress code because we the private hire drive or hackney drivers spend many hours sitting and driving so we wear a dress who we feel comfortable if there is dress code, I am afraid it can make us uncomfortable." (PHV Driver, Manchester)*

*"Dress code is very subjective and could put pressure on drivers who are already scrutinised and looked down on by the general public." (Public, age 25-34, Bolton)*

*"I don't really think dress code is that important. Taxi drivers should be allowed to wear whatever they want as long as it isn't offensive or inflammatory." (Public, age 18-24, Bury)*

*"Agree with all proposal except for Dress Code, which will have little benefit to the public." (Organisation, Brandlesholme Community Centre)*

*"I couldn't care less what my driver wears, if I'm honest. as long as it's not kind of, they look like they've just rolled out of bed, kind of thing." (User, Group 15)*

38 of the trade respondents that commented and disagreed with the proposal were from an Asian background.

Other comments received included:



*“Dress code; would make drivers look professional to visitors to the area plus I would be more confident in the driver.” (Public, age 55-64, Manchester)*

*“Well, I support the dress code. I think it’s broad enough, so if somebody’s wearing jeans it’s not a big issue, but if their personal hygiene is not good, then it would be an issue, so yeah.” (User, Group 1)*

*“It’s illegal to drive a private hire vehicle wearing shorts which are not below the knee. So, they’ve got to be knee length shorts. I know the licensing laws, it’s illegal to drive a taxi in flipflops. Yeah, half these drivers wouldn’t know, I’ve told drivers that in the past, being a manager, I’ve pulled people in saying you can’t wear that. You’re not meant to wear a football shirt when you’re driving a private hire vehicle either.” (Operator, Trafford)*

Trafford Response:

| Standard   | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Dress Code | 7              | 2               | 3           | 0             | 0          | 0                       | 0               |

Both the public (n=5) and taxi drivers (Hackney n=2, PHV n=1) made comments suggesting the dress code is not needed.

*“I believe we should be able to wear what we find comfortable to drive in. As long as we are not offending anybody.” (PHV driver)*

*“I strongly agree with all the points but for the dress code part. It should be clear that drivers are not required to wear formal wear. Neat polos or tshirts without print should be ok. And in summer, shorts.” (Public, age 25-34)*

**Comments and considerations**

Some of the comments elicited in the response suggest the respondents did not refer to the Appendix in the accompanying information booklet that outlined the proposed dress code, as there is reference to disagreeing with a ‘uniform’ and some respondents seem to be under the impression the dress code is prescriptive.

On the contrary, the outline dress code proposed does not seek to introduce a uniform or be overly prescriptive, but instead simply aims to make clear both for drivers and compliance officers what is deemed acceptable and what isn’t in a broad sense, to provide consistency across the board whilst respecting, for example, religious dress.

Therefore despite the fact that most of the comments made were in general disagreement with this standard, it is considered the concerns raised by those respondents are already addressed by the broad way in which the dress code is already

proposed. Having said that, alterations to the draft dress code are proposed in response to provide even further flexibility on what would be deemed as acceptable as follows:

***\*shirts can include t-shirt or polo shirt***

***\*tracksuits to be removed from the list of unacceptable sportswear (tracksuits will be acceptable as long as they adhere to the other conditions i.e. don't contain words or graphics that could be deemed as offensive, and clean, free from holes, rips or other damage)***

Dress code policies are not unique in GM and a number of Authorities already have them.

### **Recommendation**

To implement the standard as proposed.

| <b>Driver Proposed Standard 8</b>   | <b>Trafford Current standard</b>                |
|---|---|
| <p><b>Drug and Alcohol Testing</b><br/>It is proposed that a policy is developed to introduce testing for drivers based on complaints or intelligence received.</p>   | <p>No current policy or procedure in place.</p> |
| <p><b>Reason for Proposal</b></p> <p>Driving under the influence of drugs and/or alcohol poses a significant risk to the public and other road users. Other driving professions undergo testing in this regard and following discussions, the GM authorities felt this was an important policy area to consult upon in principle at this stage.</p> <p>It should be noted that Greater Manchester Police already act on concerns observed in the course of their general engagement with road users at large, but that this proposal will strengthen partnership working and ensure that any intelligence relating to substance misuse by licensees is acted upon consistently across GM as per the policy.</p> |   |
| <p><b>Consultation Response</b></p> <p><u>GM level response:</u></p> <p>31 comments were made from general public respondents<br/>18 comments were made from trade respondents</p>  |   |

| Standard                 | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|--------------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Drug and Alcohol Testing | 31             | 7               | 5           | 0             | 0          | 0                       | 6               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme  | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|--|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Agree Drivers should be regularly tested for drugs and alcohol | 29             | 6               | 3           | 0             | 0        | 0                       | 5               |
| Disagree with drug and alcohol testing                         | 0              | 1               | 1           | 0             | 0        | 0                       | 1               |
| Concern about abuse of the system                              | 2              | 0               | 1           | 0             | 0        | 0                       | 0               |
| <b>Base</b>  | <b>31</b>      | <b>7</b>        | <b>5</b>    | <b>0</b>      | <b>0</b> | <b>0</b>                | <b>6</b>        |

Few comments were received about this proposal in principle, but those that did comment were mostly in favour of the standard:

*“These are all good subjects. The drivers already go through these checks. The only one that is new is drink and drugs test which should be necessary and a must. A very good and positive step.” (PHV Driver, Bury)*

*“I agree with all these points. For a woman getting into a vehicle with someone she does not know is very risky and some people have taken advantage of women when they could perhaps be travelling home late at night. Taxi drivers should not have a criminal background and should be regularly tested for drugs and alcohol as they are providing a public service.” (Public, age 55-64, Trafford)*

The small number of negative views however raised concerns that the proposal was duplication of existing arrangements and about possible abuse of the system:

*“Drivers are already subject to drug and alcohol testing by the police. It is not acceptable for the trades to be subject to LA roadside drug and alcohol checks.” (Hackney Driver, Manchester)*

*“Drug and alcohol testing- DISAGREE the GM hackney trade is already subject to such testing by GMP.” (Unite the Union - Manchester Hackney Carriage)*

*“Drug and alcohol testing - what are the circumstances when this will be enforced? I hope it will not be just at the whim of a customer that makes a*

*complaint, there would need to be clear guidance or policy.” (Public, age 35-44, Manchester)*

*“Drugs and alcohol testing for drivers, it’s a good idea but can be open to abuse if only on complaint or anonymous report by people and passengers who have a personal issue with a driver due to other reasons can use this as a tool to abuse and cause unnecessary problem for that driver so I don’t agree with this proposal as bus drivers/tram drivers don’t get tested.” (PHV Driver, Manchester)*

During the qualitative in-depth interviews a handful of users expressed surprise the standard wasn’t already in place, but also suggested it may be difficult to enforce:

*“I’m quite shocked that the drug and alcohol one isn’t in place. Because that makes you kind of question whether or not, well should I be questioning now (the driver’s behaviour) when I get in the taxi.” (User, Group 2)*

*“It seems sensible to have a consistent policy in place for all involved, know what the process is for complaining etc.” (User, Group 2)*

*“I think it’s more problematic around drug testing. because, you know, it’s difficult enough to know whether somebody’s been taking certain kinds of drugs and you know, I mean there’s so many different effects of different kinds of drugs that can produce inappropriate behaviour of dangerous behaviour, but I think the police have difficulty in themselves, you know, if you’re on amphetamines, you know, that could have a bad effect, not just cannabis. It’s not just cannabis these days, is it, it’s other things.” (User, Group 1)*

Some drivers were open to increased monitoring and policing of this amongst drivers, but felt it was difficult when there are drivers from outside of the region.

*“If they brought back spot checks and just did, you know, I’d imagine drug and alcohol might be police rather than council, but if they just did a pull over at the side of the road, breathalysed you and did whatever you have to do for a drugs test, I think it’d be quite, you know, if they do it random or like you said, if the customer reports a driver thinking they smell alcohol and followed it up. Yeah, but I think the only problem is, a lady was once saying to me she wanted to make a complaint and I said, it was an out of area town, you know, I’ll use the example of Wolverhampton again, this lady, you know, they’re working in Trafford, so she contacted Trafford Council only to find that it was Wolverhampton she had to contact.” (PHV Driver, Trafford)*

Most drivers and operators felt this was a positive step and would encourage it to be monitored whilst a fair and clear process could be introduced.

Trafford Response:

|                 |                       |                        |                    |                      |                   |                                |                        |
|-----------------|-----------------------|------------------------|--------------------|----------------------|-------------------|--------------------------------|------------------------|
| <b>Standard</b> | <b>General public</b> | <b>Hackney Drivers</b> | <b>PHV Drivers</b> | <b>PHV Operators</b> | <b>Businesses</b> | <b>Vehicle Leasing Company</b> | <b>Representatives</b> |
|-----------------|-----------------------|------------------------|--------------------|----------------------|-------------------|--------------------------------|------------------------|

|  |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|
| Drug and Alcohol Testing   | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <p><i>One comment was made “I agree with all these points. For a woman getting into a vehicle with someone she does not know is very risky and some people have taken advantage of women when they could perhaps be travelling home late at night. Taxi drivers should not have a criminal background and should be regularly tested for drugs and alcohol as they are providing a public service.” (Public, age 55-64, Trafford)</i></p>  |   |   |   |   |   |   |   |   |
| <p><b>Comments and considerations</b></p>  |   |   |   |   |   |   |   |   |
| <p>This is an area that licensing authorities and Members have considered due to general feedback from members of the public and complaints concerning drivers who may be using or under the influence of drugs whilst driving.</p> <p>Other driving professions such as train, bus and HGV drivers already undergo regular drug and alcohol testing as part of the annual medical examination as well as random testing, and there is a clear argument that due to the public safety responsibility of licensed drivers there should be a similar policy in place.</p> <p>The Statutory guidance issued last year does not refer directly to random or targeted testing of existing fleet but does suggest that authorities should consider requiring new applicants who have had previous convictions for drugs related offences (that are outside of the conviction policy guidelines and therefore is eligible to be considered for a licence), to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.</p> <p>Any such policy would have to ensure it complied with HSE and ICO guidance on risk and data collection, and consider the following issues:</p> <ul style="list-style-type: none"> <li>• How testing will be targeted ensuring fairness and transparency</li> <li>• Frequency of testing</li> <li>• Who will deliver the testing</li> <li>• How data will be collected and held</li> </ul> |   |   |   |   |   |   |   |   |
| <p><b>Recommendation</b></p>   |   |   |   |   |   |   |   |   |
| <p>To develop a full policy proposal to be brought back to Members in 2022.</p>  |   |   |   |   |   |   |   |   |

|                            |                           |
|----------------------------|---------------------------|
| Driver Proposed Standard 9 | Trafford Current standard |
|----------------------------|---------------------------|

**Private Hire Driver Licence Conditions**

A set of proposed licence conditions for Private Hire Drivers are set out at **Appendix 2**.

The conditions cover a comprehensive set of expectations with regards to driver behaviour, including customer service and requirements on reporting.

The current conditions cover a comprehensive set of expectations with regards to driver behaviour, including customer service and requirements on reporting.

**Reason for Proposal**

Each local authority already has licence conditions for their private hire drivers, but they vary across the conurbation. The Licensing Managers Group reviewed their own conditions and collectively proposed a set of updated and revised conditions, with an enhanced focus on the expectations on drivers with regards to dealing with passengers, assisting those with disabilities and proactively reporting relevant matters to the licensing authority.

Specific new conditions were also proposed to tackle and deter the high volume of private hire drivers and vehicles (mirrored in the proposed Private Hire Operator and Vehicle licence conditions) seen in busier districts and town centres. Recent years have seen a proliferation of private hire drivers and vehicles at these locations as technological advances and business models mean that private hire vehicles can now be booked 'almost instantly'. Whilst legislation still makes a clear distinction between Hackney Carriages that can be hailed for immediate hire on the street, and private hire vehicles that still require that a pre-booking to be made via a licensed Operator; the general public often have no awareness of the difference or requisite process ... as such we now often have an environment where private hire drivers plot and circle around busier locations pre-empting demand, but also taking advantage of the often chaotic conditions created by high levels of congestion and confusion as passengers just want to get home. Pre-pandemic, the private hire sector saw high levels of over supply with numerous operators and drivers competing for the same finite business; an environment in itself creating an impetus for illegally plying (drivers offering fares outside of the booking process to undercut competitors) and often creating unsafe driving conditions in heavily pedestrianised and congested areas as private hire vehicles often double park and stop and wait in contravention of traffic orders in order to get as close as possible to prospective customers. In addition, the high volume of plotting and circling around districts and town centres creates more unnecessary emissions.

Without substantial proactive compliance, private hire drivers can be present in busier areas, appearing available for hire, and effectively plying their trade as such. This has had a significant impact on the Hackney Trade in recent years who (in most districts) pay a premium for purpose built accessible vehicles and the ability to ply their trade on ranks (depending on the authority's fee model, costs associated with providing for the Hackney rank provision and marshalling can be added to the costs used to calculate the relevant fee). Many less scrupulous drivers take advantage of this environment, illegally plying for hire and picking up un-booked fares. Furthermore, in busier areas and particularly busy night-time economies, this also creates an environment where drivers with ill intent or unlicensed drivers are more easily able to pick up vulnerable people.

In the absence of national legislative reform on this issue, the proposed conditions seek to help alleviate some of the harm and risk caused by this behaviour, by requiring drivers who do not have a booking to plot or wait away from busy and high footfall locations and away from designated ranks. It has been previously determined that it is not possible to require private hire drivers and vehicles to return to base on completion of a job, and authorities recognise that private hire operators will reasonably wish to ensure that their customer base are better serviced by having drivers and vehicles available in fairly close proximity to expected demand.

## Consultation Response

### GM level response:

5 comments were made from general public respondents

4 comments were made from trade respondents

| Standard                       | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|--------------------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Private Hire driver conditions | 5              | 1               | 2           | 0             | 0          | 0                       | 1               |

This table breaks those comments down thematically across the respondent categories:

| Comment Theme  | General Public | Hackney Drivers | PHV Drivers | PHV Operators | Business | Vehicle Leasing Company | Representatives |
|--|----------------|-----------------|-------------|---------------|----------|-------------------------|-----------------|
| Agree with PHV conditions  | 3              | 1               | 0           | 0             | 0        | 0                       | 1               |
| It is unfair to standardise hackney and PHV drivers but have their work classified differently | 2              | 0               | 2           | 0             | 0        | 0                       | 0               |
| Other  | 25             | 2               | 4           | 1             | 1        | 0                       | 1               |
| Comments about CAP   | 1              | 1               | 2           | 0             | 0        | 0                       | 1               |
| <b>Base</b>  | <b>31</b>      | <b>4</b>        | <b>8</b>    | <b>1</b>      | <b>1</b> | <b>0</b>                | <b>3</b>        |

Very few comments were received about the proposed Private Hire licence conditions.

One organisation feared if conditions were too onerous then drivers would leave Greater Manchester.

*“Private hire driver conditions - AGREE but fear that if PHV driver standards are too restrictive they will shop elsewhere under cross-border legislation.” (Unite the Union -Manchester Hackney Carriage)*

*“All of these changes are welcome, however there needs to be parity between taxis and private hire vehicles. It is unfair to standardise them but have their work be classified differently. I pay more in a Hackney cab and they can use the bus lane, however whilst in a private hire they cannot charge waiting time but cannot use the bus lane. There needs to be standardisation across the travel industry. Private hire taxi drivers should be allowed to use bus lanes in the same way as in other cities such as Sheffield.” (Public, age 25-34, Salford)*

**Trafford Response:**

| Standard                       | General public | Hackney Drivers | PHV Drivers | PHV Operators | Businesses | Vehicle Leasing Company | Representatives |
|--------------------------------|----------------|-----------------|-------------|---------------|------------|-------------------------|-----------------|
| Private Hire driver conditions | 0              | 0               | 0           | 0             | 0          | 0                       | 0               |

No additional local comments were received.

**Comments and considerations**

There is a risk as raised by one respondent that stricter conditions will motivate private hire drivers to get licensed outside of GM but continue to work in the area anyway. This is the case for many of these proposals as identified at the beginning of the report, and will require strong representations to be made to government to highlight this risk to authorities seeking to raise the bar in taxi and private hire licensing.

Many of the licence conditions proposed already exist in one form or another across the conurbation with regards to driver conduct and administrative responsibilities. It is considered that those that don't already exist are critical to assisting authorities tackle the negative impacts of sub-contracting.

**Recommendation**

To implement the standard as proposed.