



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Taxi and private hire vehicles licensing guidance: integrated impact assessment

A summary of how taxi policy alignment will impact on a number of areas.

First published: 20 July 2021

Last updated: 20 July 2021

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

# Contents

[What action is the Welsh Government considering and why?](#)

---

[Conclusion](#)

---

[Children's rights impact assessment](#)

---

## What action is the Welsh Government considering and why?

### Background

Taxis (also known as hackney carriages) and private hire vehicles (PHVs) are a vital form of public transport. They deliver a practical door to door transport solution. They provide an essential service to the following:

- people living in rural communities where other forms of public transport are insufficient
- people using the night-time economy
- passengers with mobility issues

They also play an important role in facilitating social inclusion.

The current legislation relating to taxis and PHVs is out of date, with the main legislative dating back to 1847 and 1976. The legislation allows flexibility around the content of policies and licence conditions. This has contributed to inconsistent policies, standards and conditions across England and Wales.

There are approximately 5,000 licensed taxis, 5,400 private hire vehicles and 12,000 licensed drivers in Wales.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

It is clear that the taxi and PHV industry is progressing and adapting faster than the legislation governing it. The introduction of app-based booking and hailing systems has made it quicker and easier for customers to hire vehicles. In some areas this has led to an increase in the prevalence of 'out of town' vehicles and has highlighted the inconsistencies in licensing standards across Welsh local authorities.

In December 2018, Welsh Government published the White Paper 'Improving Public transport'. The consultation focused on four proposals:

1. The creation of National Standards to address the variation in taxi and PHV standards across Wales
2. The extension of enforcement powers to allow local authority officers to take enforcement against any taxi/PHV operating in their area
3. The establishment of effective information sharing protocols for the purposes of safeguarding
4. The possible redirection of taxi and PHV licensing functions away from local authorities and towards a Joint Transport Authority (JTA)

The **responses to the consultation** show strong agreement to proposals one to three. Proposal four was the least popular with local authorities and taxi/PHV trade representatives. Of the 402 responses to this proposal, only 17% answered 'yes' they would agree to licensing functions being redirected to a JTA.

In July 2019, Minister for Economy, Transport and North Wales, Ken Skates AM, made a **written statement** in response to the White Paper consultation. He accepted there was general support for the proposals 1-3, but agreed there was strong feeling that plans did not go far enough to address the challenges faced by the industry and regulators. As a result the Minister stated that the taxi and PHV proposals would be developed further.

It was accepted that 'quick fixes' could improve some of the current issues. It is intended that the policy recommendations contained within the 'Guide to harmonisation of taxi and private hire vehicle licensing in Wales' document (referred to throughout this document as the 'guide') could be adopted by local authorities without needing legislative change, and would provide a means of

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

improving consistency and licensing standards in Wales.

The guide has been developed by representatives of Welsh Government, the Welsh Local Government Association (WLGA) and local authority representatives of the All Wales Licensing Expert Panel.

The recommendations detailed in Part 2 of the guide are designed to:

- improve public safety
- provide more consistent licensing standards across Wales
- facilitate effective enforcement
- improve the experience
- improve customer accessibility

A summary of the recommendations includes:

- standard private hire driver licence conditions
- standard private hire operator licence conditions
- Hackney Carriage/Private Hire Driver Code of Conduct – the current legislation doesn't allow conditions to be attached to hackney carriage driver licences. This code will be used to assist local authorities in determining whether a driver is 'fit and proper'. It states standard of service and behaviour expected of licensed drivers.
- all local authorities will request that drivers have an enhanced DBS check (including barred list check) every 3 years. Drivers will also be required to sign up to the DBS Update Service so that checks can be undertaken every 6 months.
- applicants/drivers that have spent more than 6 continuous months or more overseas since their tenth birthday will be required to provide a criminal record check or in the absence of a suitable check, a certificate of good conduct from each country.
- a standard CCTV specification will be introduced for proprietors wishing to install CCTV in their vehicles on a voluntary basis
- standardised medical checks. The medical check must be undertaken by the applicant's GP or a GP that access to their full medical history. A standard form will be required by all local authorities
- where there is evidence of large numbers of 'out of town' vehicles operating

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

in an area, the local authorities will work with neighbouring authorities to joint authorise officers. E.g. Cardiff enforcement officer will be authorised so that they can take any necessary enforcement action against Newport vehicles working in Cardiff.

- all local authorities will require applicants for driver licences to watch the safeguarding video developed by Powys. Questions on the video will be incorporated into local knowledge tests: [Safeguarding Training - Wales](#)
- a driver dress code will be adopted –the code is not too prescriptive but prohibits dirty, damaged clothing, flip flops etc
- a consistent approach to Equality Act medical exemption applications

For the recommendations contained within the guide to take effect, a local authority would need to amend their statement of taxi/PHV licensing policy to adopt the relevant provisions. It should be noted that local authority taxi/PHV policies vary across the country so the extent of the impact of any changes to local authority policies will be down to the existing variations (between the exiting policy and the guide) and local demographics.

Local authorities may choose to adopt all, some, or none of the recommendations in the guide, however it is anticipated that there will be consistent adoption of the guide across Wales in order to achieve its aims.

## Long term

Taxi and PHV Licensing is devolved to Welsh Government under the Wales Act 2017, and Welsh Government has made a commitment to developing new licensing legislation.

The guide is seen as a ‘quick fix’ to some of the existing problems with taxi/PHV licensing legislation, that will improve consistency and standards until new regulations are introduced.

In July 2020 the Department for transport (DfT) published the [Statutory Taxi and Private Hire Vehicle Standards](#) (the ‘standards’), issued under the [Policing and Crime Act 2017](#). The standards will apply in Wales until such time Welsh Government legislates on the matters contained within the standards.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

Adoption of the recommendations within the guide will assist local authorities in achieving compliance with the standards. If a local authority decides not to implement the recommendations they will still need to ensure compliance with the standards.

Under the standards local authorities are required to review their licensing policies every five years, with interim reviews when considered necessary. Adoption of the recommendations will trigger a review of a local authority's licensing policy.

Presently licensing policies across Wales vary greatly in terms of pre-licensing requirements and licence conditions. Welsh Government's long term aim is to have one set of national licensing standards applied uniformly across Wales. The guide is a stepping stone to achieving a more consistent approach within the constraints of the existing licensing legislation. The long term aim to achieve consistent national licensing standards for drivers, vehicles and operators.

## Prevention

The consequence of various licensing policies across Wales means that there are varying degrees of public safety standards. The main purpose of licensing is to protect the public through ensuring licensed drivers, vehicles and operators are safe and suitable.

In March 2016, the Home Office published its **Modern Crime Prevention Strategy**. As part of the Strategy, the UK Government has committed to remove opportunities for criminals to commit child sexual abuse and violence against women and girls, by working with local areas to introduce rigorous taxi and private hire licensing regimes.

Both the **Independent inquiry into child sexual exploitation in Rotherham (1997 - 2013)** (Jay Report) and **The Casey Review: a review into opportunity and integration** (Casey Report) reports on child sexual exploitation in Rotherham highlighted examples of taxi drivers being linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited in

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

exchange for free taxi rides.

The Casey Report made it clear that weak and ineffective arrangements for taxi licensing had left the public at risk. In response to the reports and in contribution to the Home Office's Modern Crime Reduction Strategy, which resulted in the DfT's publication of its **statutory standards for local authorities for the licensing of taxis and private hire vehicles**.

The **Welsh Government National Action Plan Preventing and Responding to Child Sexual Abuse (June 2019)** stated that more could be done across Wales in terms of consistent arrangements for safeguarding training for taxi drivers.

In 2017 a Task and Finish Group, independently chaired by Professor Mohamed Abdel-Haq was established, and **published a report in 2018**. The report included a number of recommendations aimed at improving passenger safety, including the need to legislation for national minimum standards of taxi/PHV licensing across the country.

In light of the need to improve safety standards and consistency of licensing requirements, work with colleagues in the WLGA and representatives of the licensing authority regions across Wales was undertaken to identify areas of taxi/PHV licensing policy that could be standardised and improved without undue cost to local authorities or the taxi and PHV industry. These areas would form part of the guide. This is seen as a starting point for the long term aim of introducing national licensing standards through legislation.

In Welsh Government's Improving Public Transport consultation, **99% of respondents** were in favour of national standards, and comments in support of the proposal included that it would improve consistency and ensure public safety.

One of the problems that was reported in response to the consultation was that of cross-border hire. Cross border hire refers to the legal practice of taxis and PHVs operating frequently in an area other than the local authority in which they are licensed. This is more common in areas of high demand for licensed vehicles such as cities and large towns. A **report produced by Transport for**

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

**London** (TfL) on cross border hiring highlighted problems caused by the practice such as public safety concerns, an increase in complaints, undermining of local licensing requirements and problems with enforcement. The recommendations of the report included:

1. Introduction of a start or finish requirement, meaning that all taxi and private hire journeys either start or end in the area in which the driver and vehicle (and operator in respect of private hire) are licensed.
2. National minimum standards set at a high level, to provide a consistent approach to customer safety and accessibility.
3. National enforcement powers, to allow enforcement officers to enforce the national minimum standards in their areas regardless of where the operator, driver and vehicle are licensed, supported by a provision for data sharing.
4. We would also recommend that the impact of these issues in Scotland and Wales are considered by the respective Governments, as not to undermine any future requirements to address cross border hiring in England.

It is anticipated that the more consistent approach to licensing policies and cross border enforcement protocols included in the guide will go some way in reducing some of the problems that are associated with cross border working, as recommended by both the TfL and Task & Finish Group reports.

## Integration

Recommendations within the guide support Welsh Government's Prosperity for All - our National Strategy, well-being objectives

Theme	Relevant wellbeing objectives	Recommendations with guide
Prosperous and secure Our aim is to drive a Welsh economy which spreads opportunity and tackles inequality, delivering	Objective 1: Support people and businesses	Each of Wales' 22 local authority currently has a different taxi/PHV licensing policy, harmonising policy areas through adoption of

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

<p>individual and national prosperity. We will enable people to fulfil their ambitions and enhance their well-being through secure and sustainable employment. We will break down the barriers many face to getting a job, and create the right environment for businesses to grow and thrive.</p>	<p>to drive prosperity</p> <p>Objective 2: Tackle regional inequality and promote fair work</p>	<p>the guide will create a more level playing field for the taxi and PHV industry operating in Wales.</p> <p>One of the causes of cross border hire is applicants applying to local authority areas with the lowest licensing requirements and working elsewhere, more consistent requirements could reduce this problem.</p>
--	---	---

Theme	Relevant wellbeing objectives	Recommendations with guide
<p><b>Ambitious and learning</b></p> <p>Our aim is to instil in everyone a passion to learn throughout their lives, inspiring them with the ambition to be the best they possibly can be. A prosperous Wales needs creative, highly skilled and adaptable people, so our education from the earliest age will be the foundation for a lifetime of learning and achievement</p>	<p>Objective 8: Build ambition and encourage learning for life</p> <p>Objective 9: Equip everyone with the right skills for a changing world</p>	<p>The guide includes proposals for training for prospective licensed drivers on safeguarding issues. Licensed drivers can often be the eyes and ears of a community. Training can be important in assisting licensed drivers in recognizing when they carrying passengers at risk of abuse and exploitation.</p> <p>The training will expand an applicant's knowledge and understanding around areas such as child sexual exploitation, vulnerability, people trafficking and county lines.</p>

Theme	Relevant wellbeing objectives	Recommendations with guide
<p><b>United and connected</b></p>	<p>Objective 11:</p>	<p>The guide aim to increase public</p>

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

---

Our aim is to build a nation where people take pride in their communities, in the Welsh identity and language, and in our place in the world. We are building the vital links that make it easier for people to come together, for the economy to grow, and for us to become a confident nation at ease with itself

Deliver modern and connected infrastructure.  
Objective 12: Promote and protect Wales' place in the world

safety through introducing procedures to ensure that applicants and licence holders are safe and suitable individuals e.g. DBS requirements, medical standards, suitability criteria policies. In addition measures such as the driver code of conduct and driver dress code aims to increase professionalization of the industry

This will ensure that taxis and PHVs continue to be a safe and suitable mode of public transport for people in Wales.

---

In addition, as previously stated, the guide also mirror many of the recommendations of the DfT's Standards and provide local authorities with policy wording to achieve compliance.

## Collaboration and involvement

Under the current licensing legislation, local authorities are responsible for drafting their own taxi/PHV licensing policies.

In drafting the guide, representatives from each region of the All Wales Licensing Expert Panel (LEP) and the Welsh Local Government Association (WLGA) worked with Welsh Government to determine policy areas that could be improved and could be adopted with a consistent approach.

The guide was also circulated to representatives of all 22 local authorities in Wales via the All Wales Licensing Expert Panel.

As with all policy changes, local authorities will be required to carry out their own consultation with relevant stakeholders prior to making policy changes to reflect the measures within the guide.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

As each local authority currently has a different licensing policy they will need to assess if and how any changes made in line with the guide, impacts their relevant stakeholders, including the taxi/PHV industry and members of the community.

## Impact

It is intended that consistent adoption of the guide across Wales would achieve the following outcomes:

- the main purpose of a licensing regime is to protect the public. It aims to ensure that drivers, operators and vehicles are safe and suitable to transport the public. The proposed measures will improve public safety through adoption of pre-licensing requirements, licence conditions for drivers and operators and changes in policy. Measures aimed at improving public safety include: the requirement of drivers to undertake vulnerability training; mandatory use of the DBS Update service for drivers; an approved CCTV specifications; local authorities to use the national refusal/revocation database; improved licence conditions for drivers and operators; standardised driver medical requirements.
- adoption of the guide will provide a more consistent approach to licensing across Wales. This will make it fairer for the taxi/PHV industry and may address some of the causes of cross border hire.
- enforcement may become more effective through adoption of cross boundary authorisation protocols and consistent licence conditions will make enforcement simpler.
- the guide may contribute to improvements in accessibility by ensuring that only drivers with genuine medical exemptions may be exempt from their duties to disabled passengers under the Equality Act 2010. Also a new conditions requiring proprietors of wheelchair accessible vehicles to ensure that drivers know how to deploy ramps and secure a wheelchair may contribute to less incidents of drivers refusing to passengers in wheelchairs or securing wheelchair incorrectly.
- the guide could have an impact on customer service as they recommend a standard code of conduct for licensed drivers and dress code, which should contribute to professionalising the industry. Licence conditions will also

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

address matters such as customer compliant procedures and record keeping.

The guide do not provide local authorities with new powers, nor does the guide advise local authorities how they should write or review their statement of licensing policies. It does provide combined best practice and suggested policy wording to improve the safety and suitability of taxis, PHVS, operators and drivers, as well contributing to compliance of the recommendations within DfT Standards. Through supplying standard policy wording and licence conditions it provides for a more consistent approach to licensing requirements.

The true impact of adopting all measures within the guide in each area will be dependent on the extent of the changes to existing policies and the demographics of the relevant stakeholders within that area. Local authorities should therefore carry out their own impact assessments when proposing any changes to their taxi/PHV policies.

Local authorities should have regard for the guide, but may choose not to adopt any recommendations that they believe would adversely impact the local authority or relevant stakeholders, depending on local conditions. Welsh Government will work with local authorities to maximise adoption of the recommendations of the guide in order to achieve the objectives of the guide i.e. to increase licensing standards and consistency across Wales.

Where local authorities decide not to adopt the recommendations we will work with those authorities to determine reasons and assess potential impacts.

## Costs and savings

Local authorities are **required to publish a documented taxi and PHV licensing policy**, which must be reviewed periodically. Adoption of the guide will require local authorities to undertake a formal review of their Policy.

Within the limits of statute (Local Government (Miscellaneous Provisions) Act 1976), local authorities are able to recover the cost for the administration and issue of taxi and PHV licence services (including policy setting), through licence

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

fee revenue.

Initially there may be an increase in enforcement costs to local authorities as they ascertain the level of compliance with the new measures. However, in the longer term, a more consistent approach to licensing across Wales and improved standards, may realise savings in terms of enforcement costs.

As previously stated, the guide is designed to be cost effective ahead of any future legislative change. Each measure has been considered individually to ensure it does not result in excessive cost to either the local authority or the taxi and PHV industry.

The cost implications of adoption of the recommendations within the guide will vary across local authorities depending on the content of their existing policies and administrative processes. Local authorities should make an assessment of these costs when reviewing their policies. Where necessary, changes to licence fees may be required when they are next reviewed by the licensing authority.

## **Mechanism**

The guide has no legal status, but is a collaborative approach between Welsh Government, the WLGA and local authorities in Wales to improving licensing standards and consistency of requirements across wales.

The decision to adopt any of the recommendations within the guide is a decision for each local authority.

Taxi regulations is a devolved matter. The guide is considered to be a stepping stone to improving licensing standards and consistency ahead of legislative change.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

# Conclusion

## How have people most likely to be affected by the proposal been involved in developing it?

The guide has been developed by representatives of Welsh Government, the Welsh Local Government Association (WLGA) and local authority representatives of the All Wales Licensing Expert Panel.

In December 2018, Welsh Government published the White Paper 'Improving Public transport'. The consultation, which sought views on creating national standards for taxi and PHV licensing across Wales. The consultation **responses** included submissions from the taxi and PHV industry, local authorities and other stakeholders such as Disability Wales, the Children's commissioner, and guide Dogs Cymru, and should strong support for this proposal with 99% of respondents in favour.

The guide aims to be a stepping stone to achieving consistent national standards without legislative change, therefore the responses of the previous consultation have been taken into account when drafting the guide.

It is proposed that when further work is undertaken to develop one set of national standards (as part of future legislative change), extensive engagement with all relevant stakeholders will be completed as part of that process.

The full impact of adopting the recommendations within the guide will be different in each local authority areas due to the current differences in licensing policy. To assess this impact accurately, local authorities would need to undertake their own impact assessments

## What are the most significant impacts, positive and negative?

The most significant impacts of adoption of the recommendations within the guide are those on local authorities and existing taxi and PHV licence holders.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

The recommendations are intended to achieve a more consistent to licensing requirements across Wales, whilst improving standards of public safety. This in turn should result in a more 'even playing field' for the taxi and PHV industry, and improvements in standards will be experienced by consumers.

There may also impact positively on taxi/PHV disabled passengers, as the recommendations include a more consistent approach to Equality Act exemption certificates and improvements around licence conditions for wheelchair accessible vehicles.

The guide contributes to delivering the goals of the Well-being and Future Generations (Wales) Act 2015, with a focus on a more equal, healthier and resilient Wales.

Depending on the content of licensing authorities existing licensing policies, there may be need for local authorities to make administrative changes to their processes, which could result in changes to licence fees. It unknown whether the proposals will result in any efficiency savings or would incur additional cost to the local authority. Each local authority would need to undertake their own assessment of this, in comparison with their existing policy.

## **In light of the impacts identified, how will the proposal:**

- maximise contribution to our well-being objectives and the seven well-being goals; and/or,
- avoid, reduce or mitigate any negative impacts?

The guide has been developed with reference to the requirements of the Well-being and Future Generations (Wales) Act 2015, to ensure measures within the guidance contribute to the seven well-being goals.

Adoption of the recommendations within the guide across the local authorities in Wales would achieve the following outcomes:

- a more consistent approach to licensing across Wales (fairer for the taxi/ PHV industry)

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

- improved public safety
- a more consistent approach to enforcement
- improvement in accessibility for disabled passengers
- improved customer service

To maximise promotion of the well-being goals the recommendations within the guide should be adopted consistently by all 22 of the local authorities in Wales. To ensure this, Welsh Government will continue to work closely with the WLGA and local authorities to increase uptake of the measures.

## **How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?**

Welsh Government will continue to meet regularly with representatives of the WLGA and local authorities to discuss adoption of the measures.

The guide contain a number of recommendations that are duplicated in the Department for Transport's (DfT) **Statutory Taxi and Private Hire Vehicle Standards**. The Minister for Economy, Transport and North Wales, will write to the UK Secretary of State for Transport, to advise that as taxi regulation is devolved under the Wales Act 2017, Welsh Government will monitor compliance of both the guide and DfT Standards in order to achieve compliance.

Welsh Government will work directly with any local authorities that are not achieving compliance, and identify any obstacles to achieving full adoption of the recommendations.

## **Children's rights impact assessment**

All completed Children's Rights Impact Assessments must be sent to the [CRIA@gov.wales](mailto:CRIA@gov.wales) mailbox

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

## Describe and explain the impact of the proposal on children and young people

The 'Guide to harmonisation of taxi and private hire Vehicle licensing in Wales' has been developed in conjunction with the WLGA and local authorities to provide a 'quick fix' to some of the current issue with taxi/PHV licensing. Recommendations in the guide can be adopted by local authorities as a means of improving consistency and licensing standards in Wales.

The recommendations detailed in Part 2 of the guide are designed to:

- improve public safety for all passengers
- provide more consistent licensing standards across Wales
- facilitate effective enforcement
- improve the passenger experience
- improve customer accessibility

A summary of the recommendations includes:

- standard private hire driver licence conditions
- standard private hire operator licence conditions
- Hackney Carriage/Private Hire Driver Code of Conduct – the current legislation doesn't allow conditions to be attached to hackney carriage driver licences. This code will be used to assist local authorities in determining whether a driver is 'fit and proper'. It states standard of service and behaviour expected of licensed drivers.
- all local authorities will request that drivers have an enhanced DBS check (including barred list check) every 3 years. Drivers will also be required to sign up to the DBS update service so that checks can be undertaken every 6 months.
- applicants/drivers that have spent more than 6 continuous months or more overseas since their tenth birthday will be required to provide a criminal record check or in the absence of a suitable check, a certificate of good conduct from each country.
- a standard CCTV specification will be introduced for proprietors wishing to install CCTV in their vehicles on a voluntary basis

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

- standardised medical checks. The medical check must be undertaken by the applicant's GP or a GP that access to their full medical history. A standard form will be required by all local authorities
- Where there is evidence of large numbers of 'out of town' vehicles operating in an area, the local authorities will work with neighbouring authorities to joint authorise officers. E.g. Cardiff enforcement officer will be authorised so that they can take any necessary enforcement action against Newport vehicles working in Cardiff.
- all local authorities will require applicants for driver licences to watch the safeguarding video developed by Powys. Questions on the video will be incorporated into local knowledge tests: **Safeguarding Training - Wales**
- a driver dress code will be adopted –the code is not too prescriptive but prohibits dirty, damaged clothing, flip flops etc
- a consistent approach to Equality Act medical exemption applications

The guide has been developed with due regard to The Rights of Children and Young Persons (Wales) Measure 2011 and The United Nations Convention on the Rights of the Child (UNCRC).

Both the **Independent inquiry into child sexual exploitation in Rotherham (1997 - 2013)** (Jay Report) and **The Casey Review: a review into opportunity and integration** (Casey Report) reports on child sexual exploitation in Rotherham highlighted examples of taxi drivers being linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited in exchange for free taxi rides. To address this the Policing and Crime Act 2017 enabled the Secretary of State for Transport to issue statutory standards to local authorities.

In July 2020 Department for Transport (DfT) published its **Statutory Taxi and Private Hire Vehicle Standards**, with the objective of mitigating, as far as practicable, the risk to children and vulnerable adults when using taxis and private hire vehicles. The Standards will apply in Wales until such time that Welsh Government introduces new legislation that covers these matters.

Many of the recommendations of the DfT standards are mirrored in the guide, such as the requirements for criminal record checks on drivers to be carried out

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

every 6 months, and adoption of the Institute of Licensing's **guidance** on determining the suitability of applicants for taxi and private hire licences.

In response to Improving Public Transport White Paper, the Children's Commissioner for Wales (CCfW) highlighted the importance of safeguarding matters in the revisions to taxi licensing systems, especially in light of the national scandals. The CCfW recognised that not all local authorities require drivers to undertake safeguarding training as part of their application, and that taxi drivers should be supported to understand the concerns and warning signs that they should look out for.

These concerns have been addressed within the guide as it recommends that all local authorities in Wales adopt safeguarding training based around the video produced by local authorities and police colleagues in the Dyfed Powys area: **Safeguarding Training - Wales**.

It is anticipated that this training should help licensed drivers to identify and report when children and vulnerable adults are at risk of sexual exploitation, violence, county line and trafficking.

The CCfW response also refers to the proposals to create a safeguarding database. A National Register of Taxi Licence Refusals and Revocations, known as the NR3 database has already been commissioned by the **Local Government Association** and administered by the National Anti-fraud Network (NAFN). The database is currently voluntary, however its use is recommended in the guide as well as the DfT's statutory standards. Consistent use of the database across Wales would increase public safety, including children and young people, as unsuitable applicants/licence holders that are refused or revoked by one authority, would not be able to obtain a licence in another local authority area without that authority having that relevant knowledge of their background. For example without use of the database across the country a driver could be revoked in one local authority for inappropriate behaviour following complaints from members of the public, but the individual may still have a clean DBS certificate. Without checking the NR3 database another authority may licence that individual as they wouldn't have that relevant information unless it was volunteered by the applicant.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

# Explain how the proposal is likely to impact on children's rights

The recommendations within the guide will contribute to the following Rights of Children:

Recommendations within the guide	Rights of children under the UNCRC
Driver applicant safeguarding training – this will give drivers the necessary support and knowledge required to recognise and report safeguarding concerns.	Article 3 –best interest of the child-
Seven out of the 22 local authorities in Wales currently do not require applicants for taxi/PHV licence to undergo safeguarding training. <b>Taxis, private hire vehicles and their drivers (TAXI)</b>	Article 11 - abduction and non-return of children
The proposed training covers areas such as violence, child sexual exploitation, trafficking, county lines, Prevent-Counter Terrorism. In the training individuals will learn what is safeguarding, how to recognise people who are vulnerable, how to report concerns and how to protect themselves. should assist licence drivers in recognising where children/young people may be at risk, and provides them with information on what action they should take in such circumstances	Article 19 –protection from violence, abuse and neglect
	Article 33- drug abuse
	Article 34- sexual exploitation
	Article 35 -abduction, sale and trafficking

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

Recommendations within the guide	Rights of children under the UNCRC
----------------------------------	------------------------------------

Proposed licence conditions will require proprietors of wheelchair accessible vehicles to demonstrate to drivers how to correctly deploy access ramps and secure wheelchairs safely. This should assist drivers in ensuring they know how to meet the needs of children in a wheelchair.

Article 23- disabled children

A standardised procedure for medical exemptions under the Equality Act 2010 should ensure that only drivers with valid reasons are exempt from their duties to disabled passengers under the Act. The procedure will ensure that all drivers undertake their equality Act duties (including to children and young persons) unless they have a genuine medical exemption

Recommendations within the guide	Rights of children under the UNCRC
----------------------------------	------------------------------------

The following recommendations should contribute to ensuring applicants that pose a risk to the public, including children and young people, cannot obtain a licence:

Article 3 –best interest of the child

- Consistent use of the NR3 database should ensure that unsuitable applicants do not obtain a licence in other local authority areas. To date around a quarter of local authorities in Wales have not implemented the NR3 register.
- Adoption of the Institute of Licensing’s Safe and Suitable criteria will provide a consistent approach across Wales to ensuring only individuals that are considered ‘safe and suitable’ are able to obtain a licence.
- Six monthly enhanced DBS checks (including barred lists) will help to ensure that licence holders remain safe and suitable.

Article 19 –protection from violence, abuse and neglect

The limitation of the guide is that it is non-statutory as Welsh Government does not currently have powers to issue mandatory guidance in respect of taxi and PHV licensing functions. However, local authorities will still be required to have regard to the guide when amending their licensing policies. This could result in

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

differences in the policy requirements covered in the guide still persisting in parts of Wales. However further consideration will be given to the impact on children and young persons under any future legislative proposals.

As previously stated, the extent of any impact will be dependent on the content of existing licence policies in each local authority area and the degree of change required to implement the recommendations within the guide. Local authorities should undertake their own impact assessments when making amendments to their licensing policies.

Welsh Government will continue to work with local authorities to monitor the adoption of the recommendations within the guide until such time new licensing legislation is introduced. Extensive consultation and consideration of the needs and views of children and young people will be included in any legislative proposals.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).

## About this document

This document is a copy of the web page [Taxi and private hire vehicles licensing guidance: integrated impact assessment](#) downloaded.

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment-html> for the latest version.

This document may not be fully accessible, for more information refer to our [accessibility statement](#).

Get [information on copyright](#).

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/taxi-and-private-hire-vehicles-licensing-guidance-integrated-impact-assessment.html> for the latest version.

Get [information on copyright](#).