



# **Hackney Carriage & Private Hire Drivers DBS Update Service**

## **Consultation Document**

**Period of consultation:  
2<sup>nd</sup> July 2018 – 10<sup>th</sup> August 2018**

## **Introduction and Background**

Cambridge City Council has responsibility for licensing Hackney carriage, Private Hire and Dual Drivers, proprietors and operators within the City.

The Council carries out its licensing functions with a view to promoting the following objectives:

- i) The safety and protection of the public;
- ii) Vehicle safety, comfort and access;
- iii) The prevention of crime and disorder;
- iv) The promotion of environmental sustainability;
- v) Protection of children and adults at risk from harm.

Vehicles, drivers and operators are regulated to ensure the protection of the public and the Council is dedicated to providing the city with a top quality Hackney Carriage and Private Hire service for its residents and visitors alike. The process for obtaining a driver's licence is therefore targeted at various aspects to ensure that the Council can be satisfied that an individual is a "fit and proper" person to hold such a licence.

## **Policy**

The Hackney Carriage and Private Hire Licensing Policy sets out the Licensing Requirements for all parties in a clear and transparent manner so that the Council can carry out its licensing functions.

The Council will not licence anyone as a driver unless they are satisfied they are a fit and proper person.

There is no legal definition of fit and proper, it is for the Council to determine how they wish to be satisfied that someone is fit and proper to be granted a driver licence. To this end, the Council considers a range of documentary evidence, practical criteria and testing mechanisms provided by a new and renewal applicant in order to be satisfied of this.

## **Disclosure & Barring Service (DBS) Check**

The Disclosure & Barring Service (DBS) is an executive non-departmental public body sponsored by the Home Office. It aids organisations to make safer decisions and prevent unsuitable people from working with vulnerable groups, including children.

The Council is registered with the DBS to carry out Criminal Record checks, which we use as one of the testing mechanisms to assess an applicants' suitability for the role of a licensed driver.

An enhanced DBS check (for a fee of £44) will be sought upon first application for a driver's licence and every three years thereafter (if subsequent renewal applications are made). The DBS disclosure certificate that gets returned includes details of

spent convictions, police cautions and other relevant information for someone undertaking the role of a licensed driver.

The Council may, at its discretion, require additional DBS checks within the standard three year cycle.

## **Our Process**

1. All renewal applicants for the role of a licensed driver will need to apply for the DBS check through Cambridge City Council, unless they are subscribed to the Update Service for the same level and workforce.
2. Currently a DBS check is undertaken, face to face, at an appointment with an Officer of the Council.
3. Following an application being made, the DBS certificate is issued directly to the applicant. It is then the applicant's responsibility upon receipt of the certificate to present it to the Council before their renewal application can be fully processed.
4. If an applicant's DBS certificate is not presented to the Council as part of the renewal application prior to the expiry date of the licence, then the licence will be deemed to have expired. An applicant would then be expected to start the application process again.
5. Upon receipt of a disclosure certificate from the DBS, via the driver, the information (if there is any) will be risk assessed by an Authorised Officer who will consider whether the information disclosed is capable of having real relevance as to whether or not the individual is a fit and proper person to hold a licence in line with the policy and guidance set down in the handbook.
6. Until this point in time, the Council has been strongly encouraging all licensed drivers to subscribe to the Update Service. In doing so, the Update Service allows individuals to keep their DBS certificate up to date online, subject to an annual fee which is currently set at £13.
7. Some licensed drivers are subscribed to the Update Service and this works well for them and for the Council in undertaking relevant checks and in processing their application.
8. Subscribing to the Update Service is quick and simple and must be done within the specified timescales. Subscription lasts for a year and must be renewed annually, before the current one ends.

## Consultation

Cambridge City Council is conducting a consultation to seek the views of the trade as well as a wide range of partnering agencies and stakeholders, on the following proposal which will form part of the Hackney Carriage and Private Hire Licensing Policy:

Current Policy	Proposed Policy
<p>An enhanced DBS shall be undertaken upon application and every three years thereafter (if subsequent renewal applications are made).</p> <p>The Licensing Authority may, at its discretion, require additional DBS checks within the standard three year cycle.</p>	<p>An enhanced DBS shall be undertaken upon application and all licensed drivers will be required to subscribe to the DBS Update Service within the specified timescale of receiving their DBS Certificate.</p> <p>All licensed drivers will be required to renew their subscription to the DBS Update Service on an annual basis, before their current subscription ends, should they wish to continue to hold a Cambridge City Council driver's licence.</p> <p>Every three years, officers of the Council will undertake an online check of the DBS Update Service in order to check the applicant's current status.</p> <p>Depending on what is revealed from the online status check, the Council may require an additional DBS check to be undertaken.</p>
<p>The Council encourages all drivers, to join the DBS Update Service which allows the applicant to keep the Council informed of their criminal record history at all times.</p> <p>It is believed that all responsible and professional licensed drivers will do this.</p> <p>Further guidance on the DBS Update Service can be found in the Hackney Carriage and Private Hire Handbook.</p>	<p>The City Council requires all licensed drivers to subscribe to the DBS Update Service and to maintain the annual subscription.</p> <p>Licensed drivers will need to retain their DBS Certificate once they have subscribed as this will need to be provided to the officer undertaking the online check.</p>

The consultation is open to the public and the closing date for submitting consultation responses is **10<sup>th</sup> August 2018**.

All feedback is encouraged and the results of the consultation exercise will be presented to Members at Licensing Committee in October 2018 and will form part of a revised Hackney Carriage and Private Hire Licensing Policy.

Any comments that you forward to the Licensing Authority should clearly state your name and any organisation or persons you may be responding on behalf of.

Send your response:

- By email to [taxi@cambridge.gov.uk](mailto:taxi@cambridge.gov.uk) please include the words 'DBS Update Service Consultation' in the subject field; or
- In writing to Commercial & Licensing Team, Environmental Services, Cambridge City Council, and PO Box 700, Cambridge, CB1 0JH.