

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 6

meeting date: 13 JUNE 2017
 title: INTRODCUTION OF DBS CHECKS FOR PRIVATE HIRE OPERATORS
 submitted by: CHIEF EXECUTIVE
 principal author: MAIR HILL

1 PURPOSE

1.1 To seek Committee's approval of the introduction of DBS checks for Private Hire Operators.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives - }
- Corporate Priorities - } Consideration of these issues will promote the Council's aim to be a well-managed Council.
- Other Considerations - }

2 BACKGROUND

2.1 Committee will be aware that enhanced Disclosure and Barring Service ("DBS) checks are requirement for all applicants for private hire and hackney carriage driver's licences. This is part of the criteria for assessing whether an applicant is a fit and proper person. Any convictions disclosed to the Council by the DBS are considered in light of the Council's Convictions Policy.

2.2 The Council does not currently carry out DBS checks in relation to Private Hire Operators but it is under a similar duty not to licence persons who are not fit and proper. Whilst operators do not necessarily have as much contact with the public as a driver they do deal with customers in the office when taking bookings; hold customers personal information and have control of which drivers and vehicles attend person's homes or carry children or vulnerable adults.

3 ISSUES

3.1 In January 2017 Committee considered a proposal for an enhanced DBS check to be introduced for Private Hire Operators and that it form part of the criteria of whether they are a fit and proper person to hold an Operator's licence. Any convictions disclosed would similarly be considered in light of the Council's convictions policy. Committee approved this in principle and authorised the Council's Head of Legal and Democratic Services to consult licence holders on the proposal.

3.2 On 21 February 2017, the Council's Solicitor wrote to all private hire operators to consult them upon this matter. A copy of the consultation documents is enclosed as **Appendix 1** to this report. In response to the consultation the Council received 1 response which

was supportive of the proposal and stated “*Definitely! Think this should have been introduced a long time ago.*” It is therefore proposed that the proposal be implemented from 1 July 2017 to allow sufficient time for any consequential amendments to be made to the Council’s policies and procedures.

4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – Resources will be expended in carrying out the additional checks necessary when considering applications for operator licences
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – The Council’s reputation will be enhanced by ensuring the aspects of public safety are addressed.
- Equality & Diversity –No implications identified

5. **RECOMMENDED THAT COMMITTEE**

5.1 Approve the introduction of DBS checks for private hire operators.

5.2 Authorise the Head of Legal and Democratic Services to make any necessary consequential amendments to the Council’s policies and/or procedures.

MAIR HILL
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

None

For further information please ask for Mair Hill, extension 3216

REF: MJH/Licensing Committee/13 June 2017

Appendix 1

please ask for: MAIR HILL
direct line: 01200 413216
e-mail: Mair.hill@ribblevalley.gov.uk
my ref: MJH
your ref:
date: 21 February 2017

Dear Sirs

RE: Consultation on introduction of DBS checks for operators

I write to inform you that the Council's Licensing Committee has recently been considering the introduction of requiring Disclosure and barring service checks for private hire operators.

If you wish to respond with your views on this, please do so in writing using the enclosed form and submitting it to me at the above address or email address on or before **Friday 7 April 2017**.

Please contact me if you have any queries.

Yours sincerely

MAIR HILL
SOLICITOR
RIBBLE VALLEY BOROUGH COUNCIL

To all private hire operators.



Ribble Valley
Borough Council
www.ribblevalley.gov.uk

CONSULTATION RESPONSE FORM

Name:

Address:

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Licence No:

Contact details:

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I support/do not support the introduction of mandatory DBS checks for Operators.

Comments:

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Ribble Valley
Borough Council
www.ribblevalley.gov.uk

Ribble Valley Borough Council
Proposed revision of the Council's convictions policy relevant to Private Hire and Hackney Carriage Licence holders.

The Council's Licensing Committee discussed this matter on 31 January 2017. Committee was informed that:

- The Council does not currently carry out DBS checks in relation to Private Hire Operators but it is under a duty not to licence persons who are not fit and proper.
- Whilst operators do not necessarily have as much contact with the public as a driver they do deal with customers in the office when taking bookings; hold customers personal information and have control of which drivers and vehicles attend person's homes or carry children or vulnerable adults.
- It is proposed that the requirement to provide an enhanced DBS check be introduced for Private Hire Operators and that it form part of the criteria of whether they are a fit and proper person to hold an Operator's licence.
- Any convictions disclosed would similarly be considered in light of the Council's convictions policy.
- There would be an additional cost to those applying for an Operator's licence of £54 for the DBS check. This is a relatively modest increase in cost and would only need to be renewed every 3 years.
- Operators who already have an enhanced DBS check because they also hold a drivers licence would not be required to obtain a separate DBS check provided that the two run concurrently.

The Council's Licensing Committee resolved to consult upon this issue.

Timetable

The Consultation will run from 21 February 2017 to 7 April 2017 and the results will then be reported to Committee.

+If you wish to respond with your views, please do this by completing the enclosed form and submitting it to Mair Hill at the Council Offices on or before **7 April 2017**.