

EAST LINDSEY DISTRICT COUNCIL - CODE OF CONDUCT

HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS

Hackney Carriage and Private Hire Vehicle Drivers (referred to in this Code of Conduct as drivers) are in a position of trust in respect of the safety and welfare of their passengers.

The Licensing Authority, through its Licensing Team and Licensing Committee, has to ensure that all hackney carriage and private hire drivers are 'fit and proper' to undertake their work as licensed drivers. It is essential that the Council and drivers work together in order to ensure members of the public are treated with dignity and respect, including reporting any concerns.

On occasions, drivers may become aware of, or have suspicions that, a passenger may be the victim of abuse, neglect or exploitation either sexual or otherwise, or at risk of becoming a victim. In addition, drivers themselves may be accused of misconduct or inappropriate behaviour through the misinterpretation of the driver's actions or conversation.

Therefore, East Lindsey District Council has adopted this Code of Conduct which is aimed at providing the best possible service by protecting both passengers and drivers. This ensures that concerns, suspicions of abuse, neglect or exploitation can be reported appropriately and minimise the risk of misunderstandings.

Drivers are expected to comply with this Code of Conduct. Failure to do so may result in the driver being referred to the Council's Licensing Committee (consisting of Councillors) to explain the circumstances surrounding any incident. In the event of a repeated and/or serious failure to comply, drivers can expect that consideration will be given to the suspension or revocation of their licence.

It should be noted that the code does not over-ride any legislative requirements, licence conditions or contractual obligations, such as Lincolnshire County Council school and social service contracts under the County Green Badge scheme.

Drivers must carry their Council taxi / private hire driver licence photo ID at all times, and wear it in accordance with the conditions of the licence.

Drivers should:

- Act in a professional manner at all times
- Treat passengers and other road users with respect
- Keep relationships with passengers on an appropriate, professional basis
- Respect all individuals – regardless of age, disability, gender, sexual orientation, gender reassignment, religion/belief, language spoken, race or ethnicity, pregnancy/maternity and marriage/civil partnership

And be aware of:

- The safety and well-being of passengers being paramount
- The importance of the use of appropriate language
- The vulnerability of children and persons with special needs

- Any instruction given about the care or first aid requirements of a passenger
- Possible caution required when dealing with passengers in distress
- Personal beliefs and standards, including dress and religion
- Passengers misreading situations
- The use of social networking sites such as Facebook and Twitter. These are public websites and therefore passengers conveyed may access a driver's site. *Ensure you use the appropriate privacy settings to avoid passengers viewing your social media sites*

Drivers must remain professional at all times and should never:

- Become over-friendly or unprofessional in any way with passengers or engage in any form of inappropriate relationship, infatuation or show favouritism
- Touch a person inappropriately
- Behave in a way that may make a passenger feel intimidated or threatened
- Attempt to misuse customer's personal details obtained via the business
- Give assistance with medication unless a specific and detailed request has been made by the hirer
- Photograph or video passengers in your care unless used in compliance with data protection legislation and any relevant codes of practice issued by the Home Office or Information Commissioner's Office (*# see note below regarding CCTV in licensed vehicles*)
- Engage with passengers who are children or vulnerable adults* through social networking sites (such as Facebook and Twitter), instant messengers or any other online communication software such as mobile phone applications or video games
- Phone or send text messages to passengers other than directly concerning the hiring of your vehicle
- Make offensive or inappropriate comments (such as swearing or sexualised or discriminatory language).
- With regard to children offer or accept sweets or gifts of any sort.
- Stop anywhere other than the specified pick up/drop off points unless requested by the hirer
- Show passengers inappropriate videos or pictures on your mobile phone or any other electronic device.

The installation and operation of CCTV in taxis and private hire vehicles must comply with the requirements of the Information Commissioner's CCTV Code of Practice. The code of practice can be found on the ICO website: www.ico.org.uk.

***Vulnerable Adults:**

A vulnerable passenger is a passenger whose age or disability means that they are more susceptible to harm than a typical passenger. This may be a child, an elderly person or somebody with learning difficulties for example. Also, an individual should be considered vulnerable even if they do not fall within the description above, but their condition is such as to make them more susceptible to harm than may otherwise be the case (for example, being under the influence of alcohol).

- Children and vulnerable adults travelling alone must occupy the rear seats of the vehicle. Under no circumstances should a child or vulnerable adult travelling alone

occupy the front seat of a taxi or private hire vehicle unless so authorised or agreed by a parent, guardian, care worker or other similar person or body.

- If a vulnerable passenger is refused service a responsible person should be informed so that alternative arrangements can be made. For example, this situation may arise if the customer has an assistance dog and the driver has a medical exemption granted by the Council
- Drivers should always ask if a vulnerable passenger needs help, and should not make assumptions

Safeguarding:

If a driver has concerns or suspects abuse, neglect or exploitation of a passenger then these should not be ignored. If there are any suspicions or concerns about the way someone is being treated it is important to report it to the appropriate authority. The safeguarding of children and vulnerable adults is everybody's responsibility. Remember that your information could help a vulnerable child or adult.

If a driver is working under a Lincolnshire County Council contract then those procedures set out in the Driver and Passenger Assistant Pack should be followed alongside any training received by the driver.

Otherwise, the following procedures should be complied with in reporting any information or suspicions you may have of anyone being subject to abuse, neglect or exploitation:

Action to be taken if you have concerns:

- If your concerns are of an urgent matter or you believe that a crime has been committed and there is an immediate risk of danger, telephone the police on 999 or 112.
- If you are suspicious or are concerned that a child or an adult is suffering or is likely to suffer significant harm, including any form of mistreatment, abuse, neglect or exploitation but it is not of an urgent nature, please call the Lincolnshire Safeguarding Customer Service Centre on 01522 782111 for children or 01522 782155 for adults.
- If you would prefer to speak to the police on a non-urgent matter, then call them on 101 and follow the directions for Lincolnshire Police.

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Contact Details for the Licensing Team

The Licensing Team, East Lindsey District Council, The Hub, Mareham Road, Horncastle, LN9 6PH.

If you wish to call into the Offices to speak to someone from the Licensing Team, we advise that you email first and make an appointment.

Email: licensing@e-lindsey.gov.uk