

### **Code of Conduct Hackney Carriage Drivers**

The Local Government (Miscellaneous Provisions) Act 1976 S59 requires that the Local Authority only licences persons it deems “fit and proper” to be hackney carriage drivers. The Council has specific requirements which a person must satisfy in order to be meet the “fit and proper” test, these include driving standards, training, medical fitness, criminality checks, language assessments etc.

The Council has a code of conduct in place for hackney carriage drivers to provide guidance on the standards that hackney carriage drivers are expected to maintain as part of continuing to meet the “fit and proper” test throughout the duration of their licence.

Failure to comply with the code of conduct or any other conduct that could jeopardise the “fit and proper” standard could result in a formal review of a hackney carriage driver’s licence, the outcome of which could include suspension or revocation of the licence.

#### **Conduct of Driver**

**This is separated into 5 distinct areas of conduct:**

##### **1. Administrative Conduct**

A hackney carriage driver shall:

- Within 48 hours notify the council in writing (email will suffice) providing full details of any conviction, fixed penalty , binding over, caution, charge or arrest for any matter (whether or not charged) imposed on him/ her during the period of the licence
- Within 7 days notify the Council in writing of any change of address.
- Within 2 working days of a request being made, provide the Licensing Office with a DVLA check code to enable a check of his/her DVLA licence to be undertaken
- Ensure that relevant documentation (including DBS update status, Medical Certificate, and right to work documentation is maintained throughout the duration of the licence Notify the Council of any newly diagnosed or change to a current medical condition which may restrict their entitlement to a driver’s licence requiring a DVSA Group 2 medical standard (the same standard as applied by the DVSA to the licensing of lorry and bus drivers). Notification must be sent to the Licensing office email address immediately (or in any case within 48 hours) of the relevant diagnosis or change to medical condition.
- At any time (or at such intervals as the City Council may reasonably require) produce a certificate in the form prescribed by the City Council signed by an appropriate Doctor/Consultant who has access to the driver’s full medical records to the effect that he/she is or continues to be fit to be a driver of a hackney carriage vehicle.
- Undertake any reasonable training appropriate to the role of a licensed driver as required by the City Council. Any costs associated with the provision of the training will be borne by the licence holder.

- Report to the licensing office any form of road traffic accident/ collision/ incident in which the license holder was the driver of a vehicle involved in the incident This is regardless of whether the incident was in a licensed vehicle or not. The incident should be reported as soon as possible and in any event within 72 hours. The incident should be reported on the driver notification of accident form available online at the Councils website XXXXX
- Keep a copy in the licensed vehicle of any exemption certificate issued by the City Council, relating to the medical condition that prevents the licensed driver from carrying assistance dogs in the licensed vehicle, ( without an exemption certificate a hackney carriage driver is legally obliged to carry an assistance dog)

### **2. Conduct whilst working as a Licensed Driver**

A hackney carriage driver shall:

- Whilst working as a hackney carriage driver be compliant with the dress code for licensed drivers
- Shall be polite to passengers and communicate clearly
- Keep the vehicle clean and free of rubbish
- Provide reasonable assistance to passengers (getting in and out of the vehicle and unloading luggage to the outer door of the premises/ building)
- Ensure luggage is stored safely and properly secured in the vehicle
- Provide written receipts on request
- Keep relationships with passengers on an appropriate professional basis
- Not eat or drink in the vehicle whilst passengers are in the vehicle except with their permission
- Not play the radio, utilise phone or internet whilst passengers are in the vehicle except with their permission. An exemption is the use for sending or receiving messages in connection with the operation of the vehicle
- Not conduct themselves or utilise the vehicle in any way so as to be a nuisance to passengers, or the public
- \*Drive with due care and courtesy towards the passengers and other road users
- Know and comply with the highway code rules around children travelling in hackney carriage vehicles, in particular with regard to the provisions of car seats and where in the vehicle children are permitted to sit (see taxi policy for details)
- Not carry any animal belonging to himself in the vehicle
- Carry out and keep a record of a daily inspection of the vehicle. The checks shall include the following items, lights and indicators, tyre condition, pressures and tread/ wheelnuts, Wipers, washers and washer fluid levels, cleanliness inside and out, Bodywork – no dents or sharp edges, all signage and plates present and fixed in accordance with licensing requirements, brakes, horn in working order, oil/ water levels ,drivers mirrors, seats/ seat belts, sundry equipment and any obvious defects to suspension/ steering
- The licensed driver shall ensure that all passengers must have access to a designated seat and appropriate seat belt. For passengers travelling in a wheelchair , the wheelchair can be regarded as a designated seat provided the wheelchair is adequately secured using proper

restraints and the passenger travelling in the wheelchair has access to an appropriate seat belt.

- (this may mean that the vehicle cannot carry the maximum number of passengers that it is licensed to carry )

### **3. Conduct in respect of Fares Levied and Use of Meters**

A hackney carriage driver shall:

- \*Use the meter within the licensed area, unless the passenger has agreed to hire by time
- \*Take the most time efficient route bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route
- Where a Hackney Carriage vehicle is hired via a telephone call to a private hire booking office linked by radio to the vehicle, the contract of hire shall be deemed to be made with the person or body operating the booking office, the meter shall not be set into operation until the hirer has commenced his journey. (The meter cannot be switched on until the journey has commenced – unless the fare has been agreed in advance for an out of area booking)
- Ensure the current hackney carriage tariff is displayed in the vehicle in such a location that it can be seen and read by passengers

### **4. Conduct in respect of Lost Property**

A hackney carriage driver shall:

- Immediately after the hiring or as soon as practicable thereafter check the vehicle for lost property.
- Notify the owner of the lost property found in the vehicle (if this is possible by either known address or contact details or personal details found in the lost property)
- Make arrangements with the property owner regarding its return
- Where the owner of the property cannot be ascertained the lost property must be handed to the Lancaster City council Licensing office

### **5. Conduct in respect of Hackney Carriage Byelaws**

A hackney carriage driver shall:

- Familiarise him/ herself with the requirements of the Lancaster city council hackney carriage byelaws
- Comply with the requirements of the byelaws

IT IS AN OFFENCE TO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE RELEVANT BYELAWS FOR WHICH A LICENSED DRIVER CAN BE PROSECUTED AS WELL AS BEING SUBJECT TO A REVIEW OF HIS/ HER HACKNEY CARRIAGE DRIVERS LICENCE TO ASSESS WHETHER A PERSON REMAINS FIT AND PROPER TO HOLD THE SAID LICENCE.

**Key:** \* Denotes taken from DfT best practice guidance 2010.