

3 October 2022

**Consultation on mandatory disability awareness training for taxi drivers  
and private hire operators in Runnymede.**

The purpose of this consultation is to ask you for your views on whether the Council should make it a condition of licensing for all existing and new drivers and operators to undertake mandatory disability awareness training following changes to the Equality Act 2010.

Currently, there is no requirement or condition requiring any drivers or operators licensed by Runnymede to have any kind of disability awareness training.

Training could include (although this list is not exhaustive) understanding subjects such as:

- what is meant by the term disability
- the law and legal requirements around disability
- different types of disability
- how to load and secure passengers and wheelchairs
- best practice when interacting with a disabled passenger
- the regulations about assistance dogs
- their duty of care responsibilities and best practice protocols

This consultation will be circulated to the local taxi trade, Runnymede Councillors and disability groups as well as day centres and libraries in Runnymede.

**The consultation period will be from Tuesday 4 October 2022 until Wednesday 16 November 2022.**

The information below may assist you in understanding the legislative changes before making your views known on the consultation return form on the last page.

It is important that we get as many responses as possible through this consultation. The Councils Regulatory Committee will meet again on 4 January 2023 to decide on the matter and your views are a key factor in the decision-making process.

## Appendix A

On Tuesday 27 September 2022 the Councils Regulatory Committee met to discuss the changes to the Equality Act 2010 and the new responsibilities placed on taxi driver and private hire operators.

The Councils report can be seen here:

<https://democracy.runnymede.gov.uk/ieListDocuments.aspx?CId=157&MIId=809&Ver=4>

**On 28 June**, the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022 took effect in England, Scotland, and Wales. It amended the Equality Act 2010 to introduce new, and amend existing, duties for local authorities and taxi and private hire vehicle (PHV) drivers and operators alike. The 2022 Act aims to ensure that disabled people can use taxi and PHV services with confidence that they will not be discriminated against.

Prior to 28th June 2022, the legislation only required drivers of designated wheelchair accessible vehicles to comply with the requirements of the Equality Act 2010.

The updated Equality Act 2010 imposes duties on all drivers of taxis or private hire vehicles which have been hired by or for a disabled person or by another person who wishes to be accompanied by a disabled person. From 28th June 2022, all licensed drivers (taxi and PHV) and private hire operators; regardless of whether the vehicle is wheelchair accessible, are subject to duties under the Equality Act.

The information below shows the Equality Act 2010 requirements from 28th June 2022.

### **Disabled passengers: duties of drivers**

The updated Equality Act 2010 Act imposes duties on all drivers of taxis or private hire vehicles which have been hired by or for a disabled person or by another person who wishes to be accompanied by a disabled person. This section is applicable to a disabled person who is able and wants to travel in a non-wheelchair accessible vehicle. The duties are:

- To carry the passenger
- If the passenger is in or has with them a wheelchair, to carry the wheelchair
- If the passenger has with them any mobility aids, to carry the mobility aids
- To take such steps, as are reasonable to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance\* as is reasonably required
- Not to make, or to propose to make, any additional charge for complying with these duties

### **\*Mobility assistance is defined as assistance:**

- To enable the passenger to get into or out of the vehicle

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- If the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair
- To load the passenger's luggage into or out of the vehicle
- If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

### **Disabled passengers in wheelchairs: duties of drivers of designated vehicles**

Under the requirements of the Equality Act 2010 a vehicle is wheelchair accessible if capable of carrying wheelchair users either in their wheelchair or in a passenger seat (depending on which the wheelchair user prefers), including allowing passengers to:

- i) get into and out of the vehicle in safety
- ii) travel in the vehicle in safety and reasonable comfort

The new legislation has also updated the requirements for drivers of a designated taxi or designated private hire vehicle which has been hired by or for a disabled person who is in a wheelchair or by another person who wishes to be accompanied by a disabled person who is in a wheelchair.

The additional duties for designated vehicles are:

- To carry the passenger while in the wheelchair
- If the passenger chooses to sit in a passenger seat, to carry the wheelchair
- If the passenger has with them any mobility aids, to carry the mobility aids
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance\* as is reasonably required
- Not to make, or propose to make, any additional charge for complying with these duties

### **Disabled passengers: assistance to identify and find vehicle**

There is a new duty on the driver of a private hire vehicle or pre-booked taxi where:

- the vehicle has been booked by or for a disabled person or by another person who wishes to be accompanied by a disabled person and
- the driver of the vehicle has been made aware before the start of the passenger's journey in the vehicle that the passenger requires assistance to identify or find that vehicle.

The duties are:

- To take such steps as are reasonable to assist the passenger to identify and find the vehicle which has been hired
- Not to make, or propose to make, any additional charge with the above duty

## Appendix A

### Duties of operators of private hire vehicles

The updated Equality Act 2010 creates a new offence for private hire car operators who fail or refuse to accept a booking requested by or on behalf of a disabled person, when the reason is that the passenger has a disability or to prevent the driver being made subject to a relevant duty.

#### Taxi and PHV drivers will be required to:

- Accept the carriage of **any** disabled person, provide them with reasonable mobility assistance, and carry their mobility aids, all without charging any more than they would for a non-disabled passenger.
- Provide any disabled passenger who requests it with assistance to identify the vehicle, at no extra charge.

#### PHV operators will be required to:

- Accept bookings for or on behalf of any disabled person if they have a suitable vehicle available.

Further information can be found at the following:

Statutory Guidance – Access to taxis and private hire vehicles for disabled users

<https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2#introduction>

Equality Act 2010

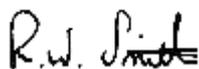
<https://www.legislation.gov.uk/ukpga/2010/15/contents>

Taxis and Private Hire Vehicles (Disabled Persons) Act 2022

<https://www.legislation.gov.uk/ukpga/2022/29/enacted>

If you have any questions about this new legislation, please contact me on 01932 425622 or [licensing@runnymede.gov.uk](mailto:licensing@runnymede.gov.uk).

Your Sincerely



Robert Smith

Senior Licensing Officer

## CONSULTATION RETURN

**The consultation period will be from Tuesday 4 October 2022 until Wednesday 16 November 2022. Please note that any responses received after 16 November 2022 will not be accepted.**

The purpose of this consultation is to ask you for your views on whether the Council should make it a condition of licensing for all existing and new drivers and operators to undertake mandatory disability awareness training following changes to the Equality Act 2010. It is important that we get as many responses as possible through this consultation. The Council's Regulatory Committee will meet again on 4 January 2023 to decide on the matter and your views are a key factor in the decision-making process.

Please indicate your choice below by placing a cross in the relevant box and any comments in the space provided.

**Do you believe Runnymede Council should make disability awareness training a mandatory condition of licensing for all existing and new taxi drivers and private hire operators licenced by Runnymede Borough Council.**

YES

NO

Comments:-

Please return your response to Runnymede Borough Council's Licensing section either by email [licensing@runnymede.gov.uk](mailto:licensing@runnymede.gov.uk) By post or deliver to Runnymede Borough Council, Station Road, Addlestone, Surrey KT15 2AH