

## EQUALITY SCREENING

Equality Impact Assessment guidance should be considered when completing this form.

POLICY / FUNCTION / ACTIVITY	LEAD OFFICER
Hackney Carriage and Private Hire Licensing Policy – Taxi Drivers Medicals	Robert Smith

**A. What is the aim of this policy, function or activity?** Why is it needed, what is it hoped to Achieve and how will it be ensured it works as intended? Does it affect users, employees or the wider community?

The Council has conditions, bylaws and requirements in relation to taxi and private hire licensing. This policy brings together in one document the Council's policy standards, the current conditions, bylaws and requirements so that they are transparent, easily understood and unambiguous.

Currently Runnymede require taxi drivers to have a medical examination and supply the resultant medical certificate on initial application and then every 5 years up to the age of 60, thereafter a yearly medical is required. A report has been submitted and consultation approved, this can be seen at:

[Agenda for Regulatory Committee on Wednesday, 15th March, 2023, 7.30 pm – Runnymede Borough Council](#)

In summary - The frequency for a medical examination for taxi drivers differs according to a person's age; those over 60 require a medical every year while those under 60 only require a medical every 5 years, the content of the medical is the same. These medicals must be carried out by the person's GP or another Doctor with access to their medical records, there is a fee for this of around £80 - £140 depending on the practice. The impact of this requirement for yearly medicals does mean those over 60 have to pay every year instead of every 5 years.

The medical requirement enhances public safety; the Council must be able to demonstrate it is taking all reasonable steps to ensure as far as possible that drivers are fit and proper persons to convey members of the public. Therefore, a regular medical check-up is essential. Responsibility for determining any higher standards and medical requirements for a taxi driver, over and above the driver licensing requirements, rests with the Local Authority.

Runnymede decided in 2004 that the age requirements for medicals should differ from those specified by DVLA whose medical requirement for an initial medical is followed by a 5 yearly medical up to the age 65 and yearly thereafter.

Advice on best practice for local authorities issuing taxi licenses is given by the document, 'Assessing fitness to drive: a guide for medical professionals', this is published by the DVLA and updated every 6 months. This guide for local authorities recommends that hackney carriage and private hire drivers should meet the same medical standards bus and lorry drivers must meet under the DVLA's requirements, that being the DVLA Group 2 standard.

The Council is now consulting on making amendments to our policy so that it reflects the frequency of medical checks as required by the DVLA Group 2 medical standard as below.

A group 2 medical assessment will be required at the following frequencies.

- (i) On submission of a new HC or PHV driver licence application.
- (ii) At age 45 and thereafter every five years until the age of 65
- (iii) At age 65 and thereafter on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's

ability to drive, being disclosed to the Council's licensing section whilst the grant of a licence is in force.

**B. Is this policy, function or activity relevant to equality?** Does the policy relate to an area in which there are known inequalities, or where different groups have different needs or experience? Remember, it may be relevant because there are opportunities to promote equality and greater access, not just potential for adverse impacts or unlawful discrimination.

With regard to the protected characteristic of 'age'.

While this could be seen as direct discrimination it is considered that Section 13 (2) of the Equality Act 2010 applies in that treating the over 65s differently is done to ensure the driver is fit and safe to drive and is therefore considered to be proportionate.

There is a restriction on the age a person must attain before they can apply for a taxi drivers' licence, i.e., that they must have reached the age of 21 and have held a full licence for two years. This may be considered as discriminating against younger drivers. The reasoning behind this is a matter of public safety, it mirrors the age restriction on bus drivers which again involves the carriage of passengers and allows people to gain some driving experience before they become a taxi driver. Again, while this restriction could be considered discriminatory, the aim is to secure public safety and it is considered to be a proportionate measure to achieve that safety.

With regard to the protected characteristic of 'Religion'.

The protected characteristic of 'Religion' would be unaffected

With regard to the protected characteristic of 'disability'.

While this could be seen as direct discrimination it is considered that Section 13 (2) of the Equality Act 2010 applies in that treating the over 65s differently is done to ensure the driver is fit and safe to drive and is therefore considered to be proportionate.

With regard to the protected characteristic of gender.

The protected characteristic of 'Gender' would be unaffected as it applies to men and women equally although it is acknowledged that there are more male drivers than female.

**C. If the policy, function or activity is not considered to be relevant to equality, what are the reasons for this conclusion?** What evidence has been used to make this decision? A simple statement of 'no relevance' or 'no data' is not sufficient.

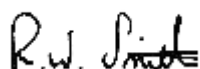
The Policy and functions carried out in pursuance of this policy do not require a Full Impact Assessment. The basis for this decision is as follows;

- The policy in terms of criteria for medical examinations and age follows the medical guidance produced by the DVLA.
- Each application is considered on a case-by-case basis, and there is an internal mechanism in place to cater for applicants who require a reconsideration of the decision made or whose circumstances are not catered for in the Policy.
- Those responding to the consultation were supportive of the proposed change in policy.

Date completed: 9 June 2023

Sign-off by senior manager:

Robert Smith



Senior Licensing Officer