

Surface Transport Panel

Transport
for London



Date: 9 April 2014

Item 4: Actions List

This paper will be considered in public

1 Summary

1.1 This paper informs the Committee of progress against actions agreed at previous meetings.

2 Recommendation

2.1 **The Committee is asked to note the Actions List.**

List of appendices to this report:

Appendix 1 – Actions List

List of Background Papers:

Minutes of previous meetings of the Committee

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Surface Transport Panel Actions List

Actions from the Last Meeting

Minute No.	Item/Description	Action By	Target Date	Status note
32/02/14	Matters Arising and Actions List Future items on Taxi and Private Hire Charges would be submitted to a meeting of the Panel in the first instance.	Leon Daniels	-	-
33/02/14	Managing Director's Report Members to be provided with more detailed information on bus load factors. Officers to investigate if some licensed drivers were not working for an operator but using phone applications and websites to gain custom, and if this could impact on congestion charging payments The outcome of the scheduled review of social needs transport to be submitted to a future meeting.	Mike Weston Garrett Emmerson Leon Daniels	9 April 2014 9 April 2014 9 July 2014	An oral update to be provided at the meeting. An oral update to be provided at the meeting. Scheduled.

Actions from previous meetings

Minute No.	Item/Description	Action By	Target Date	Status note
24/10/13	<p>Managing Director's Report Members to be updated on the impact of the introduction of the Disclosure and Barring System (DBS) on the processing of taxi and private hire renewal applications.</p>	Garrett Emmerson	9 April 2014	The changes implemented by the Home Office in June 2013 to the Disclosure and Barring Service caused delays to the delivery of TfL's taxi and private hire services and changes to the way TfL process renewals. The customer contact centre saw a significant increase in calls and the average call handling time also increased as concerned drivers were calling multiple times a day for an update. This led to difficulties in drivers trying to reach the team as phone lines were busy. A new process was implemented to check the DBS system throughout the day and process renewal applications as soon as the DBS results were received, to minimise any delays to drivers being licensed. The process for sending out renewal packs was also amended to 120 days before licence expiry to allow extra time for drivers to apply. These issues were further compounded by the implementation of the new licensing system in September 2013 and additional resource has now been recruited to address the delays and get the licensing service working within agreed SLAs.
	Members to be provided with further information on the grounds on which the 20 per cent of Private Hire Operators failed compliance inspections.	Helen Chapman	9 April 2014	Information attached at Appendix 2. Completed.
	Panel Members to be involved in target setting in future for Surface Transport.	Leon Daniels	9 April 2014	On agenda. Completed.

Minute No.	Item/Description	Action By	Target Date	Status note
28/10/13	<p>Roads Task Force Update A six month update to be submitted to a future meeting of the Panel.</p>	Michèle Dix	9 April 2014	On agenda. Completed.
18/07/13	<p>Matters Arising and Actions List A customer satisfaction survey would be scoped and undertaken in due course on the new taxi and private hire licensing depot arrangements and the findings shared with the Panel.</p>	Helen Chapman	-	<p>A vehicle licensing survey will be run in October 2014 at all six inspection centres, for one week. Separate Customer satisfaction surveys will also be conducted with 400 drivers, vehicle and operator licensees to determine overall satisfaction. Longer term consideration will be given to an automated online survey and questionnaire.</p> <p>A sample customer satisfaction survey was run at all six inspection centres in late 2013 to gain feedback from licensees about their experience in utilising the vehicle licensing services. Overall the results were positive with 90 per cent satisfaction. The survey is being amended slightly to ensure the right information is captured and will be conducted quarterly from 2014/15.</p> <p>A driver and operator licensing customer satisfaction survey was also run towards the end of 2013 with approximately 400 licensees being surveyed. Unfortunately the survey was conducted at the height of the DBS issues and this has heavily influenced the results. It will be repeated later in 2014 once backlogs have been cleared and the customer contact centre is back to running with acceptable targets.</p> <p>The results of both surveys will help determine future improvements that can be made to the licensing service.</p>

Actions from the Surface Transport Panel Meeting of 14 November 2013

The Surface Transport Panel at its meeting on 14 November 2013 requested that Members be provided with further information on the grounds on which the 20 per cent of Private Hire Operators failed their compliance inspections (as reported in the Managing Director's report for period 5 (21 July – 17 August 2013)).

Private Hire Operator Compliance Inspections

1 Purpose

- 1.1 The purpose of this paper is to provide further information to Members of the Panel on the reasons for 20 per cent of private hire operators failing their compliance inspections in Period 5 as reported in the Surface Transport Managing Director's report:

Compliance Officers have conducted 44 Operator Licensing inspections and 253 Compliance Inspections in Period 5. Of the 253 compliance inspections conducted, 202 Operators attained a Category 1 pass which equates to a rate of 80 per cent, which is higher than the average rate attained of 74 per cent.

2 Compliance inspection breaches

- 2.1 The Taxi and Private Hire Compliance officers use a category based system to grade Private Hire Operator compliance inspections. There are seven categories ranging from 'Category 1 - Fully matches licensing requirements' where the operator is fully compliant to 'Category 7 – Does not match licensing requirements' where serious non compliance issues are found. A description of the seven categories is included in Appendix A.
- 2.2 The compliance grading is determined by the number of breaches found during the inspection which are weighted on the severity of the non-compliance issue. For example, one point is accrued if lost property is not maintained correctly while 50 points are accrued if the operator is found to be using unlicensed vehicles or drivers. The weightings for non-compliance issues are shown in Appendix B.
- 2.3 The category system also provides a framework for what action is to be taken in relation to operators who are found to have non-compliance issues. The type of action depends on the scale and/or severity of the non compliance issue(s). For example, operators that accrue 50 or more serious non-compliant issue points during the inspection, receiving a category 7 grading, can have their licence suspended, varied or revoked without further inspection. Operators that are graded between categories 2 – 5 are to be re-inspected but are given the opportunity to address the compliance issues detected.

Appendix 2

2.4 Details of the private hire operator compliance breaches are not recorded centrally. This information is recorded on the individual operator's paper file. It is not possible to provide a detailed breakdown of the breaches that led to an operator failing their inspection without retrieving and reading through all the paperwork related to that inspection.

2.5 The table below provides a breakdown of the category gradings for the operator inspections carried out in Period 5.

Category	Description	Percentage
1	Fully matches licensing requirements.	79
2	Generally matches a majority of licensing requirements with only a few discrepancies.	8
3	Generally matches a majority of licensing requirements in some aspects, but has some omissions.	3
4	Generally matches a majority of licensing requirements in some aspects as Category 3, but has some additional omission.	2
5	Matches a minimum of licensing requirements in some aspects but has some important omissions.	2
6	Does Not Match licensing requirements.	0
7	Does Not Match licensing requirements.	6

2.6 The Taxi and Private Compliance Team has advised that the most common breaches relate to an operator's failure to maintain booking, driver and vehicle records. The more serious breaches that lead to the operator's licence being considered or processed for revocation include:

- 'Gone Away' – operators found not to be trading from licensed premises
- Operator has been liquidated / dissolved
- Operator is trading in incorrect capacity
- Serious breaches relating to maintenance of booking, driver and vehicle records.

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Appendix 2

Appendix A

Grading categories for Private Hire Operator compliance inspections

Category	Description	Non-Compliance Issues	Action	Next Inspection
1	Fully matches licensing requirements.	None	None	Within 12 months By appointment
2	Generally matches a majority of licensing requirements with only a few discrepancies.	Total of Six (6) or fewer non-compliant issues (Legislative or Regulatory only) accrued in an inspection.	1 st Insp. Reminder Letter 2 nd Insp. Warning Letter 3 rd Insp. Referral Letter	Within 9 months By appointment
3	Generally matches a majority of licensing requirements in some aspects, but has some omissions.	Total of Ten (10) or fewer serious non-compliant issue points accrued in inspection.	1 st Insp. Reminder Letter 2 nd Insp. Warning Letter 3 rd Insp. Referral Letter	Within 6 months By appointment
4	Generally matches a majority of licensing requirements in some aspects as Category 3, but has some additional omissions	Total of Twenty (20) or fewer serious non-compliant issue points accrued in inspection.	1 st Insp. Warning Letter 2 nd Insp. Warning Letter 3 rd Insp. Referral Letter	Within 3 months By appointment
5	Matches a minimum of licensing requirements in some aspects but has some important omissions	Total of Thirty Nine (39) or fewer serious non-compliant issue points accrued in inspection	1 st Insp. Warning Letter 2 nd Insp. Warning Letter 3 rd Insp. Referral Letter	Within 1 month Not by appointment
6	Does Not Match licensing requirements	Total of Forty (40) or more serious non-compliant issue points accrued in inspection; or 3 failed inspections in any category.	<p>*Option A: Following review by the Compliance management team, a re-visit may be given – this can take place any time after the initial inspection, with or without prior notice given to the operator. The re-visit will look <u>only</u> at those issues identified as being non-compliant at the original inspection. If the outcome of the re-visit is satisfactory, the category will remain the same, with a new inspection, by appointment, taking place within 1 month to ensure full compliance.</p> <p>*Option B: Following review by the Compliance management team, the operator may have their licence suspended, varied or revoked without further inspection.</p>	
7	Does Not Match licensing requirements	Total of Fifty (50) or more serious non-compliant issue points accrued in inspection		

Non-compliance weightings

Weighting – 1 point per item	Weighting – 2 points per item	Weighting – 3 points per item	Weighting – 5 points per item	Weighting – 6 points per item	Weighting – 10 points per item	Weighting – 40 points per item	Weighting – 50 points per item
No VAT number/Proof of accounts	Operator Licence not displayed	Date driver started/ Finished not recorded	No DVLA photo card	No H&R insurance	No PHV driver's licence /expired PHV driver's licence	No driver's file	Operator not trading in capacity or at location that licence was applied for.
No radio licence	Employee NI Number not recorded	Date vehicle started/ Finished not recorded	No DVLA counter-part		No DVLA driver's licence (paper licence)	No vehicle file	
No employer liability insurance	Vehicle registered keeper details not recorded	Drivers photograph – Not on drivers file			No PHV vehicle licence /expired PHV vehicle licence	Using Driver without correct documentation on file after being advised not to use	Using un-licensed drivers and/or vehicles.
Driver's D.O.B not recorded		No public liability insurance			No current MOT Certificate		
Lost Property – Not maintained correctly		Complaints Book – Does not comply with regulations			Illegal activity i.e. Obviously forged documents* etc		
					Booking Records – Do not comply with regulations		