

# **Hackney Carriage and Private Hire Licensing Important Information**

## **Guide to Disclosure and Barring Service (DBS) Checks and the Update Service**

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### **Background information**

The Greater Manchester Minimum Licensing Standards for Taxi and Private Hire (GM MLS) is a GM wide initiative, led by the Greater Manchester Licensing Managers Network on behalf of the ten districts. In 2018, Greater Manchester's ten local authorities agreed to collectively develop, approve and implement a common set of minimum licensing standards (MLS) for taxi and private hire services. On 13<sup>th</sup> October Stage 1 of the Standards which relate to Drivers, Operators and Local Authorities went to Trafford's Full Council for sign off to allow implementation of the recommendations.

One of the recommendations of Stage 1 is that Enhanced Criminal Record checks are undertaken through the DBS to include barred lists (such as details of unspent convictions and police cautions). Further, drivers must also register to the DBS Update Service and maintain that registration to enable the

licensing authority to routinely check for new information every 6 months as a minimum. It is anticipated that delegated powers will allow officers to suspend the licence where drivers fail to register to or remained registered with the update service.

This is also a requirement of The Department for Transport statutory guidance for taxi and private hire licensing authorities which was published in July 2020.

Trafford Council carry out Enhanced Level DBS checks under the 'Other' workforce type for the position of 'taxi driver'. The Council also checks the child and vulnerable adult barring lists.

In order to help drivers and applicants with the required registration with the DBS Update Service, the following FAQs have been produced. If you have any questions, please contact the Licensing Team.

### **I'm a licensed driver; what does this mean to me?**

It will be a condition on your licence that you subscribe to the DBS Update Service at your next licence renewal. When you next submit a new DBS check you should register for the DBS update service at the same time. The move to the update service allows Officers to carry out a quick online status check to ensure that your DBS certificate is up to date and whether there have been any changes. These checks will be carried out on all drivers at least every 6 months but may be carried out more frequently.

### **What is the DBS 'Update Service'?**

The DBS Update Service lets applicants (and licence holders) keep their DBS certificates up to date online and allows the Licensing Team to check the status of a certificate online. Once registered the Certificate can be taken from role to role where the same level and type of check are required.

### **How do I subscribe to the Update Service?**

There are two ways to register:

1. The first way to register is to undertake an enhanced DBS disclosure. This will be done as usual, by submitting an application online at <https://www.personnelchecks.co.uk/taxis/taxiprivate-hire-driver-dbs-checks/> Make a note of your payment receipt number, starting with WEB-PChecks. You will then be emailed your 'form ref'.

You then subscribe to the Update Service by visiting: <https://www.gov.uk/dbs-update-service>. You register with your DBS application reference number 'form ref'.

2. The second way to register is if you have recently completed an enhanced DBS check and you have your certificate, you can register with your certificate number. This must be done within 30 days of the certificate being issued (i.e. the date of issue).

**If you are due to provide the Licensing Team with a DBS certificate soon, or you have completed a DBS certificate over the last month, we strongly recommend that you sign up to the Update Service. This will mean that you will not have to complete another DBS check in order to sign up to the Update Service, providing you remain subscribed to the service.**

### **How much does subscription to the Update Service cost?**

Subscription is separate to the cost of an actual DBS check. Subscription to the Update Service costs £13.00 per year and licence holders will need to keep their subscription active.

### **What happens if I do not sign up to the Update Service or if I do not keep my subscription active?**

If you do not register for the Update Service as required, or if you do not keep the subscription active, your licence may be suspended or not renewed. This is because the Licensing Team must prioritise public safety and would be unable to check the status of your certificate (and criminal record) when required. In order to re-register for the update service if you have let your registration lapse you would be required to carry out and pay for a new enhanced DBS check and then re-register for the update service.

## **How can I let the Licensing Team carry out a Status Check on my DBS Certificate?**

You will need to give your written consent, show your original DBS certificate and provide your unique reference number (i.e. the certificate number). This will enable a Status Check to be carried out.

## **How long does the Update Service last and does it need renewing?**

The Update Service lasts for 1 year from the date of issue displayed on the DBS certificate. If you want to continue to hold your licence with Trafford Council, you must keep the subscription active and renew it.

You can set your account to automatically renew or alternatively, you will need to pay for the renewal within 30 days before your subscription ends.

More information about renewing your subscription can be found here:

<https://www.gov.uk/government/publications/dbs-update-service-applicant-guide/dbs-update-service-applicant-guide#renewing-your-subscription-to-the-update-service>.

## **What do I need to do with my DBS certificate once I have received it?**

You must email a copy of your original DBS certificate to the Council offices for the Licensing Team to check. It is really important that you then keep your DBS certificate safe as it will be required in the future and may be requested by the Licensing Team at any time.

## **How is the Update Service beneficial to me?**

As a result of the DfT Statutory Standards requiring licensing authorities to conduct DBS checks at least every 6 months Trafford Council (along with the other 9 GM Authorities and many other licensing authorities nationally) has decided to conduct DBS checks on a more frequent basis (at least every 6 months). At £13 per year, registration to the Update Service is significantly cheaper than undertaking an enhanced disclosure every 6 months as you may

only ever need to do one DBS check (if your disclosure status remains unchanged). You must, however, undertake the initial DBS check in the first instance and then register for the Update Service. Using the Update Service will reduce the overall cost of DBS checks over the course of your career as a licensed driver. Once registered the Certificate can be taken from role to role where the same level and type of check are required.

### **I have recently undertaken a DBS.**

If you registered for the DBS Update Service at the time of completing a previous DBS check then you may not be required to undertake a further check. However please note that your previous disclosure must have been enhanced and state 'Other Workforce'. You must also present your original DBS certificate to the Licensing Team.

If you did not register for the Update Service, you will need to do a new DBS when your licence and DBS certificate is due for renewal.

### **I have never received any convictions etc.; what happens next?**

When you present your original disclosure certificate to us we will check to see if it is clear. We will then process your application as usual (or your licence will simply continue to run).

### **I know that previous convictions etc. will be disclosed on my DBS; what happens next?**

We will then have to consider whether you are a 'fit and proper' person to receive OR continue holding a Hackney Carriage or Private Hire Drivers licence.

If you do not provide us with the DBS certificate, the application will not be considered complete and no licence will be granted and/or your current licence may be suspended.

### **How do I pay the subscription fee?**

The subscription fee must be paid by credit or debit card.

**Please note:** you must ensure that the Update Service is kept informed if you get a new payment card. Your annual subscription will not be taken if any of your details have changed and this is likely to result in you having to undertake a full DBS disclosure at the time of renewal. The fee is paid directly to the DBS.

Further guidance on DBS checks and the Update Service can be obtained from the DBS website:

<https://www.gov.uk/dbs-update-service>