

DERBYSHIRE COUNTY COUNCIL

CABINET

22 February 2018

Report of the Strategic Director – Economy, Transport and Environment

**DEVELOPMENT OF A TRANSPORT SAFEGUARDING STANDARDS
FRAMEWORK FOR CONTRACTED PASSENGER TRANSPORT
SERVICES (HIGHWAYS, TRANSPORT AND INFRASTRUCTURE)**

(1) **Purpose of Report** To update Cabinet on progress in developing a Transport Safeguarding Standards Framework which outlines the measures being put in place to effectively manage potential risks to vulnerable transport service users.

(2) **Information and Analysis**

Background

From 2015 onwards, there have been several high profile media reports in parts of the UK about child sexual exploitation (CSE). Some of these have focused on groups of individuals, grooming and sexually exploiting vulnerable children and young adults. In some cases, the perpetrators have been taxi drivers and, given the Council's heavy reliance on taxis for transporting vulnerable people, it is appropriate to give due weight to ensuring their safety.

The cases in Rotherham and Rochdale in particular have challenged local authorities nationally to consider and put in place measures to manage levels of risk involved in their commissioned services but also have regard for commercial services for the wider public. Commissioned services are those procured by the local authority which relate to the statutory provision of transport for service users including vulnerable children, young people and older adults. As result of this, many local authorities now provide either face-to-face or e-learning training for the providers of their commissioned services.

At a local level, the County Council has put robust safeguarding procedures in place which are overseen by the Derbyshire Safeguarding Children Board and the Derbyshire Safeguarding Adult Board (Safer Derbyshire). Whilst, passenger transport services sit outside the corporate safeguarding structures and are commissioned by specialist transport teams in the Economy, Transport and Environment (ETE) Department, officers in ETE have

reviewed the safeguarding measures in place around passenger transport to ensure effective processes are in place for the delivery of transport services relating to vulnerable children, young people and older adults including:

- mainstream home to school transport (around 6,000 eligible students);
- transport for children/young adults with special needs and disabilities (around 2,000 eligible students); and
- adults with disability or age related conditions (around 1,500 eligible service users).

Although reasonable measures were already in place to mitigate against safeguarding allegations at the time of the review, (such as enhanced Police checks and dissemination of safeguarding cards for taxi and bus drivers), it was recognised that more could be done to improve and implement auditable systems that would be aligned with corporate safeguarding practices.

As a result of these findings, Corporate Management Team requested a 'Safeguarding Transport Standards Framework' for Childrens and Adults services was developed. This was to be based on best practice from other authorities and once developed be fully integrated into corporate structures with the support of the appropriate safeguarding boards.

Progress to Date

To coordinate this work, a project lead with transport experience was appointed to develop an action plan and ensure work tasks were identified and completed. A small task and finish group was established, made up of specialists from relevant service areas e.g. child protection, adult care, community safety and taxi licensing. The CSE Steering Group of the Derbyshire Safeguarding Children Board and Derbyshire Local Authority Chief Executives have been engaged.

There has been significant progress with developing a two year action plan which is set out at Appendix 1 to this report. Some achievements have already been made, for example, systems of reporting allegations have been improved; joint working with Child Protection and the Local Authority Designated Officer (a statutory role overseeing allegations against people that work with children), has been developed; and there is now closer liaison with the Community Safety Team on projects such as the '*Say Something if you See Something*' publicity awareness campaign about CSE.

It has always been a key element of the Safeguarding Transport Standards Framework that greater collaboration between the specialist transport teams at the Council and the licensing authorities should occur. District and borough councils have been approached via the Derbyshire Licensing Group to ensure that the safeguarding work, particularly around taxi licensing, is coordinated to ensure improved information sharing of 'soft intelligence' about individuals of concern. In addition, there has been a review of licensing practices in

Derbyshire led by the Chief Executive of Bolsover and North East Derbyshire District Councils. This improved collaboration has been beneficial in several instances during the last six months and will continue to be a valuable line of alerting and sharing concerns.

Recent Developments

Another key strand of the Safeguarding Transport Standards Framework is safeguarding awareness training for providers of specialist transport services, such as taxi drivers, passenger assistants, and large bus drivers.

This element of the action plan has been challenging in considering how appropriate training is provided without great cost to the Council but also without incurring loss of income for transport providers, many of whom are sole traders or small family companies. This challenge is more onerous given that the supplier base in Derbyshire is large and spread over a wide area. Estimated numbers requiring training are shown below:

- 240 taxi and minibus companies
- 40 large bus companies
- 2,200 taxi drivers
- 400 passenger assistants
- 800 bus drivers.

Existing levels of training were also found to be very low. An audit of taxi and minibus providers, for example, showed that less than 20% provided any form of CSE awareness training. Consideration was given to the most appropriate form of training and it was agreed that face-to-face training was most effective in the first instance, with follow-up training provided through an e-learning resource. The outline of these programmes is summarised below.

Training Programme 1 for Taxi Drivers – a safeguarding training resource has been developed with the Community Safety Team, based on best practice from other authorities and national agencies. This resource has been made available to all the district and borough council licensing authorities to deliver in-house. Relevant DCC officers have worked with the licensing officers to deliver a consistent message and have provided handouts and information cards to taxi drivers. District/borough councils have been asked to provide details of drivers who have attended to enable appropriate records to be maintained. There is concern that a group of workers employed by suppliers as passenger assistants will be missed because they are not registered with the district/borough councils' licensing teams. The estimated number of passenger assistants is 400, and, the Council may have to deliver some sessions itself to ensure that these people are trained.

Training Programme 2 for Drivers of Large Buses – there is no central registration body for Public Service Vehicle (PSV) drivers similar to the licensing authorities for taxi drivers and options are currently being considered

regarding how this training can be delivered. It is likely that drivers will be signposted to companies which have received endorsement from the Council and have developed training that has received accreditation, such as the Driver Certificate of Professional Competence (DCPC).

(3) **Financial Considerations** A resource of £3,000 for training and printing will be made available in the 2017-18 and 2018-19 financial years, jointly funded from Children's Services and Adult Care.

(4) **Legal Considerations** The Council has a statutory duty to provide free home to school transport assistance for students who meet the criteria which is detailed in the Education and Inspection Act 2006.

The Council has a statutory duty to protect vulnerable children and adults through appropriate safeguarding measures.

(5) **Social Value Considerations** The Council commissions appropriate transport services to students with special needs and disabilities who have a statutory entitlement to travelling assistance to enable them to attend educational settings. Similarly, the Council provides appropriate travel assistance to eligible adults to day services who have a learning or physical disability or an age relating condition. Attendance at day services allows for independence, interaction and well-being, and enables parents/carers to fulfil employment or other essential activities.

Most of the specialist passenger transport services are provided by external contractors who are local companies, thereby helping to support jobs and the local economy. The requirement to attend safeguarding awareness training has wider benefits to the travelling public of Derbyshire and it enhances the awareness of the taxi fraternity in particular, who are keen to work in partnership with the Council in the effort to combat CSE and other social problems such as modern slavery.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the ETE Department. Officer contact details - Deborah Oddy, extension 36743.

- (9) **OFFICER'S RECOMMENDATIONS** That Cabinet:
- 9.1 Endorses the Safeguarding Transport Standards Framework and Action Plan as important elements in contributing to the safeguarding of vulnerable children and adults who are transported on Council commissioned transport services.
 - 9.2 Supports the delivery of the two training programmes for both taxi drivers and passenger assistants and large (school) bus drivers.
 - 9.3 Endorses the staffing commitment in the Economy, Transport and Environment Department to deliver a small number of training courses in programme 1 to passenger assistants.

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Strategic Director – Economy, Transport and Environment

Safeguarding - Child Sexual Exploitation and Vulnerable Adults

Derbyshire County Council - Transport Safeguarding Standards Framework

Introduction

The Transport Safeguarding Standards Framework focuses exclusively on the provision of passenger transport services commissioned by Derbyshire County Council from third party contractors (known as 'operators'). The operators include companies running large buses which undertake home to school services, as well as taxis and small minibus companies who largely provide transport for special needs children and vulnerable adults.

The Transport Safeguarding Standards Framework sets out the arrangements that should be in place by transport operators to reflect the importance of safeguarding and promote the welfare of children and vulnerable adults. It should be read in conjunction with safeguarding documents and training provided to ensure that Derbyshire's passenger transport services protect both passengers and operators from any potential risks and enable vulnerable persons who may be at risk to be identified.

The Council will work in partnership with licensing authorities, statutory agencies including schools, the police and operators to maintain safeguarding standards and achieve the best outcomes for delivering transport services for vulnerable passengers.

The Transport Safeguarding Standards Framework will be aligned to procedures and policies within the Child Sexual Exploitation (CSE) work of the Derbyshire Safeguarding Board and actions implemented by a task and finish group which will be overseen by the CSE sub-group and ultimately approved by Members, Chief Officers and the Derbyshire Safeguarding Board.

ACTION PLAN

Number	Standard Requirement	To do	Officer and Timescale
Standard 1 * Senior Management Commitment * Standards identified in the Transport Safeguarding Standards Framework are aligned to the requirements of Section 11 of the Children Act 2004	Senior management commitment to the importance of safeguarding and endorsement of Council Members	Adoption of the Transport Safeguarding Standards Framework (TSSF) Take standards to Corporate Management Team (CMT) for endorsement Obtain Elected Member buy in – update on progress with a report to Cabinet Appoint a designated safeguarding transport lead in Economy, Transport and Environment (ETE) to: champion the importance of safeguarding; have responsibility for the monitoring of staff and operators; act as project lead for the Transport Safeguarding Standards Framework Task and Finish Group Appoint named persons at senior management level in all relevant departments as safeguarding contacts Introduce the TSSF to Safeguarding Boards (adults and children's) Ensure the TSSF standards are audited when an audit of the Derbyshire Safeguarding Children Board (DSCB) and	November 2015 – approved Further update provided August 2017 Planned for early 2018 Deborah Oddy, ETE Representatives from Children's Services and Adult Care attending Task and Finish Group Joint briefing paper to both Boards after Member approval – by June 2018

		<p>Safeguarding Adults Board (SAB) takes place, as part of the process [clarify with the Boards]</p> <p>Include information in the DSCB and SAB newsletters, Community Safety Bulletins, district/borough licensing newsletters, and the Schools Intranet</p> <p>Monitoring and review - the TSSF will be managed and overseen by the Derbyshire Safeguarding Board</p>	
Standard 2 Safeguarding Responsibilities	A clear statement of Derbyshire County Council's (DCC's) safeguarding responsibilities towards children and vulnerable adults in passenger transport services is available for all staff	<p>The project lead is responsible for ensuring all passenger transport complaints and allegations procedures are followed. They should ensure that transport services staff are aware of procedures and receive training as necessary</p> <p>Transport Services will have the following in place and provide to all transport staff:</p> <ul style="list-style-type: none"> • A copy of the TSSF • Child/adult protection awareness about what to do if they are concerned about a child/vulnerable adult • All transport staff to undergo basic awareness training 	<p>Project lead completed e-learning safeguarding awareness and CSE awareness training</p> <p>Written procedures are planned to improve reporting and recording of allegations and/or concerns</p> <p>Three managers completed the 'Managing Allegations' training</p>

		<ul style="list-style-type: none"> • Awareness of driver and passenger assistant vetting and training requirements • Awareness of complaints, allegations and escalation (see DCC complaints procedure) • Awareness of the 'Whistle Blowing Confidential Reporting Code' (click on link here whistle blowing). <p>Transport Services will have the following in place and provide to all operators:</p> <ul style="list-style-type: none"> • Copies of DCC safeguarding procedures • Issue 'safeguarding information cards' to all drivers and passenger assistants • Produce and issue a Drivers' 'Code of Conduct' in an easy to read format to incorporate additional information on CSE and safeguarding (this has already been 	<p>on 20 June 2017.</p> <p>Approximately 15 other team members require CSE refresher training.</p> <p>Links to following DCC policies were provided to contractors early 2017: Safeguarding of Vulnerable Adults, Child Protection, Lone Working and Whistle Blowing</p> <p>Issued 2015 and 2016. Cards reviewed and updated and re-issues from August 2017</p> <p>Supplies sent to all district/borough councils for taxi drivers at safeguarding training</p>
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<p>Standard 3 Recruitment and vetting of operators</p>	<p>All partners will ensure that all staff with access to children and vulnerable adults are properly selected and vetted to ensure inappropriate individuals do not gain access to Children and Young People</p>	<p>produced for DCC's staff and will need adapting for external operators). The Code of Conduct should also be made available on DCC website, to schools and day service establishments and service users, parents/carers if required</p> <ul style="list-style-type: none"> • Issue guidance on child/adult protection and what to do if they are concerned about a child/vulnerable adult <p>Improve links with Derbyshire's licensing authorities and link to their licensing newsletters</p> <p>Establish links with taxi associations and bus/coach associations</p> <p>Transport Services will ensure that contractors have the following in place:</p> <p>Recruitment and vetting procedures in place to help prevent unsuitable people from working with children and vulnerable adults</p> <p>Robust systems are in place to monitor DBS (police background) checks</p>	<p>Surveyed districts/boroughs in May 2017 regarding CSE/safeguarding training</p> <p>Contact via Licensing Authorities. Contact to be made with large bus representatives via Public Transport Unit</p> <p>Enhanced DBS checks are already carried out, there is room for improvement with process internally</p> <p>Introduced in DCC in 2017 and a new monitoring system has</p>
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		<p>Certificates of Good Conduct where required</p> <p>Regular checks (at least once a year) are made on criminal background checks of all drivers</p> <p>Safeguarding awareness training is to be produced and provided to all new recruits at each company</p>	<p>been established</p> <p>This will require communicating to all contractors</p> <p>Training survey undertaken May 2017 to identify what training (if any) transport contractors provide</p>
Standard 4 Structure of Accountability	DCC and all partner organisations have an accountability structure to safeguard and promote the welfare of children and vulnerable adults	<p>Structure of accountability for safeguarding produced which specifies roles and responsibilities</p> <p>The designated project lead will be responsible for: receiving transport safeguarding concerns about children/vulnerable adults; escalating serious/urgent issues to senior management; making appropriate referrals to the Local Authority Designated Officer (LADO) and/or Children's Services or Vulnerable Adult Central Referral Unit (Police) where an individual is harmed or at risk; link to Police intelligence "Operation Liberty" (CSE concerns only)</p> <p>Standards on safeguarding of children and vulnerable adults included in transport procurement systems</p>	<p>In progress with transport teams</p> <p>New written processes are planned and clear reporting lines</p> <p>Achieved in procurement systems for School Bus Dynamic Purchasing System in</p>

		Children and adults' views of what makes them feel safe when being transported should be taken into account by all relevant departments	2016 and the Taxi and Small Vehicle DPS in 2017 Contact Children's Participation Team and Citizens Panel lead officers
Standard 5 Training	All partner organisations will ensure personnel are trained in safeguarding and promoting the welfare of children and vulnerable adults	<p>Mandatory training to be written and introduced as part of the commissioning process for all DCC contracts</p> <p>It is a longer term aspiration that all drivers and passenger assistants must be trained in CSE and safeguarding awareness</p> <p>Support the CSE and safeguarding training provided by the district and borough councils Licensing Departments for taxi drivers and extend and standardised across the County</p> <p>Introduce new and separate training for large bus operators undertaking school contracts</p>	<p>Survey completed May 2017 to establish safeguarding training at district/borough councils</p> <p>Appropriate training investigated</p> <p>The Project lead and Community Safety have developed a training resource which has been approved by Child Protection and distributed to all district/boroughs to use. Handouts have been produced and supplied free of charge. Records of taxi drivers who have attended safeguarding training to be supplied to DCC</p> <p>Investigating training options for large bus drivers on home to school contracts</p>

		<p>Staff, operators and service users should understand that discriminatory, offensive, violent and bullying behaviour is unacceptable and that complaints will be acted upon</p> <p>General awareness raising across internal and external partners via the Community Safety Partnerships, DCC website, Multi-agency teams, schools intranet etc</p>	
<p>Standard 6 Collaboration with licensing authorities</p>	<p>Partner organisations will have arrangements for effective information sharing</p>	<p>Closer information-sharing arrangements between Specialised Transport Services and district/borough taxi licensing authorities</p> <p>Implement the new 'Supplier Information Security Policy' which outlines procedures for the storage of sensitive data sent to operators such as service users' names and addresses etc</p>	<p>Updated the Derbyshire Licensing Group in Autumn 2017.</p> <p>A Derbyshire wide taxi licensing review has taken place led by the Chief Executive Officers at Bolsover District Council and North East Derbyshire District Council</p> <p>Key managers in Specialised Transport Services have access to GCSX secure emails to share sensitive data and 'soft intelligence'</p> <p>Included in the procurement systems and tested with random sample during 2016 and fed back to Audit. All companies</p>

			contacted (very small sample) had good to very good information security practices
Standard 7 Monitoring and review of the TSSF	All partner organisations will work closely and effectively to monitor performance and evaluate the effectiveness of the TSSF	<p>A review process should be set up to ensure that the TSSF is being reviewed regularly</p> <p>Monitoring of the TSSF and action plan will be undertaken at agreed intervals by the CSE sub-group of the Derbyshire Safeguarding Board</p> <p>In addition to this, consideration to be given to the management information available and how this can continue to improve safeguarding standards in transport services</p> <p>Regular feedback to CSE sub-group on outcomes.</p>	