

Appendix. Implications of Casey Report for Licensing				
Casey Report Findings	Birmingham Comparison	Action previously reported	Target Date	Position at April 2017
1. Rotherham's Licensing service was split between a Policy Team and an Enforcement Team using different databases. Complaints and information about drivers were not always recorded.	Birmingham Licensing service mirrors a similar split, however, we do not regard this to be a barrier to successful compliance or enforcement.	Staff training to ensure that the importance of record keeping is understood and that information is shared between teams. Officers are reminded at team meetings to record all information. Our enforcement officers can all use SOPRA and place any warnings on the system if they need to alert Licensing Officers of investigations.	Achieved	Achieved
2. Rotherham's Licensing service was split between a Policy Team and an Enforcement Team using different databases. Complaints and information about drivers were not always recorded.	Birmingham has two databases that service the granting and administration of licences (SOPRA) and a separate enforcement database (M3).	Work is well underway to migrate all our licensing functions, including the grant, administration and enforcement of licences from SOPRA to M3. This will ensure that the same set of information is visible to all officers.	Summer 2017	The migration of data from SOPRA to M3 has been far more complicated than was expected. Officers are working with Service Birmingham to develop new licensing processes to correspond with the new M3 system.
3. A failure to make links between separate incidents or complaints about drivers where recurrent issues were identified.	Records are maintained of all complaints, intelligence and enforcement action against individual drivers and operators, whether substantiated or not, but low level infringements (e.g. not displaying operator signs) are dealt with at stop checks by way of verbal warnings coupled with on the spot rectification.	Draft proposals have been prepared for a cumulative points system for drivers and operators to capture all infringements to help build a complete picture of individuals' behaviour and identify trends. The policy will incorporate trigger points for appropriate action to be taken, e.g. based on a set number of complaints being made within a fixed timescale. The system is dependent on the outcome of the review of driver and vehicle conditions, which are due to be presented to LPPC in April 2017.	01/10/2017	This policy is dependant on approval of new conditions for drivers, vehicles and operators, which are due for approval on 12 April 2017 by the Licensing and Public Protection Committee. If the new conditions are approved on that date officers can commence the consultation on the points system.

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4. Lack of Policy: Rotherham's policies were found to be out of date.	Hackney Carriage/Private Hire policies / licence conditions have not been changed for a number of years, although they have been reviewed annually.	Operator Conditions	Apr-17	Revised conditions for operators to be approved on 12 April 2017 at the Licensing and Public Protection Committee meeting.
5. Lack of Policy: Rotherham's policies	Hackney Carriage/Private Hire policies / licence conditions have not been changed for a number of years, although they have been reviewed annually.	Vehicle Conditions.	Apr-17	Revised conditions for vehicles to be approved on 12 April 2017 at the Licensing and Public Protection Committee meeting.
6. Lack of Policy: Rotherham's policies were found to be out of date.	Hackney Carriage/Private Hire policies / licence conditions have not been changed for a number of years, although they have been reviewed annually.	Driver Conditions.	Apr-17	Revised conditions for drivers to be approved on 12 April at the Licensing and Public Protection Committee meeting.
7. Lack of Policy: Rotherham's policies were found to be out of date.	Hackney Carriage/Private Hire policies / licence conditions have not been changed for a number of years, although they have been reviewed annually	Hackney Carriage Bye-Laws	Work will start on reviewing these in May 2017 as soon as the vehicle, driver and operator conditions have been approved and to have a revised draft bye law by Dec 2017	Work to review Hackney Carriage bye-laws to be started after approval of driver , vehicle and operator conditions in April 2017.

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8. Inappropriate political intervention in officer decision making.	There have been occasions when elected members have attempted to influence licensing decisions at officer level (both taxi and non-taxi decisions). Normally they are councillors who do not sit on the Licensing and Public Protection Committee. Similar pressure is sometimes applied by councillors to other councillors sitting on Licensing sub-committees.	In February 2016 LPPC considered a report on delegating powers to officers and whether decisions about hackney carriage and private hire matters should continue to be made by a Licensing Sub-Committee. It agreed to retain the role of Sub-Committees and to delegate to officers decisions involving late renewal of licences where the delay was on medical grounds and applications for driver licences from drivers from failed states. It was further agreed to introduce a code of conduct for members of the LPPC and to amend the Code of Conduct for all BCC Members to prevent any attempts at interference with the decision making process.	Report to LPPC September 2016 to agree code of conduct.	Achieved
9. Complaints about drivers with school transport contracts were inadequately investigated.	Decisions to award contracts to drivers for school contracts are made by the City's Education Transport Team. Officers in that team and in Licensing have improved their liaison to improve the flow of communication. A formal document to outline each team's roles and responsibilities would be helpful.	To agree a Revised Memorandum of Understanding between Licensing and Education Transport to cover roles, responsibilities, communication etc.	Completed	Achieved
10. Members of the Licensing Board did not receive sufficient bespoke training on dealing with taxi hearings. The number and nature of documents provided to members in advance of hearings were reduced.	Bespoke training was provided to the Licensing and Public Protection Committee in 2015 and 2016. We have not shortened the reports that are presented to elected members.	Specific taxi licensing training to be organised by Legal Services for members whenever the Committee is renewed following local elections.	Completed	Achieved

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11. In Rotherham some hackney carriage and private hire drivers were directly involved in CSE offences, but equally, all hackney carriage and private hire drivers might witness circumstances connected to CSE in their day-to-day work.	Levels of direct involvement in CSE amongst Birmingham's licensed hackney carriage and private hire drivers and operators have been minimal to date, but drivers have a valuable role to play as the eyes and ears of the community and can report suspicious circumstances if they see them.	It was agreed in June 2016 by LPPC to require all current and future licensed hackney carriage drivers, private hire drivers and operators to attend a Safeguarding awareness course (taking account of CSE and all categories of vulnerable people, including intoxicated customers). Subsequently members of the Committee have asked officers to introduce safeguarding training for all hackney carriage and private hire drivers and operators with a view to drivers being required to attend training before the expiry of their current licences. We have agreed course material that will be delivered to current drivers by the Council's Youth Services team. All new applicants now attend training with the Disability Resource Centre.	Under proposals contained in the report to the April 2017 meeting of the Licensing & Public Protection Committee all drivers will have been trained by October 2018.	This will require detailed consultation based on legal advice. Proposals put forward to start process at April 2017 Licensing and Public Protection Committee meeting. All new applicants now receive safeguarding training.
12. The Casey Report found that officers lacked guidance on how to deal with complaints where the complainant would not report an incident to the police or where the police decided not to investigate or prosecute due to the criminal burden of proof.	Officers in Birmingham also lack such guidance, although we are clear that we do not apply the criminal burden of proof to these situations.	Officers to develop a framework for dealing with CSE and other complaints that have not been reported to the police or where the police have not prosecuted. To include guidance on the circumstances when suspension will apply and the level of evidence required. Such framework to incorporate grounds for decisions on when to immediately suspend or revoke licences.	Jun-17	Officers, working with members, are clear that the burden of proof for the decision to revoke or suspend a driver or operator licence is on the balance of probabilities, but specific guidance will be incorporated in the revised Policies, Procedures and Delegations report to the Committee in June 2017.