

# AGENDA ITEM: 7

## SUMMARY

Report for:	Licensing Health & Safety Enforcement Committee	
Date of meeting:	25 June 2013	
PART:	1	
If Part II, reason:		

Title of report:	Medical requirements for taxi and private hire drivers	
Contact:	Ross Hill – Licensing Team Leader, Legal Governance	
Purpose of report:	To advise the Committee of the DVLA's latest recommended medical standards for Group 2 (vocational) drivers; to reaffirm the use of these standards in respect of taxi and private hire drivers' licence applications; and to amend the Council's policy in respect of diabetic drivers.	
Recommendations	<ol> <li>To reaffirm the Council's policy of requiring applicants for taxi and private hire drivers' licence to satisfy the DVLA's recommended medical standards for Group 2 (vocational) drivers (as may be amended by DVLA from time to time).</li> <li>To revise the Council's format for medical certificates, in accordance with the document at Annex A, for renewal and application packs issued from the 1<sup>st</sup> July 2013.</li> <li>To extend the Council's additional policy in respect of insulin-treated diabetic drivers to cover diabetic drivers whose treatment carries a risk of inducing hypoglycaemia (insulin treatment, or tablets such as sulphonylureas or glinides)</li> <li>To revise the Guidelines on the fitness of applicants to reflect the change to policy on diabetic drivers.</li> </ol>	
Corporate objectives:	<ul> <li>Safe and Clean Environment</li> <li>Public safety is the main aim of the driver licensing scheme, and ensuring a minimum medical standard among licence-holders is a key part of attaining this aim.</li> </ul>	

Implications:	Financial Applicants pay a fee to their doctor for completion of the medical certificate, typically around £90 to £110. Indications suggest that this fee may be increased by around £10 if the changes are adopted.
	<u>Value for Money / Risk / Equalities / Health And Safety</u> None.
Consultees:	Bedfordshire & Hertfordshire Local Medical Committee Ltd, as nominated by Hertfordshire CC Public Health, and all of the GP practices within Dacorum have been notified of the proposed changes to the form and asked to make any comments prior to the Committee meeting.
Background papers:	At a Glance Guide to the current Medical Standards of Fitness to Drive (Drivers Medical Group, DVLA, 2013)
Glossary of acronyms and any other abbreviations used in this report:	DVLA – Driver and Vehicle Licensing Agency

## 1. BACKGROUND

- 1.1. When considering applications for hackney carriage and private hire driver's licences under sections 51 or 59 of the Local Government (Miscellaneous Provisions) Act 1976, the Council must satisfy itself that applicants are fit and proper persons to hold a driver's licence. The discretion available to the Council in making this determination is wide-ranging, and the checks carried out include criminal records, driving endorsements, right to UK employment, and medical suitability.
- 1.2. Under the Council's policies, all applicants for a drivers' licence are required to submit to the Council a recent medical certificate completed by their GP or another medical professional who has accessed the applicant's medical records covering at least the preceding 5 years when completing the certificate. In completing the certificate, the medical professional is requested to have regard to the Group 2 medical standards, published by DVLA.
- 1.3. The Group 2 medical standards are primarily intended to apply to vocational drivers who require advanced driving licences, such as lorry or public service vehicle drivers. However, it is suggested, both within the Department for Transport's Best Practice Guidance (March 2010) and the Royal Society of Medicine Press Limited's booklet "Fitness to Drive: A Guide for Health Professionals" (2006) that local authorities apply the Group 2 standards to hackney carriage and private hire drivers, reflecting the high amount of time during which those individuals would be expected to be involved in the driving of vehicles.
- 1.4. In March 2012, the Licensing, Health & Safety and Enforcement Sub-Committee adopted a specific medical policy in respect of the licensing of applicants undergoing insulin treatment for diabetes mellitus, requiring the provision of a hospital consultant's letter confirming that treatment had been

underway for not less than 4 weeks, and a signed declaration from the applicant confirming their awareness of hypoglycaemia, their intention to comply with treatment instructions given to them, and their regular undertaking of blood glucose monitoring and recording at least twice daily and a times relevant to driving.

1.5. The Council's medical policies in respect of drivers were summarised in the 'Guidelines on the Fitness of Applicants' document, adopted with effect from the 1<sup>st</sup> March 2013.

## 2. GROUP 2 MEDICAL STANDARDS

- 2.1. The medical standards are kept under constant review by DVLA, and are typically updated twice a year in light of any new conditions or treatment issues arising which may impact upon an individual's ability to drive safely. A concise version of the latest standards is attached to this report, at Annex C.
- 2.2. As indicated above, adoption of these standards for hackney carriage and private hire drivers' licensing procedures remains recognised best practice, and is endorsed by the Department for Transport<sup>1</sup>. The fact that the standards are periodically reviewed by an expert panel of medical professionals also means that they remain current and reflective of national medical trends, and thus are likely to remain more current and complete than any equivalent local guidance that may alternatively be developed on the consideration of the health and medical wellbeing of applicants. For this reason, it is suggested that the use of the DVLA Group 2 standards is retained, and Committee are asked to pass a resolution reaffirming this.
- 2.3. The Council has previously prescribed a format for the medical certificate that drivers must obtain. It is unknown exactly when this form was devised, but the current form does not accurately reflect the current medical standards, with several key areas either omitted entirely or outdated. This has the effect of complicating the process of granting an application for a drivers' licence, as only incomplete information about the medical suitability of that applicant is readily available.
- 2.4. A revised medical certificate format has now been devised, which reflects the current medical standards more closely, covering a wider range of conditions and disorders. This is appended at Annex A. It is recommended that the Committee adopt this as the revised medical certificate format, to be issued in renewal and application packs with effect from the 1<sup>st</sup> July 2013.
- 2.5. The revised form has been sent to Hertfordshire County Council's public health team for comments, who forwarded the enquiry to the Bedfordshire & Hertfordshire Local Medical Committee for advice. A response was received from the LMC on the 9<sup>th</sup> April 2013, indicating a belief that the proposed questions were appropriate. The form has since been sent to all of the GP Practices within Dacorum with a request for comments, but at the time of writing none had been received.

<sup>&</sup>lt;sup>1</sup> Para 68, Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (DfT, March 2010) <u>https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/4395/taxi-private-hire-licensing-guide.pdf</u>

- 2.6. It is understood that most doctors charge a fee for the completion of the certificate, and information on the amount of such fees was requested from practices along with comments on the revised form. At the time of writing, four responses had been received from the 20 practices consulted, indicating fees between £90 and £115. Two of the four indicated that they would increase their fees if the newer, more comprehensive form were to be adopted, one by £10 (to £100) and the other by £15 (to £115).
- 2.7. In an amendment to the Council's policy, adopted in March 2012, applicants may obtain their medical certificates from a medical professional other than their registered GP, providing that the professional has had access to the applicant's medical records covering no less than the preceding 5 years. This provision provides an element of competition to help ensure that fees are not artificially inflated by a practice, and for this reason no change is proposed to this aspect of the policy.

## 3. DIABETIC APPLICANTS

- 3.1. Applicants with insulin-treated diabetes are subject to additional requirements under the Council's policy requiring a letter from the treating Consultant Diabetologist to be submitted confirming that treatment has been underway for at least 4 weeks, and a signed declaration from the applicant confirming that they will comply with treatment directions given to them, that they will immediately report any change in their condition to the licensing authority, and that they will provide the licensing authority upon request with evidence of twice daily blood glucose monitoring. These additional requirements were considered necessary due to the possibility of the insulin treatment causing hypoglycaemia.
- 3.2. Since the Committee last considered the issue, a further amendment has been made to the Group 2 standards in respect of diabetes treatment. This reflects the fact that certain other forms of diabetes treatment, particularly treatment by way of tablets such as sulphonylureas or glinides, also carry a risk of inducing hypoglycaemia.
- 3.3. By way of an update to the policy, to bring it in line with the latest standards, it is now intended to extend the declaration requirement outlined above to those applicants with diabetes managed by tablets which carry a risk of inducing hypoglycaemia. Doctors will also be required to confirm adherence to the relevant Group 2 standards for treatments of this type, within the medical certificate.

## 4. **RECOMMENDATIONS**

4.1. To reaffirm the Council's policy of requiring all applicants for hackney carriage and private hire drivers' licences to obtain and submit a medical certificate on each application, completed either by the GP surgery where the applicant is registered as a patient or by another medical professional who has viewed the applicant's medical records covering not less than the preceding 5 years; such certificate to be in the format prescribed from time to time by the Council, and confirming that the applicant satisfies the DVLA's published medical standards for Group 2 (vocational) drivers (as may be amended by DVLA from time to time, without further resolution).

- 4.2. To prescribe a revised format for hackney carriage and private hire drivers' licence medical certificates, in accordance with the document at Annex A, for renewal and application packs issued from the 1st July 2013.
- 4.3. To add a further paragraph to the Council's additional policy in respect of diabetic drivers as follows:

Applicants with diabetes mellitus which is treated by way of tablets carrying a risk of inducing hypoglycaemia (such as sulphonylureas or glinides) shall, in addition to the medical certificate, provide a signed declaration confirming that they will:

- Comply with the directions for treatment given to him/her by the Doctor supervising that treatment;
- Immediately report to the Licensing Authority, in writing, any change in diabetic condition; and
- Provide to the Licensing Authority, upon request, evidence that blood glucose monitoring is being undertaken at least twice daily and at time relevant to driving a hackney carriage or private hire vehicle during employment.
- 4.4. To revise section 4 of the "Guidelines on fitness of applicants for Hackney Carriage / Private Hire Driver's licences", as set out in Annex B.

### Annex A – revised medical certificate format



This certificate (with the exception of the section entitled Applicant's Details, below) must be completed by the applicant's GP (or a doctor at the GP surgery where the applicant is registered as a patient), or by a similarly qualified medical professional who has reviewed the applicant's medical records covering a period of at least 5 years immediately prior to the completion of the certificate.

Please answer all sections using black ink and block capitals.

#### Applicant's Details

Full name:						
Home address:						
Date of birth:	1	1				
GP/Surgery Name:						(where registered as a patient)
GP/Surgery Address:						
	icle, then I	lautho	rise my Do	ctor(s) and		e a Hackney Carriage or tant(s) to release reports to
I declare that the	edetails I I	have g	iven are to	the best of	my knowle	edge correct.
Signed: (applicant)					Dated:	

(To be signed in the presence of the Medical Professional completing the certificate)

#### Notes for medical professionals

Dacorum Borough Council requires applicants for hackney carriage (taxi) and private hire driver's licences to satisfy the current medical standards for Group 2 licences, as set by DVLA. These standards are more stringent than those for drivers of ordinary cars, reflecting the fact that taxi and private hire drivers are driving in a vocational capacity.

In completing this medical certificate, medical professionals are asked to have regard to the current best practice advice contained in the booklet "Fitness to Drive": A Guide for Health Professionals (published by The Royal Society of Medicine Press Limited in 2006), and to the recommendations by the Medical Commission for Accident Prevention in their booklet "Medical Aspects of Fitness to Drive" or to the "Notes for the Guidance of Doctors" conducting those examinations prepared by the British Medical Association.

A summary of the applicable Group 2 medical standards can be viewed at www.dft.gov.uk/dvla/medical/ataglance.aspx

Medical professionals may seek further advice about any aspect of the medical standards from DVLA's medical advisers, on 01792 782337 or by email to medadviser@dvla.gsi.gov.uk

#### Note 1

This certificate is for the confidential use of the Licensing Authority in determining the application for a hackney carriage or private hire driver's licence. Any fee charged is payable direct by the applicant to the Medical Professional.

#### Note 2

All hackney carriage or private hire drivers' licence applicants with insulin treated diabetes will be required to satisfy the Licensing Authority that he/she meets the Group 2 DVLA Guidelines in respect of Insulin treatment, on each application. In addition the applicant will need to provide a medical report from a hospital consultant specialising in diabetes confirming:

· The applicant has been undergoing insulin treatment for a minimum of four (4) weeks;

The applicant will also be required to submit a signed declaration that:

- He/she will comply with the directions for treatment given to him/her by the Doctor supervising that treatment;
- Immediately report to the Licensing Authority, in writing, any change in diabetic condition; and,
- Provide to the Licensing Authority, as and when necessary, evidence that blood glucose
  monitoring is being undertaken at least twice daily and at a time relevant to driving a
  hackney carriage or private hire vehicle during employment.

#### Note 3

Applicants for drivers' licences who have been prescribed tablet medication to control diabetes, which carries a risk of inducing hypoglycaemia (such as sulphonylureas or glinides) will be required to submit a signed declaration as described in Note 2.

#### Note 4

Special attention is directed to the condition of the arms, hands, legs and feet, and particularly to joints of the upper and lower extremities.

#### Note 5

The Council requires applicants to submit medical certificates with every application to renew their licence, and these applications are made at three yearly intervals. Further interim medical certificates may be required if recommended by the Medical Professional in question number 22.

#### Medical Details (to be completed by the medical professional)

If all cases, if you wish to provide further information than the space allotted allows, please do so on a blank sheet and attach this to the certificate.

#### Neurological disorders

1.	Is the applicant subject to any neurological conditions, syndromes or disorders, or have a history thereof, which may affect his/her ability to safely act as a taxi or private hire driver, such as:	☐ Yes If Yes, please give deta	□ No ils:
	<ul> <li>Epilepsy or epileptic seizures</li> <li>Non-epileptic seizure attacks</li> <li>Loss of consciousness / loss of or altered awareness</li> <li>Primary / central hypersomnias (including narcoleptic syndromes)</li> <li>Chronic neurological disorder</li> <li>Parkinson's disease</li> <li>Liability to sudden attacks of disabling giddiness</li> <li>Stroke / TIA</li> <li>Acute encephalitic illness or meningitis</li> <li>Craniotomy and/or endoscopic treatment for arachnoid/colloid cysts</li> <li>Traumatic brain injury, haemorrhage, aneurysm, tumour or similar</li> </ul>		

#### Cardiovascular disorders

2.	Does the applicant suffer from any cardiovascular disorder or defect, or have a history thereof, which may affect the safe performance of the applicant's duties as a taxi or private hire driver, such as: • Angina • ACS, CABG, Angioplasty • Arrhythmia or Cardiomyopathy • Pacemaker, Atrial Defibrillator or ICD • Aortic aneurysm or dissection • Peripheral arterial disease • Hypertension • Heart failure, Congenital heart disease	Yes If Yes, please give deta	ils:
3.	Are the blood pressure readings – both systolic and diastolic – abnormal, having regard to the applicant's age and condition? If Yes, do you consider that the abnormal blood pressure would be likely to affect his/her ability to safely act as a taxi or private hire vehicle driver?	Resting BP readings:	/ □ No

#### Diabetes mellitus

4.	Is the applicant diabetic?	Yes (Type 1) Yes (Type 2)	No
	If Yes, how is this managed?	☐ Insulin-treated <i>(see ne</i> ☐ Tablets with risk of in	ducing hypoglycaemia
		Tablets other than the Non-insulin injectable Diet	
	Please give further details:		
	Has the applicant experienced an episode of hypoglycaemia requiring the assistance of another person in the past 12 months?	Yes	No
	Does the applicant have full awareness and an understanding of the risks of hypoglycaemia?	Yes	No
	N.B. Please note that Dacorum has adopted specific requirements in respect of drivers with insulin- treated diabetes, and will require an additional declaration to be completed by the applicant and a letter from the hospital consultant overseeing the treatment. Please contact us for further details.		

### Psychiatric disorders

5.	Does the applicant suffer from any psychiatric disorder or condition, or have a history thereof, which may affect the safe performance of the applicant's duties as a taxi or private hire driver, such as:	☐ Yes If Yes, please give deta	□ No ils:
	<ul> <li>Severe anxiety or depressive illness</li> <li>Acute psychotic disorder</li> <li>Hypomania/Mania</li> <li>Chronic schizophrenia or psychoses</li> <li>Developmental disorders (e.g. autism, Asperger's Syndrome, ADHD)</li> <li>Dementia</li> <li>Behaviour or personality disorders</li> </ul>		

Substance misuse or dependence

6.	Does the applicant show any evidence of, or have a recent history of, misuse or dependence upon alcohol?	☐ Yes	No
	If Yes, please give further details:		
	If Yes, has the applicant ever been the subject of an alcohol-related seizure or disorder?	Yes	No

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7.	Does the applicant show any evidence of, or have a recent history of, persistent use of or dependence upon drugs?	Yes	No
	If Yes, please give further details:		
	If Yes, has the applicant ever been the subject of an seizure associated with drug misuse or dependence?	Yes	No

### Visual disorders

8.	By law, applicants must be able to read a typical vehicle's number plate in good light at a distance of 20 metres. The minimum permissible visual acuity for applicants (while using corrective lenses with a corrective power of no more than +8 dioptres if necessary) is: • 6/12 (Snellen decimal 0.5) with both eyes open • 6/7.5 (Snellen decimal 0.8) in the better eye • 6/60 (Snellen decimal 0.1) in the other eye				
	Please test and state the applicant's visual acuity, as a Snellen fraction or decimal. If the applicant ordinarily wears corrective lenses while driving, please conduct the test with the applicant using those lenses, and indicate that this was the case.	Both eyes open:	Left eye only:	Right eye only:	
			applicant's glasse out glasses/conta		
	•	•			
9.	<ul> <li>Applicants' horizontal visual field should be at least 160°, the extension should be at least 70 left and right and 30° up and down. No visual field defects should be present within a radius of the central 30°.</li> </ul>				
	Is there any indication that the applicant's visual field would not satisfy the above requirement?	Yes	□ No		
10.	a) Do you believe that the applicant should wear corrective lenses when driving?	☐ Yes	🗌 No		
	b) Have suitable lenses been prescribed?	🗌 Yes	No No		
11.	Does the applicant suffer from any	Ves	No No		
	uncorrected visual defects, other than those previously referred to, which may affect their ability to drive, such as:	If Yes, please give details:			
	<ul> <li>Cataract</li> <li>Diplopia</li> <li>Night blindness</li> <li>Blepharospasm</li> <li>Visual field defects, such as glaucoma, retinopathy, retinitis pigmentosa, etc</li> </ul>				

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### Renal disorders

Does the applicant suffer from any chronic renal failure or disorder causing significant symptoms?	No letails:		

### Respiratory disorders

13.	Does the applicant suffer from any respiratory disorders which may affect his/her ability to safely act as a taxi or private hire driver, such as:	☐ Yes ☐ No If Yes, please give details:
	<ul> <li>Cough syncope</li> <li>Carcinoma of lung</li> <li>Asthma / COPD, causing giddiness, fainting or loss of consciousness</li> </ul>	

#### Miscellaneous

14.	Is the applicant considered to be disabled? If Yes, please give further details, in particular noting whether this could interfere with the safe performance of his/her duties as a taxi or private hire vehicle driver? (see note 4)	☐ Yes	No	
	Has the applicant any permanent limb or spinal disabilities (including loss of limbs)?	🗌 Yes	□ No	
15.	Is there any defect of hearing? If so, do you consider that it would interfere with the efficient performance of the applicant's duties as a taxi or private hire vehicle driver?	☐ Yes	□ No	
16.	Is there any abnormality or condition present that is not referred to in the preceding questions, which may affect the applicant's ability to act as a driver of a taxi or private hire vehicle?	☐ Yes ☐ No If Yes, please give details:		
17.	Is there any combination of multiple medical conditions, including those previously referred to, which may affect the applicant's ability to act as a driver of a taxi or private hire vehicle?	☐ Yes If Yes, please give deta	No No	

#### Summary

18.	Is the applicant, in your opinion, generally fit as regards physical health and temperament, for the duties of a taxi or private hire vehicle driver?	Yes No If No, please give details:
19.	Is the applicant sufficiently active for the performance of his/her duties?	Yes No If No, please give details:
20.	Is the applicant currently taking any type of prescribed medication which may adversely affect their ability to drive safely?	☐ Yes ☐ No If Yes, please give details:
21.	Within the preceding five year period, has the applicant been advised by a doctor not to drive motor vehicles on medical grounds?	Yes No
	Following any such advice, has the applicant subsequently been cleared to resume driving?	☐ Yes ☐ No
22.	The applicant will be required to obtain a further medical certificate in three years. Do you currently consider further interim examinations necessary? (see note 5) If so, at what frequency?	Yes No
23.	Do you consider the applicant to be fit to act as a driver of a taxi or private hire vehicle, in accordance with the DVLA's Group 2 medical standards?	Yes No

### Declaration and certification by medical professional

I certify that I have this day examined:						
I confirm that:					Pl	lease tick one
<ul> <li>the applicant is registered as a patient at this GP surgery (excluding temporary registration);</li> <li>the applicant is not registered as a patient at this GP surgery/practice, but I have examined their full medical records covering at least the previous five years prior to completing this certificate.</li> </ul>						
The answers to the foregoing questions are correct to the best of my knowledge and belief, and I consider the applicant fit/unfit, as noted in my response to question 23, to act as a driver of a taxi or private hire vehicle.						
Signed: (Medical professional)			Date:	1	1	
Print name:						
Surgery / practice stamp:		Please a	lso give ad	dress, if no	t included w	vithin stamp

Completed certificates should be returned, preferably in a sealed envelope marked "Private and Confidential", to:

Licensing Dacorum Borough Council Civic Centre Marlowes Hemel Hempstead Hertfordshire HP1 1HH

Updated April 2013

### Annex B – Revised content for 'Guidelines on the Fitness of Applicants for Hackney Carriage / Private Hire Driver's Licence' document

### Current content

### Insulin-treated diabetes

- 4.7 The Council has adopted a specific policy in respect of insulin-treated diabetic applicants. In addition to a medical certificate confirming that the applicant satisfies the Group 2 standards (which make specific provisions for insulin-treated subjects), the Council will require the applicant to obtain and submit, with every application, a letter from a hospital consultant specialising in diabetes confirming that the applicant has been undergoing insulin treatment for a minimum of four weeks.
- 4.8 The Council will also require a signed declaration from the applicant, confirming that they will:
  - Comply with the directions for treatment given to him/her by the Doctor supervising that treatment;
  - Immediately report to the Licensing Authority, in writing, any change in diabetic condition;
  - Provide to the Licensing Authority, as and when necessary, evidence that blood glucose monitoring is being undertaken at least twice daily and at time relevant to driving a hackney carriage or private hire vehicle during employment.

### Proposed content

### **Diabetic applicants**

- 4.7 The Council has adopted a specific policy in respect of diabetic applicants whose treatment carries a risk of inducing hypoglycaemia, such as insulin treatment or certain types of tablets. In addition to a medical certificate confirming that the applicant satisfies the Group 2 standards (which make specific provisions for various types of diabetes treatment), additional documents will be required as follows.
- 4.8 In all such cases, the Council will require a signed declaration from the applicant, confirming that they will:
  - Comply with the directions for treatment given to him/her by the Doctor supervising that treatment;
  - Immediately report to the Licensing Authority, in writing, any change in diabetic condition;
  - Provide to the Licensing Authority, upon request, evidence that blood glucose monitoring is being undertaken at least twice daily and at time relevant to driving a hackney carriage or private hire vehicle.
- 4.9 In the case of applicants undergoing insulin treatment, the Council will also require a letter from a Consultant Diabetologist confirming that the applicant has been undergoing insulin treatment for a minimum of four weeks.

Annex C – DVLA Medical Standards (2013 edition)