



# DTACS

## The Travel Access Complaints Service for Disabled People

**Taxi and Private Hire Vehicle (minicab) Passenger Information Leaflet**

### **Introduction**

This leaflet is designed to help you travel in a taxi or a private hire vehicle safely and fairly. The leaflet tells you what kind of service and assistance you should expect to receive and what the driver or operator of the service must or must not do. The information in this leaflet applies whenever you take a taxi or private hire vehicle in any place in England or Wales.

Under licensing law and the Equality Act 2010, all drivers and operators of taxi and private hire vehicle services must do all they can to keep their customers safe. This includes making ‘reasonable adjustments’ to the service they provide.

This means they must think ahead to work out how best to help everyone. It means they must not put disabled people at a disadvantage or treat them differently (in a bad way) to any other passenger. There are also certain things a driver or operator cannot do. If they do these things, and they cannot show why they did them, they may have committed a criminal offence.

Because there are a lot of rules around this, we have listed the information in different sections to make things as clear as possible. If you are unsure about your rights, you can always call your local council and ask to speak to the licensing team for more information.

## Assistance Dogs



Drivers must allow you to travel with any trained assistance dog of the following type:

- (a) a dog which has been trained to guide a blind person;
- (b) a dog which has been trained to assist a deaf person;
- (c) a dog which has been trained by a prescribed charity to assist a disabled person who has a disability that consists of epilepsy or otherwise affects the person's mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;
- (d) a dog of a prescribed category which has been trained to assist a disabled person who has a disability (other than one falling within paragraph (c)) of a prescribed kind.

They must not charge, or try to charge, extra for carrying the dog.

Drivers should not ask you to sit in a particular seat in the vehicle and they must not suggest the dog sits somewhere away from you.

Private Hire Operators (the minicab booking office) cannot refuse to accept a booking for a passenger travelling with an assistance dog. They must not charge, or try to charge, extra.

Refusing a booking or refusing to carry an assistance dog without a valid reason is a criminal offence. A driver or an operator (or both) can be prosecuted for these offences. The only valid reason is where a driver has an exemption certificate issued by the local council.

To help in these situations, owners of assistance dogs may carry the dog's identification papers so that the dog can be easily identified as an assistance dog. However, you do not have to do this. Dogs can also be identified in other ways such as by the harness or livery they are wearing and these vary depending on the dog's role. Drivers can ask a few questions if they are unsure about identifying a dog because it is important for them to know that the dog is trained to travel safely in the vehicle. They should not simply assume that a dog is not an assistance dog.

### **When can a driver refuse to carry you?**

A driver can only refuse to carry an assistance dog if they have a valid exemption certificate for carrying assistance dogs.

Drivers with an exemption certificate do not have to carry assistance dogs due to a medical reason, for example the driver may be allergic to dogs.

Certificates are only issued on medical grounds and drivers must display an exemption notice in the vehicle. They must show you the exemption certificate if you ask to see it.

## Designated Wheelchair Accessible Vehicles



The law says that councils must provide a list of vehicles that are fully wheelchair accessible (a section 167 list). This list is often online on the council website. Fully wheelchair accessible means you can travel in the vehicle while you are sitting in your wheelchair. You can also check a vehicle by calling the council licensing team.

Drivers of vehicles on the section 167 list must carry a person in their wheelchair without charging any more money than they would usually charge for a person who is not a wheelchair user. They must provide reasonable 'mobility assistance' to help you in and out of the vehicle and they must make sure you are comfortable and safe before setting off (for example, by correctly securing the wheelchair).

If the driver of a vehicle on this list refuses to do any of these things without a valid reason they may be committing a criminal offence.

## When can a driver refuse to provide mobility assistance?

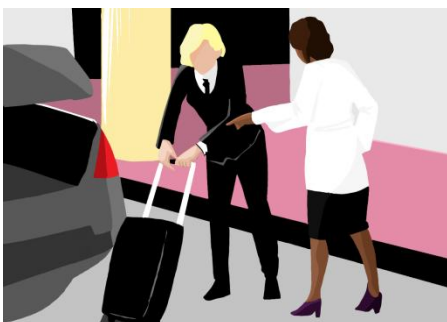
A driver of a designated wheelchair accessible vehicle can only refuse some assistance if they have a valid exemption certificate from the local council. A driver may have an exemption certificate due to a medical reason, for example the driver may have an injury that stops them from pushing a wheelchair or lifting a ramp.

Certificates are only issued on medical grounds and drivers who hold an exemption are only allowed to refuse to provide 'mobility assistance'.

They must still follow all of the other requirements of the Equality Act (for example, they must still charge the right price).

Drivers must display an exemption notice in the vehicle and they must show you the exemption certificate if you ask to see it.

## All vehicle types



Drivers of any vehicle type must give mobility assistance to any disabled passenger who needs it. This includes folding wheelchairs to put in the boot, carrying walking aids, sighted guiding and other assistance that may be reasonable.

If the driver of any vehicle refuses to do any of these things without a valid reason they may be committing a criminal offence.

## When can a driver refuse to provide mobility assistance?

A driver of any vehicle type can only refuse some assistance if they have a valid exemption certificate from the local council.

Certificates are only issued on medical grounds and drivers who hold an exemption are only allowed to refuse to provide 'mobility assistance'. They must still follow all of the other requirements of the Equality Act (for example, they must still charge the right price).

Drivers must display an exemption notice in the vehicle and they must show you the exemption certificate if you ask to see it.

## Assisting customers to find a vehicle



When you book a taxi or a private hire vehicle to pick you up, the operator (or person on the telephone) should ask you if you need any assistance.

Even if they do not ask you this, if you tell them that you need assistance to find the vehicle they must tell the driver this, and the driver **must** get out of the vehicle to help you when they arrive to pick you up.

If the driver of any vehicle refuses to get out of the vehicle to help you when you have asked for help they may be committing a criminal offence.

## When can a driver refuse to help?

There is no exemption certificate for this.

## Mobility Assistance

Where a driver must offer mobility assistance, this assistance might include:

|   |   |
|---|---|
| Helping the passenger to get into or out of the vehicle.  | ✓ |
| If the passenger wishes to remain in the wheelchair, to help the passenger to get into and out of the vehicle whilst in the wheelchair. | ✓ |
| Folding manual wheelchairs and placing them in the luggage compartment.   | ✓ |
| Installing and securing the boarding ramp.  | ✓ |
| Securing a mobility aid within the passenger compartment.   | ✓ |
| Load the passenger's luggage into or out of the vehicle.  | ✓ |
| If the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.                          | ✓ |


Depending on the weight of the wheelchair or mobility aid and the capability of the driver, reasonable mobility assistance could also include (but may not be limited to) pushing a manual wheelchair or light electric wheelchair up a ramp, or stowing a light electric wheelchair in the luggage compartment.

This is not a complete list but these are the types of thing a driver with an exemption certificate might not have to do.

## Reasonable Adjustment






As well as certain legal duties that may lead to criminal offences, the Equality Act 2010 has a general requirement that service providers must offer ‘reasonable adjustment’ to make sure customer can travel fairly and equally.

Reasonable adjustment means that if you are asking for help that most people would consider reasonable, the driver should consider doing what you ask. Reasonable adjustment depends on what is happening in each case at the time. However, there are some general actions that would usually be considered reasonable, for example:

|   |   |
|---|---|
| The driver guiding or helping you into the vehicle. This should include assisting you from your pick up point rather than the driver waiting in the vehicle or sounding a horn. (Remember, if you have asked for assistance when booking, the driver must get out to help you anyway otherwise they commit a criminal offence). |  |
|---|---|














|   |  |
|---|--|
| The driver approaching you at a rank to ask if you need assistance. This is helpful of the driver and is not 'touting' which is where a driver asks you for your business.  |   |
| The driver helping you to get out of the vehicle at your destination and giving guidance for where to go next. If you request further assistance in to a building or to the door of a building the driver may be able to provide this depending on other factors (reasonable in the circumstances). |   |
| There should not be any extra charge for drivers helping you to the building or door.   |   |
| The taxi or minicab firm having a recognised standard of disability, equality and dementia awareness training for drivers.  |   |
| There is no soiling charge for an assistance dog that sheds some fur or hair.   |  |

## Prices

Use these checklists to make sure you are being treated fairly:

### Taxis

|  |   |
|--|---|
| The meter in a taxi (hackney carriage) starts when the journey starts, not when you are being assisted in to the vehicle.  |  |
| The meter in a taxi (hackney carriage) stops when the vehicle arrives at the destination (it may still go up in traffic as the meter charges by time as well as distance). |  |

|  |   |
|--|---|
| The driver must provide 'such mobility assistance as is reasonably required' to help you enter and exit the vehicle (sections 164A and 165 Equality Act 2010). There must be no charge for this assistance.  |    |
| The meter must start from the correct rate – ask to see the tariff chart to make sure a higher rate is not being used. For example, if the day rate is tariff 1, you should see a 1 displayed on the meter.  |    |
| When hiring a taxi on a rank, you can ask the driver for an estimate before you set off. You can check this against the tariff chart. If the journey is within the local district area, the driver must only charge the rate shown on the tariff, they cannot make up a price. |    |
| If the journey goes outside of the district taxi drivers can ask for more or refuse to carry you.  |    |
| There is no charge for assistance dogs.  |   |
| There is no soiling charge for an assistance dog that sheds some fur or hair.  |  |
| The driver must let your assistance dog sit with you if you want it to. The dog should sit on the floor.   |  |

### Private Hire Vehicles (also called minicabs)

When booking a Private Hire Vehicle you can:

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| Ask for a quote from the company. |  |
|-----------------------------------|---|

|  |   |
|--|---|
| Tell the operator if you will need assistance in locating the vehicle.   | ✓ |
| Ask if they will sub-contract the booking to a taxi.   | ✓ |
| If they say they will sub-contract the booking (this is fairly common, particularly for a journey requiring a wheelchair accessible vehicle), you do not have to agree a fare that is higher than the local taxi tariff would allow. | ✓ |
| There should be no extra charges applied by the company for a person who is travelling in their wheelchair.  | ✓ |
| There should be no extra charges applied by the company for a person who needs 'mobility assistance' to travel   | ✓ |
| The company must charge all customers equally for equal services.  | ✓ |

For example, if a journey from Star Cars, going from A to B costs £10 for one passenger who **does not** use a wheelchair and who is travelling in a saloon vehicle, the same journey from the same company should also cost £10 for one passenger who **does** use a wheelchair and who is travelling in a wheelchair accessible vehicle.

## General Safety - Taxis and Private Hire Vehicles

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| The driver must make sure you are safe and secure before driving – this is his legal responsibility. | ✓ |
| A wheelchair must be properly secured using the correct equipment–                                   | ✓ |

|  |   |
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| just using the brake is not enough.  |   |
| If you are worried about the condition of the wheelchair restraint system you can speak to the driver about this <b>before</b> the journey begins.   | ✓ |
| The driver must make sure you are wearing the correct seatbelts.   | ✓ |
| Unless you have requested a fully wheelchair accessible vehicle you should not have to wait for any longer than any other passenger would. All vehicle types and sizes can carry an assistance dog. Almost all should be able to carry a fold up wheelchair. | ✓ |
| The driver must not hold a mobile phone whilst driving the vehicle.  | ✓ |
| The driver must take the shortest or quickest route unless you have asked to go a certain way.   | ✓ |

## General Information

- Not all vehicles can carry all designs of wheelchair. However, if the driver says that the ramps are not working or that they do not know how to use them, you should take the driver or vehicle details and report this for investigation (more on how to do this below).
- It is often useful to make sure you know which type of vehicle you are booking, hackney carriage (taxi) or private hire vehicle (minicab).

- Different councils have different fares for taxis. Minicab firms set their own fares. This may explain why a journey from one town costs less or more than a journey in another town. If you are unsure, call the local council to check.
- You should not have to wait for any longer than any other passenger would. There is no need for a purpose built vehicle to carry you unless you have asked for this. All vehicles should be able to carry assistance dogs and fold-up wheelchairs.
- There should be no extra charge for a specialist vehicle – all customers should pay the same rate for the same vehicle.

## Refusals

If a driver refuses to take you, and they do not have a valid exemption certificate, this may be a criminal offence as well as discrimination. If you feel **safe, confident and comfortable** doing so, take details of the incident and report this to the correct licensing authority. Reporting these issues will help authorities to stop this from happening. You should not do anything that puts you at risk or makes you feel uncomfortable.

## Making a Complaint

Councils are responsible for ensuring that businesses comply with the law. Where a business does not comply a council can take action by prosecuting offenders for criminal offences.

The council also has a general duty to make sure that businesses are treating people equally in line with the Equalities Act 2010.

Most offences in the Equalities Act 2010 are not criminal offences but the licensing team at a council can also take action for discrimination if there is evidence to show that a driver is not 'fit and proper' to hold a licence. This means they can suspend or revoke a licence if a driver or an operator fails to provide a legal service to disabled people.

It is always best if you can provide as much information about an incident as possible. However, we know that making a complaint can be worrying and stressful. You can always make a complaint without giving your name or any other contact details but this may limit the action a council can take to help you. Complaints received in this way should still be investigated as far as possible and it may be that independent evidence is available that allows the council to take action even when you do not provide a formal complaint.

Even if the council cannot take formal action, any reports help them to build a picture of the character and behaviour of drivers. This is essential when making future decisions about whether a driver should be licensed.

## **Useful Information to Report**

If you want to make a complaint you may need some or all of the following information:

|  |   |
|--|---|
| Vehicle plate number (this is the number issued by the council. Usually displayed on the rear of the vehicle on a small square or rectangular plate) | ✓ |
| Vehicle registration number (this is the standard number plate that all cars have)   | ✓ |
| Vehicle make and model   | ✓ |
| Vehicle colour   | ✓ |
| Driver Badge number  | ✓ |
| Journey details  | ✓ |
| What happened?   | ✓ |

Don't worry if you can't get all of this information. Just one or two bits is often enough to trace the driver. Even if you have none of this information, it may still be worth reporting as someone else may have witnessed the incident or they may be independent CCTV footage.

You can always ask for a receipt from the driver. This is often an easy way to get the driver or company details.

Even if you are not happy to go forward with a case against a driver, please do report the matter to DTACS or to your local council. This helps local councils build a picture of any behaviour that is below the required standard.

To make a complaint in most parts of the UK you will need to contact the local council in the area you had the problem. If in doubt, call your own local council licensing department and they will help you.

To report a driver or operator in London you will need to contact Transport for London.

## **DTACS.org**

This leaflet was created by DTACS.org. DTACS was created to offer free information to anyone affected by access issues when travelling by bus, taxi, private hire vehicle or coach. Nothing in this leaflet should be taken as legal advice, or advice to do or not do anything.

To find out more about our services, please go to [www.dtacs.org](http://www.dtacs.org).

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for Disabled People**