

## Policy on the Carriage of Persons in Wheelchairs when Carried in a Designated Vehicle

What responsibility does the Council have regarding the assistance of passengers in wheelchairs and their use of taxi and private hire vehicles?

Gedling Borough Council is responsible for licensing taxi drivers (both private hire and hackney carriage drivers), their vehicles, and private hire operators within its area. The Council, under powers given to it by the Equality Act 2010 (the Act), administers a list of licensed vehicles which are occupied wheelchair accessible. This list is referred to as the Designated Vehicles list. The Council is responsible for enforcement of the drivers' responsibilities with respect to the carriage of a person(s) in wheelchairs, and for exempting drivers from such responsibilities on medical grounds, or a physical condition making it impossible or unreasonably difficult.

What is the Designated Vehicle List?

The Designated Vehicle list is the Council's record of all licensed vehicles which are capable of carrying, some – but not necessarily all – types of occupied wheelchairs. This means the wheelchair user is able to enter, leave and travel in the passenger compartment in safety and reasonable comfort whilst seated in the wheelchair.

What responsibilities do Drivers' of a designated vehicle have?

A driver of any designated vehicle must:

- carry passengers while seated in the wheelchair
- carry passengers who do not wish to remain in the wheelchair and to load the wheelchair into and out of the vehicle.
- provide assistance to those passengers
- not charge those passenger extra for the service.
- provide mobility assistance as is reasonably required
- load and unload the passengers luggage

### Exempt Drivers

The Act allows the Council to exempt drivers from the duties to carry passengers in wheelchairs, where it is appropriate to do so, on medical grounds or due to the drivers' physical condition making it impossible or unreasonably difficult for them to comply with those duties listed above. The driver may submit to the Council an application for exemption by completing the prescribed application form accompanied by any medical evidence in support of the exemption application.

Any driver of an occupied wheelchair accessible licensed vehicle listed on the Designated Vehicle list, which holds a valid exemption certificate is required to display the valid exemption notice in clear view within the designated vehicle, until such time the exemption notice expires.

Until the driver has been issued with a valid exemption notice, the driver will continue to be recognised as a driver of a designated vehicle, and must continue to carry on with the responsibilities as specified above.

## What do I do if I think a driver is not fulfilling their responsibilities as a driver of a Designated Vehicle?

If you have a concern about a driver not fulfilling their duties as a driver of a designated vehicle licensed by Council, we ask that you report your concerns to the Council as soon as you can. We need to be able to identify the driver, so information from you about the registration number, the licence number of the vehicle and/or the name of the driver/operator is essential. It will also help if you can give us the names and addresses of any other witnesses.

## What sort of things should I report to you?

We want to know about anything that may make a driver non-compliant with the duties of a driver of a designated vehicle. For instance:

- Refusal to carry a wheelchair user
- Refusal or reluctance by the driver to assist a wheelchair user
- Overcharging by way of adding an additional charge for the carriage of, and or the assisting a wheelchair user.
- Incorrectly displaying of an Exemption Notice within the vehicle
- Displaying an expired, fake or counterfeit Exemption Notice

## How do I make a complaint?

- By telephone – 0115 9013971
- Via our web site – [www.gedling.gov.uk/complaints/](http://www.gedling.gov.uk/complaints/)
- In person at Civic Centre Arnot Hill Park, Arnold Nottingham NG5 6LU
- Write to us at Licensing Section, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU

Whichever way you contact us, please make sure you give the information above.

## What will you do?

We will investigate every complaint made. If the complaint is upheld, we have the power to take action which, in very serious cases, may mean that the driver's licence is revoked.

## Any questions?

If you have any questions, or wish to have information about the investigation procedure, please contact us on 0115 9013971 or by email as [licensing@gedling.gov.uk](mailto:licensing@gedling.gov.uk)