

## **MEDICAL CHECKS FOR LICENSED DRIVERS**

### **SUMMARY**

- 1.1 In 2008 a report was considered by the committee in relation to the removal of the maximum age limits for licensed drivers and at that time there was a decision that the requirement for licensed drivers to be medically examined by a registered General Practitioner (GP) at the doctor's practice where they are registered to be changed to be medically examined by a registered GP at the doctors practice, preferably where they are registered.
- 1.2 During recent Taxi Licensing and Appeals Sub-Committee hearings, it has become apparent that many licensed drivers choose to attend an independent GP and not their own GP or one at the practice they are registered. Medical assessment is therefore based solely on the word of the applicant and often with no medical examination being undertaken, and more importantly without access to the licence holders medical records (which would be held by the medical practice at which they are registered).
- 1.3 Without the full medical history of an applicant, there is clearly a subjective judgement being made in order for the questions to be answered and therefore a heightened risk that public safety may be compromised.

### **RECOMMENDATION**

- 2.1 To consider the requirement that medical examinations carried out for licensed drivers is always undertaken by a registered GP at their own GP practice in order that an accurate assessment of their medical fitness can be determined.
- 2.2 To instruct the Director of Environment and Regulatory Services to undertake a consultation process with licensed drivers on the proposed changes set out in Appendix 3 of the report.
- 2.3 To instruct the Director of Environment and Regulatory Services to report back to committee following the outcome of the consultation process, with final recommendations for adoption.

## **REASONS FOR RECOMMENDATION**

- 3.1 To ensure that all relevant information in relation to a driver's medical history is available to be considered when a medical examination of a licensed driver is undertaken.

## **SUPPORTING INFORMATION**

- 4.1 In 2005, it was agreed by the Taxi Licensing and Appeals Committee that all licensed Drivers were to undergo regular medicals.
- 4.2 The requirement was for them to be medically examined by a registered General Practitioner (GP) at the doctor's practice where they are registered.
- 4.3 In 2008, a report was considered by the committee in relation to the removal of the maximum age limits for licensed drivers and at that time there was a decision made that the requirement for licensed drivers to: be medically examined by a registered General Practitioner (GP) at the doctor's practice where they are registered to be changed to be medically examined by a registered GP at the doctors practice, preferably where they are registered.
- 4.4 During recent Taxi Licensing and Appeals Sub Committees it has become apparent that many licensed drivers choose to attend an independent GP and not their own GP or one at the practice where there are registered. Medical assessment is therefore based solely on the word of the applicant and often with no medical examination being undertaken.
- 4.5 Concerns were raised by members of the Taxi Licensing and Appeals Committee at these hearings about the implications of this requirement.

- 4.5 One reason provided by licensed drivers for not going to their own GP is that of cost. GP's are allowed to make reasonable charges for 'occupational reports' and therefore the costs vary. Set out below are the results of a recent survey that identifies what a selection of GP practices criteria for assessment are and their associated charges:

Surgery	Medical on Registered patients only	cost	Average waiting time	Comments
Surgery 1	Yes	£120	1-2 weeks	n/a
Surgery 2	Yes	£50 - £100	1 week	The form has to be submitted to the practice who contacts the patient when it has been assessed. Any questions on eye sight and hearing would be referred to a specialist and completed prior to assessment by GP
Surgery 3	Yes	£97.80	1 month	Non-registered patients are referred to surgery 4
Surgery 4	No	£30	Next day	n/a
Surgery 5	No	£55	Next available appointment	Very busy next available appointment one month's time
Surgery 6	Yes	£75	1 week	n/a

- 4.6 Recently a licensed driver had undergone a medical by an independent GP. The declaration identified that he was 'fit to act as a licensed driver' and the question (7) in relation to alcohol stated - No. At the hearing; in mitigation the driver provided information that his 'binge drinking' was a contributory factor to the matter being considered. This resulted in the committee requesting a further medical examination at the licensed driver registered GP practice for full assessment as the GP would have full access to the drivers medical history and therefore be able to make an objective judgement. The cost also had to be borne by the Licensing Team (approx. £75).
- 4.7 Without the full medical history of an applicant, there is clearly a subjective judgement being made by the medical practitioner who undertakes the assessment in order for the questions to be answered and therefore public safety may be compromised. It is recommended that the current requirements in Appendix 2 are amended to those set out in Appendix 3.

## OTHER OPTIONS CONSIDERED

- 5.1 To review the standard medical form currently used by the licensing team to require a more comprehensive robust assessment of the medical history of the applicant. There is a standard DVLA form which requires medical history for certain types of licences. This could be adopted in its entirety or used to produce a revised medical form that could be used by the licensing team. The current medical form used by the licensing team is attached at Appendix 4. The DVLA form is attached at Appendix 5.

**This report has been approved by the following officers:**

<b>Legal officer</b>	Olu Idowu
<b>Financial officer</b>	Amanda Fletcher
<b>Human Resources officer</b>	-
<b>Service Director(s)</b>	John Tomlinson
<b>Other(s)</b>	-

<b>For more information contact:</b>	Sandra Mansell, Tel. 01332 641931, e-mail <a href="mailto:sandra.mansell@derby.gov.uk">sandra.mansell@derby.gov.uk</a>
<b>Background papers:</b>	None
<b>List of Appendices:</b>	Appendix 1 – Implications Appendix 2 – Current Condition, Medical Fitness

	Appendix 3 – Proposed Condition, Medical Fitness Appendix 4 – Current Medical Form Appendix 5 – DVLA Medical Form
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<b>IMPLICATIONS</b>
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**Financial**

- 1.1 None directly arising from this report.

**Legal**

- 2.1 Medical fitness, along with conviction history, is a significant consideration in determining whether or not a licence holder or applicant is 'fit and proper' to remain, or be, licensed. The identified loophole identifies a shortcoming which, if not satisfactorily addressed, calls into question the appropriateness of determinations that an individual has passed the medical threshold.

**Personnel**

- 3.1 None directly arising from this report.

**Equalities Impact**

- 4.1 None directly arising from this report.

**Health and Safety**

- 5.1 None directly arising from this report.

**Carbon commitment**

- 6.1 None directly arising from this report.

**Value for money**

- 7.1 None directly arising from this report.

**Corporate objectives and priorities for change**

- 8.1 The information set out in this report supports the corporate priorities so the people of Derby **enjoy being safe and feeling safe** and the Council provides **good quality services that meet local needs**.

**Current Condition, Medical Fitness**

The driver shall:

- (a) Upon application, be medically examined by a registered general practitioner and be certified fit to perform the duties private hire driver/Hackney Carriage Driver/Limonene driver.
- (b) If aged under 65, be medically examined every 5 years by a registered general practitioner and be certified fit to perform the duties of a private hire driver.
- (c) If aged over 65, be medically examined annually by a registered general practitioner and be certified fit to perform the duties of a private hire driver.
- (d) Be required to undergo additional examinations at more frequent intervals, if recommended by a registered general practitioner or at the request of the Principal Licensing Officer, if a complaint is received.
- (e) Notify the Council in writing of any medical condition which arises after the issue of the licence and may affect their ability to drive safely.

**Proposed Condition, Medical Fitness**

The driver shall:

- a) Upon application, be medically examined by a registered general practitioner at the practice at which they are registered, and be certified fit to perform the duties of a private hire driver/Hackney Carriage Driver/Limousine driver.
- b) If aged under 65, be medically examined every 5 years by a registered general practitioner at the practice at which they are registered, and be certified fit to perform the duties of a private hire driver.
- c) If aged over 65, be medically examined annually by a registered general practitioner at the practice at which they are registered, and be certified fit to perform the duties of a private hire driver.
- d) Be required to undergo additional examinations at more frequent intervals, if recommended by a registered general practitioner or at the request of an authorised officer of the Licensing Authority, if a complaint is received.
- e) Notify the Council in writing of any medical condition which arises after the issue of the licence and may affect their ability to drive safely.



**Current Medical Form**

HC Badge.....  
PD Badge.....  
LD Badge.....

CONFIDENTIAL

**MEDICAL CERTIFICATE ASSOCIATED WITH APPLICATION FOR A LICENCE  
TO DRIVE A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE OR  
PRIVATE HIRE STRETCHED LIMOUSINE**

Name of Applicant: .....

Address: .....

.....

.....

Date of Birth: .....

**Note: (1)** This certificate is for the confidential use of the Licensing Authority. Medical Practitioners are asked to be good enough to forward it under cover to the address overleaf. Any fee charged is payable direct by the applicant to the medical practitioner.

**Note: (2)** The standard of acuity of vision is considered unsatisfactory if it is 6/12 with one eye and 6/36 with the other eye, with or without optical aid.

**Note: (3)** Special attention is directed to the condition of the arms, hands, legs, feet and particularly to the joints of the upper and lower extremities.

**Note: (4)** A licensee is examined on first application, then at five yearly intervals until the age of 65 years, then annually.

		Reply to be written here
1.	Is the applicant to the best of your judgement, subject to epilepsy, vertigo, sudden attacks of disabling giddiness or fainting or any mental disorder or defect likely to affect his/her efficiency as a driver of a Hackney Carriage or Private Hire Vehicle?	
2.	Does he/she suffer from any heart disorder or defect which might interfere with the efficient performance of his/her duties as a Hackney Carriage or Private Hire	

		<b>Reply to be written here</b>
	Vehicle driver?	
3.	Is the applicant's blood pressure raised? If so do you consider that the raised blood pressure or its treatment with hypotensive drugs would be likely to affect his/her competence as a Hackney Carriage or Private Hire Vehicle Driver?	

		Reply to be written here
4.	<p>(a) Is there any defect of vision?</p> <p>If so, please give details (see note 2)</p> <p>(b) If the reply to (a) is in the affirmative, give acuity of vision by Snellens Test type with and without glasses and answer the following:</p> <p>(c) Is the applicant's Binocular Field of vision more than 90 degrees?</p> <p>(d) Does the applicant suffer from double vision or any other visual defect which could affect his fitness to drive a motor vehicle?</p>	<p>(a)</p> <p>(b) R.E ..... L.E ..... without glasses</p> <p>R.E ..... L.E ..... with glasses (if applicable)</p> <p>(c)</p> <p>(d)</p>
5.	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 Hackney Carriage or Private Hire Vehicle driver?	
6.	Has the applicant any deformity, loss of limbs, loss of power, control of sensation in any of the limbs. If so, could it interfere with the efficient performance of his/her duties as a Hackney Carriage or Private Hire Vehicle driver?	
7.	Does the applicant show any evidence of being addicted to the excessive use of alcohol, or drugs?	
8.	Is the applicant in your opinion generally fit as regards bodily health and temperament, for the duties of a Hackney Carriage or Private Hire Vehicle driver?	
9.	Is there any abnormality present that is not included in the above questions?	
10.	Do you consider further examination necessary? If so, in what period of time?	

Please return this form in the envelope provided to:

Licensing Team  
Derby City Council  
The Council House  
Corporation Street  
Derby  
DE1 2FS

I certify that I have this day examined

**Name of Applicant** .....

The answers to the foregoing questions are correct to the best of my knowledge and belief and I consider the applicant **\*FIT/UNFIT** to act as a driver of a Hackney Carriage or Private Hire Vehicle.

**\* *Delete as necessary***

Please tick this box if the patient is registered at your surgery. ☐

Signature of qualified and registered Medical Practitioner:

.....

Dated this: ..... day of ..... 20

**Official GP Practice Stamp**