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Mrs Sandra Mansell  
 Team Leader - Licensing  
 Licensing Team  
 Derby City Council  
 Council House  
 Derby

Our Ref: KJR  
 Your Ref:  
 Date: 21 October 2013  
 Please ask for: Kevin Rowland

**By email only to:**  
[licensing@derby.gov.uk](mailto:licensing@derby.gov.uk)

Dear Mrs Mansell,

### Medical Checks for drivers

As you are aware I act on behalf of Chads Cars and their drivers and it is in that respect that I have been asked to respond to your consultation on Medical Checks for Driver.

The 'Taxi Best Practice Guidance' Document issued by the Department of Transport sets out that it is good practice for licensing authorities to apply DVLA "Group 2" Medical Standards in respect of hackney carriage and private hire drivers (taxi drivers) and it is agreed that this is an appropriate standard for drivers to meet.

The DVLA guidance document however, fails to set out who should complete the medical examination and certify the driver as meeting the required standard. It is accepted nationally by the DVLA and Department of Transport that any medical practitioner is competent to certify a driver to the 'group 2' medical standard.

There are normally three ways in which a driver will obtain a medical certificate via:

- a) his General Practitioner
- b) an independent medical practitioner
- c) an occupational health assessment by an employer (e.g. where a person works as a HGV or PSV driver as well as holding a taxi licence).

As stated previously, there should be no difference in the quality or standard of any medical assessment undertaken by any medical practitioner, so long as the medical practitioner has access to the patients / drivers full medical history.

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Ultimately, the medical practitioner is signing a statutory declaration certifying that the person examined meets the DVLA Group 2 medical standards. If the medical practitioner does not complete the medical to the appropriate standard or if he deliberately or negligently incorrectly completes the form then that would be a matter for the appropriate authorities (Medical Standards Council) to investigate and should there be evidence of malpractice then action should be taken against the individual medical practitioner.

We agree that a person should, where possible, be examined and certified by their own General Practitioner, because their doctor (or a doctor from the GP Practice where the person is registered) will have a full documented medical history for the driver and will have an on-going knowledge of his patient. However, there will be occasions when the driver's own GP cannot or will not provide the medical certificate and I have set out some of the reasons why this can occur below:

- a) Some GP medical practices do not provide a service for the provision of medical certificates (paid or otherwise) and this would exclude these drivers from being able to obtain the appropriate medical certificate.
- b) Using a person's own registered medical practice for medical examinations could result in supply and demand issues around appointment times and may result in delays in drivers being able to attend for a medical. By way of one example the Wilson Street GP Surgery in Derby currently offer one private appointment per week and they have a current waiting time of between 8-10 weeks. In addition, they will cancel these appointments at short notice when the practice is busy.
- c) A driver with a pre-existing medical condition may only be able to obtain the medical certificate from a doctor or consultant specialising in that medical condition, for example the DVLA group 2 medical standard has specific requirements for conditions such as diabetes.

In addition, it would also be possible for a person to request their electronic records from their own GP at a statutory maximum cost of £10. They could then attend another doctor, with their records, to obtain the certification at a reduced fee, thus saving them money, when compared to the charges levied by their own GP.

As previously stated, there is nothing in real terms that prevents a person from obtaining a medical certificate from a medical practitioner other than one from their own GP Practice, so long as the medical practitioner completing the medical has access to the person's full medical history. Therefore the Council could amend the questions on the current medical form to clarify that the medical practitioner has had access to the person's full medical history and if they have not had access to the information they could reject the medical certificate.


Requiring a person to obtain a medical certificate from their own GP can be extremely restrictive and where possible the Council should allow additional options for drivers, especially if it can be done without affecting public safety.

One further consideration for the council, bearing in mind it is a condition of licence that a driver shall notify the council of any change in their medical circumstances, should be that relating to drivers of HGV and PSV vehicles. These drivers are already required to certify to the DVLA that they meet the Group 2 standards and as such the Council should, where possible and to minimise cost and bureaucracy accept copies of certificates that have been submitted to the DVLA for licensing purposes, irrespective of which medical practitioner has completed the certificate.

I trust that you will consider the points raised above and will at the very least include contingencies within the revised policy that allow drivers in certain circumstances to obtain certification from medical practitioners other than their own GP.

Finally, I should be grateful if you could arrange for this issue to be discussed at the forthcoming TTCG meeting so as to allow the trade representatives to discuss the consultation responses and any issues of concern with both Members and Officers, prior to the submission of the final proposals report to the Licensing Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'KJ Rowland', written over a horizontal line.

**Kevin J Rowland**  
a2z Licensing Ltd

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