

WHEELCHAIR AND ASSISTANCE DOGS EXEMPTION GUIDELINES



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Introduction

The Council is committed to an accessible public transport system in which disabled people can enjoy the same opportunities to travel as other members of society. Hackney Carriages are a vital link in the transport chain.

In formulating these guidelines the Council has had regard to Equality Act 2010.

The Hackney Carriage and Private Hire Licensing Policy states that the hackney carriage fleet will be 100% wheelchair accessible and a condition of the grant of a licence, that a licensed hackney carriage driver must give assistance to wheelchair users and to allow access to guide, hearing or other assistance dogs users.

The Council recognises that in some instances licensed hackney carriage drivers will not be physically fit enough to comply with this requirement in which case the following exemption policy will apply.

The applicant can obtain a medical exemption application form from the Taxi Licensing website www.plymouth.gov.uk/tellusanychanges. All costs associated with obtaining a medical exemption certificate are to be met by the driver.

Application Restrictions

An application for a lifetime exemption will not generally be accepted from a driver in their first year of being granted a hackney carriage driver's licence or when they have transferred from private hire.

Exemption Certificates

An exemption will be available to any driver who has suffered an acute injury, illness or medical condition in which recovery is a reasonable outcome, having regard to the nature of the work required in transporting wheelchair passengers safely.

Where a driver wishes to apply for an exemption the applicant is required to submit an assessment form signed and authenticated by that persons GP stating the precise reason for the exemption.

The completed form will only be accepted if it is completed by the driver's own GP or a GP within that practice who has full access to their medical records.

An Exemption Certificate will be short term and will be issued for a period up to 12 months.

Lifetime Exemption

A lifetime exemption will be available to any driver who is suffering from a degenerative injury, illness or medical condition which prevents the driver from loading and securing wheelchairs.

Where a driver wishes to apply for a 'lifetime' exemption the applicant is required to submit an assessment form signed and authenticated by that persons GP and supported by a specialist consultant confirming that in their professional opinion a lifetime exemption should be granted, having regard to the nature of the work required in transporting wheelchair passengers safely.

The completed form will only be accepted if it is completed by the driver's own GP (or a GP within that practice) and a report from a specialist consultant with full access to their medical records.

Where a driver cannot reasonably obtain a completed form from a consultant the application will be referred to a Council appointed independent occupational health advisor. The costs would have to be met by the applicant.

The Council reserve the right that any driver applying for a lifetime or already in possession of a lifetime exemption be assessed by an independent Occupational Health advisor. The Council reserve the right to contact their GP to discuss any part of the evidence supplied and will expect the applicant to sign a mandate for this purpose.

Occupational Health Advisor

An Occupational Health assessor will consider the following outcomes;

- (i) Fit for work
- (ii) Fit with reasonable vehicle or personal adjustments (as specified)
- (iii) Permanently unfit to carry passengers in wheelchairs and/or with an assistance dog
- (iv) Temporarily unfit to carry passengers in wheelchairs and/or with an assistance dog

Decision Making

If the driver is declared **fit for work**, the exemption certificate will not be issued or an issued certificate must be returned to the Licensing Office.

If the driver is declared **fit for work with reasonable vehicle or personal adjustments**, a temporary exemption may be issued to allow that person to undertake the reasonable adjustments to allow a return to full duties. The temporary exemption must be returned to the Licensing Section following the completion of the adjustments.

If the driver is declared **permanently unfit** to carry passengers in wheelchairs and/or assistance dogs a Lifetime Exemption Certificate will be issued. The certificate must be displayed in the vehicle for public viewing in the location specified.

If the driver is declared **temporarily unfit** to carry passengers in wheelchairs and/ or assistance dogs, an Exemption Certificate will be granted for the agreed time period.

The Council reserves the right to request a further Occupational Health review, at any time. The Council reserves the right to review a lifetime exemption at any time from the date of issue.

The Council reserves the right to withdraw a medical exemption at any time where the driver has not supplied the relevant information or not complied with stated timescales to consider or review an exemption, or any other information is received that would call into question the on-going necessity for such an exemption to remain in place.

If the driver declares themselves fit to return to normal duties, the exemption certificate must be returned to the Council.

The cost of an Occupational Health review will be met by the trade account. The costs of any further review requested by the driver will be at their own expense. The Council will not accept any signed medical exemption form that is more than 3 months old.

Assistance Dogs

The same exemption guidance will also apply to assistance dogs.

Assistance dogs include guide dogs trained by Guide Dogs, hearing dogs trained by Hearing Dogs and assistance dogs trained by Dogs for the Disabled, Support Dogs or Canine Partners or similar organisations.

Licensing Office
Plymouth City Council
Windsor House
Plymouth
PL6 5UF

T: 01752 304141

E: taxi.licensing@plymouth.gov.uk

www.plymouth.gov.uk