



# **Private Hire Vehicle Operators**

## **Guidance on reporting of alleged or suspected criminal conduct**



## **1. Introduction**

The purpose of this guidance, which has been produced in conjunction with the Metropolitan Police (the police) is to assist London Private Hire Operators (operators) reporting alleged or suspected criminal conduct to the police in an appropriate and timely way. We strongly encourage operators of taxi services such as taxi app companies and radio circuits to use this guidance in reporting alleged or suspected criminal conduct to the police.

We recognise that operators may receive notification of a potential crime when carrying out their complaints handling procedure. This may come from a passenger using their services, a driver or another member of the public. It is important that all reports of a potential crime are passed to the police immediately to ensure that the police can properly deal with the matter and investigate the incidents effectively and efficiently. The primary focus of this guidance is to ensure the safety of the public using private hire (and taxi) services in London.

## **2. Emergencies**

In cases where there is an emergency, a crime is in progress, someone suspected of a crime is nearby, there is a danger to life, or violence is being used or threatened, police advice is to call 999. Police officers will attend and deal with the matter and report it accordingly.

## **3. Reporting post-incident**

When, after an event, a criminal offence is suspected or identified through a complaint or allegation made by a passenger or a third party, the operator should ask whether the passenger/third party has reported the matter directly to the police and, if not, should encourage them to do so. The sooner a crime is reported to the police the sooner an investigation can begin.

If the passenger/third party requests that the operator contacts the police on their behalf, the operator should report the matter to the police immediately using either the online reporting tool, by dialling 101 or reporting directly in person.

The police online reporting tool can be found here: <https://www.met.police.uk/report/how-to-report-a-crime/>

Whether or not the passenger/third party has reported the matter to the police, operators should report it to the police, together with the information set out in section 6 below immediately and no later than 24 hours after the complaint or allegation has been received, sooner where possible. If the passenger/third party claims that they feel vulnerable and/or at risk if the matter is reported, this should be included in the report to the police. Again if they feel there is an imminent risk, they should ring 999 straight away, as should the operator.



In all cases where a complaint has been reported to the police, details should also be passed to TfL (see below), or the relevant licensing authority if the complaint relates to a driver / vehicle licensed by another authority.

#### 4. Reporting an incident without consent

Where the passenger/third party does not give their consent for their personal data to be provided to the police, or refuses to provide their personal details, or specifically states that they do not want the matter to be reported to the police, this does not prevent the operator from making a report to the police.

When the passenger/third party has not given consent, the operator is expected to report the matter, in cases where a serious crime is alleged to have taken place, the person reporting is clearly vulnerable, or there is a risk to the safety of the public by not reporting it. Examples of this may include allegations relating to terrorism, inappropriate contact of a sexual nature, indecency, harassment, violence (including domestic violence), weapons, threat to a child or young person, and drugs. This is a non exhaustive list and should include anything where there is a threat to public safety, either to the person(s) making the report or to other members of the public. The operator should report directly to the police immediately and no later than 24 hours after receipt of the complaint or allegation if it is less serious. Any delays may hinder the police taking appropriate action in a timely manner.

The police are experienced and trained in dealing with allegations of this nature and will take into consideration wider issues such as the vulnerability of the victim and how to ensure their safety as well as the wider issues of public protection. Operators should therefore feel confident in reporting such allegations to the police.

Although reports to the police should include details of the passenger as well as the driver, should the passenger expressly say that they do not want their details passed on, or express extreme distress about the report, operators should still report to the police but can do so without providing the passenger's details. The police will conduct their own intelligence checks and, if necessary, can obtain full passenger details by making a formal Data Protection Request to the operator for that information.

#### 5. Reporting to TfL

Any allegations that lead to an operator dismissing a driver due to his / her unsatisfactory conduct in connection with the driving a private hire vehicle must be notified to TfL with the name of the driver and the circumstances of the case as soon as it is practically possible. We recommend that this report is made to TfL within 48 hours, however Regulation 9 of the Private Hire Vehicle (London) (Operators' Licences) Regulations 2000 currently requires an operator to make this report within 14 days of the dismissal. TfL will be reviewing this regulation later in 2018. If there is any concern that the driver might be a risk to public safety, operators should notify TfL immediately so that licensing action can be considered.

A copy of the appropriate dismissal form can be found here: <http://content.tfl.gov.uk/Driver-dismissal-phv-105-january-2018.pdf>



Notwithstanding the guidance above, the same form can be used by an operator to inform TfL of any concerns or complaints they have about a driver who has not been dismissed.

An operator should also highlight to a complainant that they have the option to make a complaint directly to TfL (using [www.tfl.gov.uk/tph-comments](http://www.tfl.gov.uk/tph-comments) or 0343 222 4000). However, this should not be instead of reporting to the police where a criminal offence may have occurred.

## 6. Information required for the initial report to the police

Reports to the police should include as much of the following information as is available. If you do not have all the available information this should not prevent you making the report.

Passenger details – subject to consent for this information to be passed onto the police – including:

- Passenger's name
- Date of birth (if available)
- Contact number
- Home address (if available)
- Email address (if available)
- Consent to report incident or reasons why does not want to be contacted
- Trip details, start and finish time, pick up drop off point
- Verbatim complaint as made by passenger

Driver details:

- Driver's name
- Date of birth
- Contact number
- Home address
- Email address
- Service with operator (time/trips completed)
- The driver's vehicle, make, model and registration number
- Driver's driving licence number
- PHV driver licence number

Where required by the police, the operator should ensure that it co-operates fully with the police and their investigation.

## 7. Privacy Policies

All operators should ensure that their privacy policies are updated to reflect their policies about reporting criminal offences, and where possible, information about their policies should be made available on their websites, Facebook or other social media.

## 8. Support for Victims



All operators should give details of available support and help groups to passengers who are the victims of crime. Operators should also consider arranging for staff to have specialist training, carried out by specialist training centres, to respond to passengers who report that they are the victims of sexual offences.

It is important that staff understand the difficulties that some passengers may face in making any reports of this nature and ensure that passengers are treated with sensitivity and understanding.