

Updated Guidance for Holders of Taxi and Private Hire Licences

This Notice provides updated advice and guidance for taxi and private hire cars (PHC) licensees following recent Government announcements.

A summary can be found at the end of this Notice.

Background

The Scottish Government has tasked the Environmental Health/Trading Standards Expert Officers' Group on COVID-19 to look at developing guidance. The Expert Group work very closely with Scottish Government and other agencies in the response to COVID-19.

Guidance for taxis and private hire cars was first produced in June 2020 following concerns about lack of COVID-19 controls, in particular lack of physical distancing. Given that the majority of vehicles used in Scotland as Taxi and PHC's will be saloon type cars 2m social distancing is not always possible.

In saloon cars it is not possible for drivers and passengers to face away from each other, the passenger will almost always be facing on to the driver. In a traditional black taxi if the passenger must sit with their back to the driver, they will not be able to maintain 2m distance.

This guidance note covers potential protection of drivers but also considers other mitigating factors that could be introduced such as:

- Stay at home guidance
- Physical (social) distancing between drivers and passengers both inside and outside the vehicle (e.g. assisting with bags or opening the boot for luggage/shopping etc.)
- Use of partitions or screens
- Hand and respiratory hygiene for drivers and passengers in taxis and PHCs
- Use of face coverings by drivers and passengers in taxis and PHCs
- Wheelchair and passenger assistance
- Cleaning of vehicles
- Test and Protect involvement

The Guidance note has now been updated in line with the Scientific Advisory Group for Emergencies (SAGE report 23 Dec 2020) on mitigations to reduce transmission of the new variant. SAGE suggests the mitigations need to be applied with rigour, noting the existing controls and mitigations will be effective against the new variant.

The SAGE report highlights the need to reduce indoor contacts to as low a level as possible and where this is unavoidable, recommends wearing high quality face-coverings on a consistent basis. To further reduce the potential for transmission where contact is unavoidable, SAGE recommends measures to enable effective ventilation.

Stay at home guidance

Individuals who have symptoms of possible COVID-19 (fever, new cough, or loss of smell and/or taste), or who live in a household with someone with possible COVID-19 should be self-isolating. Drivers must stop work immediately. The symptomatic person, whether the driver or household contact, must seek a test as soon as symptoms appear. The driver must not return to work until a negative test result is received.

Taxi and PHC operators and drivers should ask if customers have symptoms of possible COVID-19 and should not accept symptomatic customers. Those that are showing obvious visible signs of COVID-19 symptoms (chronic cough, fever etc.) should not be permitted entry to the vehicle at any time. Private Hire Cars, unlike taxis, have to be booked beforehand so the operator should be screening and asking the relevant questions at the booking stage. Then the drivers are able to further assess once the passenger is picked up. But drivers need appropriate information, instruction, and training on what to look for and what to base judgement on.

If anyone in a household has tested positive all household members must self-isolate for 10 days. The 10-day period begins when the first person in the household started showing symptoms. This is because it can take 10 days for symptoms to appear. Staying at home for 10 days will greatly reduce the overall amount of infection that individuals in the household could potentially pass on to others.

If any other household contact starts to show symptoms during this time, they should continue self-isolating for a further 10 days from the day when they first started showing symptoms, guidance for households with possible coronavirus infection on can be found on the [NHS Inform website](#).

You must follow the advice of Test and Protect at all times.

It is not the driver's responsibility to question whether the customer's journey is considered essential under the current Scottish Guidance. This will be the responsibility of the customer to justify the journey if asked.

There are restrictions for people returning to or travelling to Scotland so you must ensure that you comply with the current guidance which can be found on the [Scottish Government website](#).

Social distancing between drivers and passengers in Taxis and PHCs

Drivers and passengers should occupy the vehicle allowing for 2m physical distancing (or maximum possible distance). Where it is not possible to remain 2m apart, drivers and passengers should face away from each other, rather than face-to-face if that is an option. Where face-to-face contact cannot be avoided, this should be kept to 15 minutes or less wherever possible. Drivers and taxi companies should prevent passengers sitting in the front seat whenever possible.

The number of customers in the vehicle should be kept to a minimum if possible, with no sharing of the vehicle if the customers are not living in the household.

Individuals are always advised to stay 2 metres (6 feet) away from other people if they go out. Individuals should therefore adhere to physical distancing when outside their cars.

At taxi ranks individuals should try to keep a 2-metre distance from others. If anyone comes within 2 metres of others, they should avoid physical contact and keep the time they spend within 2 metres of others as short as possible. See the [Transport Scotland website](#) for more information.

Good ventilation will help to reduce the risk of transmission so windows should be open. Air conditioning or ventilation on vehicles must be set to extract and not recirculate the air within the vehicle (where possible).

Use of partitions or screens

Partitions or safety screens provide a physical barrier between drivers and passengers in the vehicle. They are commonly installed as a safety feature to protect the driver from physical attacks or theft. There has been an increase in interest of the use of screens as a way of providing physical separation between drivers and passengers in order to reduce the transmission of COVID-19.

Partitions in taxis or PHCs do not provide a fully sealed compartment which completely separates the driver from the passenger. Therefore, whilst it is possible that partitions may reduce the risk of transmission of infection, the risk would not be eliminated entirely.

If an operator decides to fit a protective screen to the licensed car, the operator must contact their local licensing authority to advise that he/she has plans to do this. There must be proof that the relevant insurer has been contacted and that the insurer has confirmed that the necessary insurance would be unaffected by the proposed installation of the screen. The licensing authority may consider this to be a material change to the vehicle of which they require to be notified formally in terms of Paragraph 9 of Schedule 1 to the Civic Government (Scotland) Act 1982. If formal notification is required, a fee may have to be paid to the licensing authority to process the notification, which would also involve consultation with Police Scotland regarding the proposed change(s) to the vehicle. In any event, if a screen is fitted, the operator must ensure that it is fitted safely and securely. In addition, it:

- must comply with the Road Vehicle (Construction and Use) Regulations
- must not be permanently installed in the vehicle
- must be fitted in such a way to not affect the structural integrity of the vehicle, or interfere with any manufacturer fitted safety equipment e.g. airbags
- must not wrap around the driver seat and create a partition between the two front seats, in addition to the rear cabin area.
- the partition used **MUST** be clear and transparent and can **ONLY** be fitted across the rear of both front seats, creating a partition between the front and rear cabin area of the vehicle
- any screen must be tested to the relevant EU standard for an original equipment type approval test covering interior fittings
- the screen must be approved by MIRA or other comparable independent product engineering, testing, consultancy and certification organisation
- screens should be constructed of PETg or polycarbonate
- the screen should not impede the driver's vision, movement, or communication with passengers
- the screen should not impede driver or passenger access or egress to the vehicle

Consideration should also be given to ensure that:

- screens must be professionally and securely fitted in accordance with the manufacturer's instructions
- certification from the vehicle's manufacturer should be sought to confirm that the screen does not compromise the integrity of the vehicle structure
- insurers should be notified of any modifications made to the vehicle

Screens should also be cleaned regularly (see Cleaning of vehicles), including between passenger journeys and changes of driver with disinfectant.

Hand and respiratory hygiene for drivers and passengers in taxis and PHCs

Drivers and passengers should wash hands more regularly than normal using soap and water or hand sanitiser for at least 20 seconds. Hand washing is particularly important after using the toilet, after handling money, before eating or handling food, before touching your face, and after blowing your nose, sneezing, or coughing. Hands should be washed as soon as drivers or passengers get home. When hand washing facilities are not available, hand sanitiser can be used as a substitute. The use of hand sanitiser is only suitable when hands are not visibly dirty or soiled.

Drivers should keep a bottle of hand sanitiser gel in their vehicle. It is recommended this be a minimum 80 per cent alcohol. Alternatively keep a large bottle of water and a bar/bottle of soap.

Drivers are advised to avoid handling money and take alternative payment methods. If handling money cannot be avoided, drivers should wash their hands with soap and water or hand sanitiser after handling money. The taxi/PHC company should consider equipment which allows alternative payment means AND ask the question at the booking stage about how the payment will be made. This will help in reducing cash transactions.

Drivers and passengers should carry tissues and use tissues to catch coughs or sneezes. Used tissues should be disposed of in a controlled manner in a bin as soon as possible. Hand sanitiser should be used after coughing or sneezing into a tissue.

Use of face coverings by drivers and passengers in taxis and PHCs

Physical distancing, hand washing, respiratory hygiene and surface cleaning are the most important and effective measures we can all adopt to prevent the spread of coronavirus, therefore the wearing of facial coverings must not be used as an alternative to any of these other precautions.

Drivers **must** wear a face covering unless there is a partition i.e. screen, between the driver and the members of the public i.e. passenger.

When using taxis and/or private hire vehicles, passengers **must** wear a face covering.

The following groups are exempt from the mandatory use of face covering in such vehicles namely:

- Under 5-year olds
- Those with breathing difficulties
- Those with physical conditions which make it hard to keep a mask in place

A full list of exemptions can be found in the [Coronavirus \(COVID-19\): public use of face coverings](#) guidance.

[Exemptions cards are available](#) for those with medical exemptions.

The use of face shields/visors is not accepted as a suitable face covering. A face shield/visor alone would not control the risk from aerosol/droplet transmission. The use of face shields is optional and must be used in addition to having a face covering.

Wheelchairs and passenger assistance

The Equality Act 2010 specifically section 165 which sets out the duties imposed on a driver of a designated taxi for carriage of passengers with disabilities includes:

- a) to carry the passenger while in the wheelchair,
- b) not to make any additional charge for doing so,
- c) if the passenger chooses to sit in a passenger seat, to carry the wheelchair,
- d) to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort,
- e) to give the passenger such mobility assistance as is reasonably required

The Coronavirus (Scotland) Act 2020 does not contain any specific provisions that impact upon the above, but Scottish Government guidance on social distancing, etc. applies equally to both driver and passenger and requires to be considered. The Equality Act provides a qualifier to the assistance to be provided to a passenger – the use of the word reasonable/reasonably. A driver could assess a particular situation where a wheelchair user wanted to make use of their vehicle, and the driver could decide whether it is possible for them – observing the terms of Scottish Government guidance on distancing, etc. – to provide the service. If they believed that social distancing requirements were such as to prevent them being able to provide reasonable assistance, they could state that, but still confirm they could provide the service of carrying the passenger in their vehicle. The reasonability element has to be considered in light of the current climate.

However, having regard to the duties imposed in the 2010 Act, should a driver refuse to accept wheelchair users in their vehicle they would then be breaching the terms of the legislation and local licensing conditions

Cleaning of vehicles

Cleaning vehicles with normal household disinfectant (beware that many household disinfectants contain bleach as an ingredient and as such may cause staining to fabrics etc.) will reduce the risk of passing coronavirus infection on to other people. After each passenger journey, drivers should clean all hard surfaces both inside and outside the car such as door handles, window winders, seat belts, card payment devices, boot access, the rear of the front seats and other surfaces passengers may have touched. Drivers should then wash/sanitise their own hands. There should be an adequate supply of cleaning materials and means of disposal for the shift.

A thorough clean of the vehicle with normal cleaning products should be completed at the end of each shift/working day.

Test and Protect

If a driver tests positive for Coronavirus, NHS Test and Protect will contact him/her to get details of recent activities and contacts. This will involve the period 48 hours before symptoms started and while symptomatic, or 48 hours before a test if there are no symptoms. This is likely to include details of passengers, which must be released to Test and Protect if available. We would strongly recommend the driver, or the company, obtain names and contact numbers to allow effective contact tracing. Information must be securely held, more information can be found on the [Scottish Government website](#).

If a passenger tests positive and they were in a taxi or PHC during their infectious period the driver may be asked to self-isolate as a close contact (depending on social distancing, ventilation etc.). He/she must self-isolate for the period advised by Test and Protect even if the driver goes for a test and the result is negative.

Summary and Conclusion

Drivers, like the general population, **should not be working if they are symptomatic or if someone, they live with is symptomatic or has tested positive.** Drivers in the clinically vulnerable group and extremely clinically vulnerable (shielding) group should follow government advice.

Drivers and passengers should remain at 2m distance. If maintaining 2m distance is not possible, drivers and passengers should face away from each other and face-to-face contact should be minimised. Drivers and taxi companies should prevent passengers sitting in the front seat whenever possible.

Windows should be kept open and air conditioning/ventilation should be set to extract and not recirculate the air within the vehicle.

Drivers and passengers should wash hands more regularly than normal for at least 20 seconds. When hand washing is not possible, hand sanitiser should be used. Drivers are advised to avoid handling money and to take alternative payment methods. If handling money cannot be avoided, drivers should wash their hands with soap and water or alcohol-based sanitiser after handling money.

Partitions in taxis or PHCs do not provide a fully sealed compartment which completely separates the driver from the passenger. Therefore, whilst it is possible that partitions may reduce the risk of transmission of infection, the risk would not be eliminated entirely and if installed, they should not be regarded as a measure taken instead of social distancing and other hygiene measures.

In all cases where it is intended to install a partition or screen, the operator should contact the local licensing authority and their insurance company beforehand.

Drivers must adhere to any self-isolation advised by Test and Protect.

Taxis and PHCs should follow guidance on cleaning vehicles as above.

Submitted

The EH-TS Covid-19 Expert Working Group would like to acknowledge the contribution of the following organisations in the development of this guidance

Society of Chief Officers of Environmental Health in Scotland (SoCOEHS)

Society of Chief Officers of Trading Standards (SCOTSS)

Society of Local Authorities Chief Executives (Solace)

Society of Local Authority Lawyers and Administrators in Scotland (SOLAR)

Health Protection Scotland (HPS)

Health and Safety Executive (HSE)

Police Scotland

25.01.21

Transport Scotland