



Response by Guide Dogs to Newcastle-under-Lyme Borough Council's Taxi Licensing Policy Consultation

24th January 2025

About Guide Dogs

Guide Dogs provides mobility services to increase the independence of people with sight loss in the UK. Alongside our mobility work we campaign to break down physical and legal barriers to enable people with sight loss to get around on their own terms. Across Staffordshire there are an estimated 33,300 of people living with sight loss.

Taxis and private hire vehicles (PHVs) and the door-to-door service they provide are essential for disabled people. They are particularly important for the independence of blind and partially sighted people, who are unable to drive, and often face barriers when using public transport. However, accessing taxis and PHVs can be a major challenge for assistance dog owners. A 2024 Guide Dogs survey found that 58% of guide dog owners have experienced being refused access to a taxi or minicab. Such access refusals can have a significant impact on assistance dog owners' lives, leading to feelings of anger and embarrassment and a loss of confidence and independence, which can often lead to isolation and poor mental health.

Highlighting obligations under Equality Act 2010 in respect of Assistance Dogs

The consequences of delayed travel combined with the emotional impact of facing discrimination and confrontation when trying to carry out everyday activities take a significant toll on assistance dog owners. Apart from feelings of anger and embarrassment, refusals can undermine the independence that assistance dogs bring to their owners. Assistance dog owners also reported that the stress of refusals has had a detrimental impact on their mental health and on whether they feel able to leave the



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house. This also has a negative impact on their ability to access work and other opportunities. As guide dog owners report:

“Each refusal is crushing, confidence shattering, rejecting, and traumatic. I always feel that I don't want to go out after - but work dictates I must.”
Guide dog owner

“I was left on my own at the side of the road in the dark. I am deaf and unable to phone for help and it made me feel very vulnerable. It makes me feel afraid to go out.” Assistance dog owner

“I was very upset, it was dark, raining and 10pm at night. I was scared. I avoid evening invites, as I worry about getting home. I lose out on the chance of socialising with friends, which is bad, as I have no family.” Guide dog owner

“I used to have a very tough two-hour commute to work. The taxi part of the journey was the shortest bit travel wise, but it always ended up being the bit that held me up the most because I was having to spend time facing drivers who wouldn't take me with my dog. ... It's good that my contract was flexi hours otherwise I'm sure I would have been sacked for being late all the time - it happened so often.” Guide dog owner

Guide Dogs welcomes the specific reference, in para. 40 of the draft Driver Code of Conduct, to the legal duty of drivers to carry, free of charge, all assistance dog owners under the Equality Act 2010.

Private Hire Operators play a key role in preventing and reducing access refusals, both at the point of booking and following an access refusal. Therefore, Private Hire Operators' legal obligations under the Equality Act should be included within the Private Hire Operator Conditions set out in Appendix I.

Further, guide dog owners have expressed concern of access refusals which take the form of drivers not stopping the car when they see the dog. We recommend ensuring that this is clearly identified as an illegal access refusal.



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The Equality Act, including s. 165A, establishes duties on taxi and PHV drivers to provide assistance to disabled people, including assisting the passenger to find the vehicle. The current draft makes reference to drivers providing assistance to those with mobility problems, this should be expanded to clarify that this duty applies to all disabled people as well as people with mobility problems (see para. 1.2.3 of the Taxi Licensing Policy). Additionally, this duty should be included in para. 26 of the Driver Code of Conduct (Appendix B), which relates to the assistance of passengers.

Disability equality training

Drivers who refuse to carry an assistance dog are committing a criminal offence under the Equality Act 2010. A Guide Dogs survey found that many taxi drivers are unaware of their legal obligations and the impact refusals have on assistance dog owners. The best way to address this is through disability equality (as opposed to disability awareness) training for all taxi and PHV drivers.

Therefore, to help reduce the number of access refusals, it is important that drivers know their legal obligations and how to best offer assistance to their customers with vision impairments, including those travelling with a guide dog.

The Taxis and Private Hire Vehicles (Disabled Persons) Act 2022[2] amends the Equality Act 2010 to place duties on taxi drivers and PHV drivers and operators, so any disabled person has specific rights and protections to be transported and receive assistance when using a taxi or PHV without being charged extra. As part of the amendments, taxi and PHV drivers could face fines of up to £1,000 if they fail to provide reasonable mobility assistance to disabled passengers taking a pre-booked vehicle.

We recommend that this training, as well as highlighting a driver's legal obligations and disabled people's rights, should focus on the concept of people being disabled by society's barriers and attitudes. It should highlight the role an organisation and individuals play in the removal of those barriers, while also including awareness elements such as customer care, etiquette, and appropriate communication.



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Many of the positive experiences disabled people report when using taxis and PHVs come about following disability equality training. Councils that have introduced disability equality training report very positive results with fewer refusals and drivers feeling more confident in assisting passengers with disabilities.

We welcome the requirement for drivers and operators to undergo Disability Equality training prior to receiving a licence. However, we note that this will now be a combined module also covering Safeguarding and Child Sexual Exploitation training. Additionally, the removal of the word 'Pass' indicates drivers and operators will no longer have to undertake an assessment of their knowledge on these topics. The licensing authority should take steps to reassure passengers that this will not reduce the intensity or coverage of the training modules, nor the expected level of understanding by drivers of their legal obligations. Additionally, to further reassure assistance dog owners and disabled people more broadly, the licensing authority should set out in the policy, or elsewhere, what material is covered within the Disability Equality Training module.

Medical exemption certificates

Guide Dogs supports the inclusion of a detailed process to obtain a medical exemption certificate for taxi and PHV drivers who are medically unable to carry an assistance dog (Para 37, Appendix C).

Such policies should specify that in order to apply for a medical exemption certificate from carrying assistance dogs, this must be authorised by a medical practitioner and accompanied by medical evidence which demonstrates the driver's genuine medical condition that is aggravated by exposure to dogs, such as a blood test, a skin prick test or clinical history.

Further, it is often difficult for vision-impaired passengers to identify the validity of exemption certificates. Currently, it is not permissible for licensing authorities to issue exemption certificates which incorporate tactile features, as this would alter the certificate's prescribed form and render it invalid. We therefore welcome that the licensing authority will



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issue exemption certificates that are accompanied by features distinguishable to vision-impaired passengers, such as an embossed or raised 'E' and a braille marker to accommodate both braille readers and non-braille readers.

Enforcement

Guide Dogs welcomes the specific reference to complaints relating to discrimination and breaches of the Equality Act 2010 (Para 4.2.10 of the Taxi Licensing Policy). However, we believe that the policy should go further.

While our most recent survey shows that a substantial percentage of assistance dog owners have been refused access, many of these incidents are not reported. Indeed, research in 2019 found that only 8% of owners who had been refused access had taken legal action which resulted in prosecution. In part, the underreporting is due to challenges of reporting, especially for people with sight loss. However, it is also due to disappointment at the lack of action taken following an access refusal and the low fines issued.

Considering the significant impact an access refusal can have on assistance dog owners and their communities, it is important that assistance dog owners know that all cases of access refusals are viewed very seriously and are investigated.

We recommend a zero-tolerance approach to enforcement of the Equality Act 2010 in seeking prosecutions and therefore recommend that the Taxi Licensing Policy states Newcastle-under-Lyme Borough Council will use its best endeavours to investigate all reported violations of the Equality Act 2010 in a timely manner, with a view to pursuing a conviction.

We also recommend that Newcastle-under-Lyme Borough Council works together in conjunction with assistance dog owners to ensure that licensing requirements are being complied with by various means such as, but not limited to, test purchases.



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[2]. <https://www.legislation.gov.uk/ukpga/2022/29/section/1/enacted>

For further information or clarification, please contact
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