## **London Taxi and Private Hire**



# Guidance for taxi and private hire drivers on registering with the DBS Update Service

This guidance is for taxi drivers and private hire drivers and is about the requirement for drivers to register with the Disclosure and Barring Service (DBS) Update Service.

From **26 February 2024**, all new and renewing taxi and private hire drivers are required to register with, and maintain a subscription to, the DBS Update Service. A licence will not be granted without confirmation that the subscription is in place.

Once drivers are registered with the Update Service, we will check with the DBS every six months to see if their DBS record has changed.

This guidance explains what the new requirements are and how applicants and licensees can comply with them.

All fees are correct at the time of publication.

#### Background

As the licensing authority for London's taxi and private hire services, Transport for London (TfL) must consider the full range of information available to us to ensure a licensee remains suitable to hold a licensee.

All new and renewing applicants for a taxi or private hire driver's licence must currently provide an enhanced DBS check, which includes checks of the barred lists. In addition to this requirement, the <u>Department for Transport's Statutory Taxi and Private Hire Vehicle Standards</u> recommend that all licensed taxi and private hire drivers should also be required to show they have continuous registration with the <u>DBS Update Service</u>, so the licensing authority can routinely check for new information every six months.

Following our consultation on implementing the Statutory Standards, all taxi and private hire drivers licensed or re-licensed on or after 26 February 2024, must continue to be registered with the DBS Update Service.

The service enables anyone who applies for an enhanced criminal record check to pay an annual subscription, which will allow employers to carry out a status check on the DBS certificate. Once you have subscribed to the Update Service, you will only be required to provide a new criminal record check if the DBS tells us

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<sup>&</sup>lt;sup>1</sup>See <u>Disclosure and Barring Service (www.gov.uk)</u> for the current DBS fees

something has changed. This will save you both time and money, as when you apply to renew your licence you will not have to apply and pay for a new enhanced DBS check.

#### The new requirements

#### Taxi drivers

Any taxi driver granted a licence (new or renewal) on or after 26 February 2024, should register with the Update Service when making their application. They will have to maintain continuous registration with the DBS Update Service throughout the life of the licence. If they do not, then licensing action may be taken.

We will check every application for evidence of registration with the DBS Update Service and will not grant a licence to anyone who has not registered.

For prospective taxi drivers applying to start the Knowledge of London, these requirements will not apply until they complete the Knowledge and apply for their first licence.

#### Private hire drivers

Any private hire driver granted a licence (new or renewal) on or after 26 February 2024, should register with the DBS Update Service when making their application. They will have to maintain continuous registration with the DBS Update Service throughout the life of the licence. If they do not, then licensing action may be taken.

We will check every application for evidence of registration with the DBS Update Service and will not grant a licence to anyone who has not registered.

#### How to register for the DBS Update Service

You can register for and subscribe to the <u>DBS Update Service</u> directly.

The DBS provide two opportunities when you can register with the Update Service. It is extremely important you do not miss the opportunity to register.

We recommended you register at the earliest opportunity.

You can register with the Update Service when:

- You are applying for your enhanced DBS check
- You have received your enhanced DBS certificate

The table below sets out the information needed to register and the timescales for registering.

Opportunities to register	Information needed	Timescales
When you are applying for your enhanced DBS check	You can register when you are in the process of getting your enhanced DBS check.  You will need your application reference number, this is the 'form ref' number located at the top right-hand side of your application form.  You can use the DBS tracking service to check the progress of your DBS check.	The DBS must receive your application to register with the DBS Update Service within 28 days of you applying for your enhanced DBS check.
When you have received your enhanced DBS certificate	If you have already received your enhanced DBS certificate you can register with your certificate number.  Your certificate number is located at the top right-hand side of your DBS certificate and is referred to as 'Certificate Number'.	To register using your certificate number, your enhanced DBS certificate must have been issued within the last 30 days.

Subscription to the DBS Update Service currently costs £I3 per year<sup>2</sup> and you can pay by debit or credit card.

If you have already obtained your DBS certificate as part of a new or renewal application and have missed the window to register with the Update Service, you will need to apply for a new enhanced DBS certificate and then register with the DBS Update Service before we can grant a licence. You will need to provide us with your new DBS application reference number to show you have applied for a new enhanced DBS certificate.

If you need help when registering with the DBS Update Service, please contact DBS customer services by emailing <a href="mailto:customerservices@dbs.gov.uk">customerservices@dbs.gov.uk</a> or calling 0300 0200 190.

<sup>&</sup>lt;sup>2</sup> Correct at time of publication, DBS Update Service fees, <a href="https://www.gov.uk/dbs-update-service">https://www.gov.uk/dbs-update-service</a>

# Drivers who have been informed by the DBS they are unable to register with the Update Service

In rare circumstances, the DBS is unable to automatically issue a DBS certificate and will instead issue a DBS certificate manually. If you are issued with a manual DBS certificate, you will not be able to subscribe to the Update Service. If this is the case, you will be informed when you try to register with the Update Service.

There is more information on <u>manual DBS certificates</u> on the DBS website.

If you are unable to register with the DBS Update Service, we will not be able to carry out six-monthly status checks via the DBS Update Service. In this instance, you will have to obtain a new enhanced DBS check every six months.

If this applies to you, we will write to you when the check is due. We will also ask you to provide your DBS application reference number to show you have applied for the DBS check.

If you are required to provide a new DBS check every six months, you are entitled to a refund from the DBS of their fee, which is currently £38.<sup>3</sup> You will be told how to apply for the refund when the DBS issues you with your new certificate.

All new enhanced checks must be obtained through our contracted service provider. Information on how to apply will be provided when we write to you.

If the enhanced DBS check discloses any information, our contracted service provider will ask you to send them the new DBS certificate and will then pass a copy to TfL and return the original DBS certificate to you.

When we receive the new DBS certificate, we will assess the information disclosed in line with our licensing policy.

If you fail to send your new DBS certificate to our contracted service provider when requested to do so, licensing action may be taken.

#### Maintaining continuous subscription to the Update Service

A subscription to the DBS Update Service lasts for one year and can be renewed automatically by choosing automatic renewal when you first register. This is recommended as it avoids the risk of your subscription lapsing.

You can also renew your subscription through the DBS Update Service by signing into your account up to 30 days before your current subscription ends, but you cannot renew on the last day of your subscription.

<sup>&</sup>lt;sup>3</sup> Correct at time of publication, Enhanced DBS check fees, <a href="https://www.gov.uk/dbs-check-applicant-criminal-record/get-a-standard-or-enhanced-dbs-check-for-an-employee">https://www.gov.uk/dbs-check-applicant-criminal-record/get-a-standard-or-enhanced-dbs-check-for-an-employee</a>

Shortly before the annual subscription fee is due, the DBS will email you with a reminder, so make sure your email address is up to date in your DBS account.

If you do not renew your subscription before it ends, you'll need to apply for a new enhanced DBS check and register for the DBS Update Service again. If the DBS check discloses any information, you will also have to provide us with a copy of your new DBS certificate.

If you choose to renew automatically and your debit or credit card details change or your card expires, you will need to sign in to your account to update your card details.

You can change your email, mobile phone number or correspondence address at any time by logging into your DBS account.

You can also amend your payment details, however this can only be done within 30 days of the renewal date of your subscription, and if you have selected to automatically renew.

If you do not select to automatically renew the DBS will send out a reminder to renew your subscription to the DBS Update Service I4 days prior to your subscription expiring. The reminder will be sent to the address linked to the account so it is important you keep all of your details up to date.

Information about how to apply to register with the DBS Update Service and maintaining your subscription is available in the DBS Update Service applicant guide.

There is more information for <u>taxi drivers</u> and <u>private hire drivers</u> on getting a new enhanced DBS check on our website.

#### Failure to maintain continuous subscription

If you fail to maintain continuous registration with the Update Service you will have to apply and pay for additional DBS checks through our contracted service provider. This may delay your renewal application and may result in suspension or revocation of your taxi or private hire driver's licence.

We will ask any driver who has failed to maintain continuous registration to apply for a new enhanced DBS check and then to re-register for the Update Service. If evidence of re-registration is not provided in a timely manner, we will consider the ongoing fitness of the driver to remain licensed and may take licensing action.

#### Changes to personal information or contact details

You can change your email, mobile phone number or correspondence address at any time by logging into your DBS account.

You can also amend your payment details, however this can only be done within 30 days of the renewal date of your subscription and if you have selected to automatically renew.

You can amend your address details in your account. This does not update your DBS certificate, which will still be valid. Your address is just one piece of information used when searching the Police National Computer for conviction information. If you are convicted of an offence when subscribed, the DBS will link the offence to you and cause the status of your DBS certificate to change.

If you change your name you will need to apply for a new DBS check to replace your existing DBS certificates. Once your new applications are linked to your DBS Update Service account you can remove your old DBS certificates.

If the names declared on a DBS certificate attached to a subscription change or are incorrect, the DBS reserves the right to cancel the incorrect DBS certificates attached to that subscription. This could mean that you will need to apply and pay for a new enhanced DBS check, and provide us with evidence that you are registered with the DBS Update Service.

#### Routine status checks with the DBS

Once drivers have registered with the Update Service, we will then routinely check with the DBS for new information every six months, starting from the date their licence was granted.

Six-monthly status checks begin on 26 August 2024 for licences issued on or after 26 February 2024. From this date we will carry out a status check every six months. In the event the six-monthly status check discloses a change in the information recorded against a driver's DBS certificate, we will write to the driver advising them they must apply for a new enhanced DBS check and provide evidence they have registered for the DBS Update Service within the timeframe specified. The driver will need to provide us with their new DBS application reference number or the new DBS certificate number to show they have applied for the DBS check.

Details of how to obtain a new enhanced DBS check for <u>taxi drivers</u> and for <u>private</u> hire drivers is available on our website.

Once the check has been completed, our contracted service provider will ask you to send them the new DBS certificate and will then pass a copy to TfL and return the original DBS certificate to you.

When we receive the new DBS certificate, we will assess the information disclosed in line with our licensing policy.

If you fail to send your new DBS certificate to our contracted service provider when requested to do so, licensing action may be taken.

#### Retaining DBS certificates

In line with our existing process, if your next enhanced DBS check discloses any information, our contracted service provider will ask you to send them the new DBS certificate and will then pass a copy to TfL and return the original DBS certificate to you.

When we receive the new DBS certificate, we will assess the information disclosed in line with our <u>licensing policy</u>. However, we reserve the right to immediately review all licences in the event we change any policy. To allow us to do this, we will need to retain a copy of any DBS certificate where criminal history is disclosed, so that it can be re-assessed against a new policy.

The most recent DBS certificate will need to be retained for the entire period the person is licensed, or until such time as a new DBS certificate is provided, whichever is earlier.

### Drivers who have already registered with the DBS Update Service

If you are already registered with, and subscribe to, the DBS Update Service you will not need to do anything more at this time. We will carry out a status check when you next apply to renew your licence and then conduct six-monthly status checks.

#### Refusals, revocations and surrendered licences

If your licence application is refused or your licence is revoked (and any appeal has been completed), or if you surrender your licence for any other reason, you will no longer be required to maintain a subscription to the DBS Update Service and should consider terminating it. If you do terminate your subscription and then reapply for a licence at a later date, you will need to provide a new enhanced DBS certificate and re-register with the DBS Update Service.

If you have any questions please contact us by emailing <a href="mailto:tphlicensing@tfl.gov.uk">tphlicensing@tfl.gov.uk</a>.

#### Version control

This document will be kept under review and may be altered or amended to reflect any changes in the law or Transport for London policies and guidance.

Version	2	
Date	06 June 2024	
Summary of amendments	<ul> <li>Updated to reflect new requirements have come into effect</li> <li>Information added about updating details with the DBS and that if the names declared on a DBS certificate change or are incorrect, a new enhanced DBS check may be needed</li> </ul>	