

Dear Sirs

After considering the responses during the Zoom meeting on the 24th of this month, we would like to make the following suggestions that we believe would be both reasonable and suitable for Cardiff City Council to develop quickly during this crisis.

One of the main concerns by CCC was that should an incident occur that caused a member of the public to be injured by a Covid Safety Screen then that person could legally hold CCC accountable in a lawsuit.

We believe that this would be such a minuscule chance of occurring that it is not a viable reason to write a policy (and go through the required consultation and red tape) when simple guidance on the matter would suffice.

We recommend that guidance is written as the example provided in **Appendix A**

This, we are sure you will agree, gives complete immunity to any potential issue that could arise for CCC and leaves the whole responsibility on the driver and insurance company (which would be the first port of call for any claim to be made).

At the same time, it allows the driver their discretion to install a safety screen for their health and safety at work, no differently to a screen being fitted at any other place of work and for the very same reasons.

During such times as we are in today, common sense is by far the fastest way to allow for changes to be made, even temporary ones, and that the usual protocols do not have to be followed such as consultations or newly written policies. The Coronavirus Bill gave some freedom in this regard and one of its 5 key categories was to ease legislative and regulatory requirements.

The Health & Safety Executive state in regards to shared vehicles in the workplace that...

Using physical screening, provided this does not compromise safety, for example, through reducing visibility sitting side-by-side not face-to-face and increasing ventilation where possible.

And finally, the Welsh Government also state that...

The installation of protective barriers or safety screens is a decision for licensing authorities, PHV operators and firm/individual operating the vehicle to make based on their own assessment of risk

Before considering installing a safety screen you should contact your licensing authority to:

- *check that they will permit the installation*
- *ensure that the screen and installation will meet their requirements*

The trade is confident that the suggestions made in this response are legal and valid and that CCC will see the sense in the suggestions put forward that enables the speedy and justifiable solution to the time critical matter of safety screens in Licensed Vehicles.

Regards

XXXXXXXXXXXX

Appendix A

Coronavirus updates for taxi and Private Hire licensing

COVID-19 - Safety screens in Licensed Vehicles - July 2020

We are aware new screen apparatus is being sold in response to the COVID-19 situation. However, there is a lack of information about safety testing or certification (both practically and in relation to transmission of the virus) to allow us to endorse their use, and there is currently no government guidance on the subject.

We recognise that these are unique times and we are taking a realistic approach to enforcement of the current policy in relation to added fittings in licensed vehicles. The decision to install a safety screen during the current pandemic will be a matter for vehicle owners, driver's, and operators to consider.

We will not accept liability in circumstances in which a screen causes injury to a passenger or driver.

We ask that the following guidance is considered if you are to continue operating or driving a Licensed Vehicle and wish to install a screen/shield.

The screen/shield should:

- Not interfere with or compromise any operating or safety features in the vehicle (including airbags, handbrake, gearstick) or the vehicle type approval
- Not be made of materials that will increase the fire risk in the vehicle
- Be transparent so as not to interfere with the safe use of the vehicle, and to enable the driver and passengers to see each other; and remain clear of scratches, clouding or stickers which would impede the drivers or passengers' visibility.
- Be adequately and safely secured and not interfere with the safe ingress and egress of the driver or passengers or become easily detached during normal use.
- Be adequately disinfected between bookings and at the start and end of the working day

Owners/Drivers/Operators should:

- Inform insurers about the intention to fit such a device and ensure their insurance will not be invalidated as a result and that an email confirmation should be kept as evidence
- Fit/install screens at your own responsibility and in accordance with the screen manufacturers specifications and recommendations
- Understand that this is a temporary measure and we reserve the right to require their removal with reasonable notice once the virus has been eradicated from society

- Be aware that when a safety screen is fitted that the front passenger seat in the vehicle may be unusable in which case the maximum number of passengers the vehicle is licensed to carry will be affected
- Be mindful that a safety screen is part of PPE and not a standalone protection

If a compliance officer has any concerns about the use of a partition screen in a licensed vehicle, they will speak to the owner and may require the removal of the device, they will explain their reasons in writing.

We would like to remind you that we cannot make or stop Private Hire drivers working during this crisis. We recognise some drivers are still working, and we want to provide as much guidance as possible in these circumstances.

Advice on Sanitation and Face Coverings

Those who are working have a responsibility to take all possible precautions to keep themselves and their vehicles as safe and sanitised to help stop the spread of the virus. We advise you to frequently clean and disinfect surfaces using cleaning products that are touched regularly i.e. door handles, seat belts and buckles and other obvious hard surfaces touched by a passenger, including areas that may have been infected following a passenger coughing or sneezing.