

TORBAY COUNCIL

Please reply to: Shaun Rackley
Community Safety, C/o Town Hall
Castle Circus,
Torquay, TQ1 3DR

Mr T Frost
[REDACTED]

My ref:

Your ref:

Telephone: 01803 208025

Sent by email to
[REDACTED]

E-mail: Shaun.Rackley@torbay.gov.uk

Date: 28th January 2022

Dear Mr Frost

**Re: Request for new Enhanced Disclosure & Barring Service check and suspension of school contract work
Licensed Driver number - LD0587**

I am writing to you following the receipt of information from Devon & Cornwall Police regarding your recent arrest and being released on Police bail. This information was provided to both the Licensing Authority and the School Transport Team at Torbay Council.

In order for me to investigate this matter further and decide if any further action is required at this time with regard to your Licensed Drivers badge with Torbay Council, I now require you to undertake a new Enhanced Disclosure and Barring Service check immediately and by no later than the **7th February 2022**. The Enhanced DBS check must cover working with vulnerable adults and children.

I am making this request as per Torbay Council's Taxi Policy where it states the following.

6.9 The Licensing Authority may, where necessary, require licensed drivers to submit an additional Enhanced DBS check at the licensed drivers cost, or if the driver has subscribed to the DBS update service an additional check may be carried out through this service. The Licensing Authority will not require this, unless it has good reason to do so – for example, the reasonable belief that the licensed driver has a criminal conviction not notified to the Licensing Authority. Failure to provide this additional enhanced DBS check may result in the licence being immediately suspended or revoked.

Once you have made the application with a registered provider, please email the proof to shaun.rackley@torbay.gov.uk. I understand that this check could take a number of weeks to be returned, however once returned, I also require a copy of the check to determine if there is any further information which may question if you are a fit and proper person to hold a Licensed Drivers badge with this Local Authority.

Whilst investigating this matter I have been in communication with Torbay Council's School Contract team who have provided the following information in regard to you carrying out school contract work.

If you require this in a different format or language, please contact me.



Torbay Council School Contracts

Under the conditions that Transport Operators agree to, Torbay Council are entitled to request the removal of a Driver allocated to a contract. Concerns have been raised by the team responsible for the safeguarding of children in Torbay regarding your suitability to operate Torbay Council school contracts.

Having considered their concerns, a decision has been made to extend the request to 209 Contracts LTD to refrain from allocating you to school services. This will be reviewed in the future, pending the return of an Enhanced DBS check and a decision from the CPS regarding the case that is currently outstanding.

The above decision also includes school contracts held by other operators not solely 209 Contracts LTD. If it comes to our attention that you have not observed this, there will be repercussions for the operator that you are providing services for, including an impact on their ongoing clearance as an approved contractor.

I look forward to your co-operation on this matter and if you have any further questions, please do not hesitate to contact me directly at the number or email address above, however, I look forward to receiving confirmation in due course that you have made an application for a new Enhanced DBS by the specified date.

Yours sincerely



Shaun Rackley
Licensing Officer
Community Safety