

**From:** [REDACTED]  
**Sent:** 24 March 2017 12:49  
**To:** [REDACTED]  
**Subject:** Re: Letter from Keith Brown, MSP, Cabinet Secretary for Economy, Jobs and Fair Work

Hi [REDACTED]

Hope you're well. Thanks for this invitation, which I'm happy to accept. I look forward to seeing you on 4 May. Would you be able to send me a list of the other panel members, please?

Best

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

On 23 March 2017 at 12:45, [REDACTED] wrote:  
Good afternoon

Please find the attached letter from Keith Brown, MSP, Cabinet Secretary for Economy, Jobs and Fair Work.

Kind regards

[REDACTED]

[REDACTED]

Minister for Business, Innovation and Energy / Cabinet Secretary for Economy, Jobs and Fair Work

2N.08 St Andrew's House | Regent Road | Edinburgh | EH1 3DG

[REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d' fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

[Redacted]  

---

**From:** [Redacted]  
**Sent:** 19 July 2017 12:08  
**To:** [Redacted]  
**Subject:** FW: Uber introductions

[Redacted]  
Consumer, Competition and Regulatory Policy  
[Redacted]

---

**From:** [Redacted]  
**Sent:** Thursday, June 01, 2017 10:28 AM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Uber introductions

Hi [Redacted]

Thanks for letting us know, I will ensure that the panel's contact list updated accordingly. Good luck with your next venture.

Looking forward to meeting [Redacted] at the next panel session.

Regards

[Redacted]  
Consumer, Competition and Regulatory Policy  
[Redacted]

---

**From:** [Redacted]  
**Sent:** Thursday, June 01, 2017 10:20 AM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Uber Introductions

Hi [Redacted]

Hope this finds you well. Just a brief note to let you know - in confidence - that I will be leaving Uber later this month. My colleague [Redacted] will take over for Uber on the Scottish Expert Panel on the Collaborative Economy - I believe the two of you are acquainted, and his role covers a similar remit to [Redacted] at Airbnb so you are in good hands.

I have passed calendar invites on already, and would be grateful if the team could update their mailing lists for papers etc. for future meetings.

All the best

[Redacted]

**From:** [Redacted]  
**Sent:** 19 July 2017 12:11  
**To:** [Redacted]  
**Subject:** FW: Evidence session on short term rentals and peer to peer accommodation – Scottish Expert Advisory Panel on the Collaborative - 21 June 2017

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

---

**From:** [Redacted]  
**Sent:** Friday, June 16, 2017 8:29 AM  
**To:** [Redacted]  
**Subject:** FW: Evidence session on short term rentals and peer to peer accommodation – Scottish Expert Advisory Panel on the Collaborative - 21 June 2017

[Redacted]

Apologies I missed you off the earlier circulation. I will update the distribution lists now and will forward all calendar invitations onto you for the panel sessions.

Cheers

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

---

**From:** [Redacted]  
**Sent:** Wednesday, June 14, 2017 3:34 PM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Evidence session on short term rentals and peer to peer accommodation – Scottish Expert Advisory Panel on the Collaborative - 21 June 2017

Dear all,

Ahead of the evidence session on short term rentals and peer to peer accommodation for the Scottish Expert Advisory Panel on the Collaborative Economy, I have attached the agenda and

some papers for the meeting. There will be a further circulation of papers by the end of the week and these will include Indigo House's Scoping research on supply and demand for short term lets in Scotland, Stakeholder biographies & a discussion paper.

- Agenda



Collaborative  
economy - expe...

- Paper 1 - Minutes from 4 May 2017



Collaborative  
Economy - Expe...

- Terms of reference (updated)



Collaborative  
economy - expe...

- Key considerations report (updated)



Collaborative  
Economy - expe...

The following organisations will be attending the session and presenting evidence;

- Airbnb
- Association of Scotland's Self-Caters
- British Hospitality Association
- Edinburgh Council
- Federation of Small Businesses
- Highland Council
- Indigo House
- Scottish Enterprise
- Scottish Tourism Alliance
- UK Short-Term Accommodation Association

The meeting will be held on **21 June 2017 between 12:00 – 16:00 in the Hallmark Hotel Glasgow, 27 Washington St, Glasgow G3 8AZ**. On arrival please report to the reception and you will be directed to where the meeting will be held.

I look forward to seeing you all next week, if you have any questions in the meantime please don't hesitate to get in touch.

Kind regards

 | **The Scottish Government** | Consumer, Competition and Regulatory Policy

Directorate for Economic Development, 3<sup>rd</sup> Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU

Telephone: 

**From:** [REDACTED]  
**Sent:** 15 June 2016 16:21  
**To:** Licensing Consultation  
**Cc:** [REDACTED]  
**Subject:** Taxi and Private Hire Consultation

Dear [REDACTED]

Please find attached a submission on behalf of Uber to the Scottish Government consultation on the impact of modern technology on taxi and private hire licensing.

I understand that a number of partner drivers are planning to respond separately.

If you have any questions or would like to discuss further then please do let me know. I look forward to hearing from you.

Regards

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*  
This email has been received from an external party and  
has been swept for the presence of computer viruses.  
\*\*\*\*\*

[Redacted]

**From:** [Redacted]  
**Sent:** 19 July 2017 12:11  
**To:** [Redacted]  
**Subject:** FW: Scottish Expert Advisory Panel on the Collaborative Economy

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

**From:** [Redacted]  
**Sent:** Thursday, June 22, 2017 9:27 AM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Scottish Expert Advisory Panel on the Collaborative Economy

Hi [Redacted]

No problem. I never received that unfortunately, the only thing I got was a delayed response email that said you were out of the office until Friday. We did pick up the news story yesterday about your CEO and thought that might have been the reason.

More than happy to have a conversation tomorrow. I am available anytime between 9 – 1 tomorrow as have meetings scheduled in the afternoon. What time suits?

Regards

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

**From:** [Redacted]  
**Sent:** Thursday, June 22, 2017 9:17 AM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Re: Scottish Expert Advisory Panel on the Collaborative Economy

Hi [Redacted] - I am so sorry, but I emailed two days ago (in reply to your note with the agenda and attaching the evidence from witnesses) to let you know that I would be in San Francisco over the session.

Did you not get it? Huge apologies, but you may have seen the business has been through a bit of turmoil in the last couple of days and I had to be elsewhere.

This absolutely does not reflect my commitment to the panel. I will, if I may, give you a ring tomorrow when I'm back in the country.

[Redacted]

On Thu, 22 Jun 2017 at 08:06 [REDACTED] wrote:

[REDACTED]

I was surprised not to see you yesterday at the Scottish Expert Advisory Panel on the Collaborative Economy. Was there a reason that you were unable to attend as you had previously accepted the invitation?

Regards

[REDACTED] | **The Scottish Government** | Consumer, Competition and Regulatory Policy  
Directorate for Economic Development, 3<sup>rd</sup> Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU  
Telephone: [REDACTED]

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Rìghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Rìghaltas na h-Alba.

\*\*\*\*\*



[Redacted]

**From:** [Redacted]  
**Sent:** 19 July 2017 12:11  
**To:** [Redacted]  
**Subject:** FW: Draft Blog Post - June 21st Collaborative Economy Session - P2P Accommodation

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

**From:** [Redacted]  
**Sent:** Monday, June 26, 2017 11:41 AM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Draft Blog Post - June 21st Collaborative Economy Session - P2P Accommodation

All,

Following last week's evidence session on short term rentals and peer to peer accommodation, [Redacted] has drafted a blog to ensure an open and transparent dialogue of the panel's progress. This will be in addition to the publication of the panel's minutes and papers one month in arrears.



Collaborative economy - exper...

Can you please let me know if you have any comments by noon on Thursday 29 June.

Regards

[Redacted]

From: [Redacted]  
 Sent: 29 June 2017 12:41  
 To: [Redacted]  
 Cc: [Redacted]  
 Subject: Evidence session on Workers' rights including Peer to Peer transportation & logistics -- Scottish Expert Advisory Panel on the Collaborative Economy - 26 July 2017

Dear All,

The invitations to stakeholders for the Evidence session on Workers' rights including Peer to Peer transportation & logistics on 26 July in St Andrew's House, Edinburgh have now been sent out. Please see below the list of stakeholders that have been invited to present.

- [Redacted] - LiftShare
- [Redacted] - Uber
- [Redacted] - The Association of Independent Professionals and the Self Employed (IPSE)
- [Redacted] - Strathclyde Partnership for Transport (SPT)
- [Redacted] - Anne Douglas and Linda Urquhart
- [Redacted] - Scottish Trade Unions Congress
- [Redacted] - Taylor review on modern employment practices
- [Redacted] - DHL
- [Redacted] - Scottish Taxis Federation
- [Redacted] - Deliveroo

A further update will be provided once we have heard back from all of those invited.

Kind regards

[Redacted] | [Redacted] | Consumer, Competition and Regulatory Policy

3<sup>rd</sup> Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU

Telephone: [Redacted]

# UBER

## ABOUT UBER

Uber is a technology company with a simple mission: to make affordable transport available everywhere, for everyone, at the push of a button. Since launching eight years ago, we have worked to improve mobility in cities all around the world, and continue to invest heavily in technology that can help get more people into fewer cars. By replacing individual car ownership with shared modes of transport we can reduce congestion and pollution in our cities, making them more liveable, investible and accessible.

Uber today connects passengers and drivers in more than 25 towns and cities across the UK, and over 450 cities across more than 70 countries around the world.

## DRIVING WITH UBER

Over 40,000 partner-drivers in the UK use the Uber app to earn money each month. All are professional private hire drivers, who have been fully licensed by their local council and subject to rigorous background checks. They have complete freedom to decide where, when and for how long to work. This model follows the same basic approach that has been used in the taxi and for-hire industry for generations: the drivers who use the Uber app are self-employed.

The last decade has seen a growing demand for more flexible forms of work, as well as the emergence of technologies that enable people to more easily find work that meets their needs. Drivers choose to partner with Uber for many different reasons, but research shows that independence and flexibility are the most important: 94% say they "joined Uber because I wanted to be my own boss and choose my own hours"<sup>1</sup>.

We have announced a series of initiatives to help drivers get the most out of partnering with Uber. For more information: <https://newsroom.uber.com/uk/helping-get-the-most-out-of-uber/>.

## UBER IN SCOTLAND

There are around 1,000 Uber partner-drivers serving Glasgow and Edinburgh, where we have been operating for over a year. The service is proving very popular with locals and visitors:

- Almost 90,000 people have travelled in an Uber in the past month and over 400,000 people have used the service in Scotland since launch.
- 95% of trips have a waiting time of less than 10 minutes.
- Users from over 100 different countries have taken a trip with Uber in Scotland.
- The majority of trips are in the evenings and on weekends - times of lower congestion.

---

<sup>1</sup> ORB International, Quantitative Poll on behalf of Uber 2016, ([link](#))

# UBER

## Submission to the DWP Select Committee inquiry on self-employment and the gig economy

The last decade has seen a growing demand for more flexible forms of work, as well as the emergence of technologies that enable people to more easily find work that meets their needs. So now is a good moment to take another look at the world of work to ensure that our social institutions are fit for purpose in the twenty first century. Uber welcomes the opportunity to contribute to the Select Committee's inquiry into this important area of public policy.

### ABOUT UBER IN THE UK

Uber is a technology company with a simple mission: to make affordable transportation available everywhere, for everyone at the push of a button. Since we were founded almost eight years ago, we have worked to improve mobility in cities all around the world, and continue to invest heavily in technology that can help get more people (and goods) into fewer cars. Our goal is to make it so easy for people to push a button and get a ride that car ownership becomes the exception, not the rule. By replacing individual car ownership with shared modes of transportation we can reduce congestion and pollution in our cities, making access to transportation more affordable for everyone.

Uber launched in London in 2012, and today connects riders and drivers in more than 25 towns and cities across the UK. Over 40,000 drivers in the UK use the Uber app to earn money each month. All these partners are fully licensed private hire drivers, who undergo the same enhanced DBS checks as taxi drivers, teachers and care workers.

There's much that is new about Uber - not least our technology and the complete freedom for drivers to decide where, when and for how long to work. But Uber's work model follows the same basic approach that has been used in the taxi and for-hire industry for generations: the drivers who use the Uber app are self-employed. This is in line with the vast majority of taxi and private hire drivers in the UK.

In 2016 we also launched uberEATS in London, an on-demand meal delivery service. As well as partnering with local businesses, allowing restaurants to reach more people, EATS provides additional opportunities for those who want to work flexibly. We don't set shifts, scheduled hours or delivery zones; couriers can simply log in or out when and where they choose just as they can when using our ridesharing app.

Drivers choose to partner with Uber for many different reasons. But research has shown that independence and flexibility are the main reasons: 94% say they "joined Uber because I wanted to be my own boss and choose my own hours"<sup>1</sup>.

#### **Andrew, Uber partner since June 2014**

"Technology is the future and I embrace it. Using the Uber app as a driver gives me the confidence to be able to work as a self employed person and earn a decent living. I am retired and the extra income I can earn affords me the extras in life that my pension cannot provide. As a self employed driver I find that using the Uber app provides me with the platform to be able to get work hassle free. For me this is invaluable."

<sup>1</sup> ORB International, Quantitative Poll on behalf of Uber 2016, ([link](#))

**Helal, Uber partner since October 2014**

"We love uber of the freedom and flexibility we get. Before joining uber I used to work in a local mini cab office. And life was not easy. Every driver had to pay rent in advance regardless of how much you earned. And be on a 12 hour shift, even if it wasn't busy we had to stay. Plus there was lots of bullying and favouritism going on. The company can choose who gets what job, they would always give big jobs to their friends and families.

"Uber don't control the jobs. It's all transparent. We are much happier nowadays with uber. We don't want anything to change. We will lose our flexible freedom and will be tied up like the old days.

"If uber had to employ us as drivers, then of course they will tell us, when and where to work for how many hours. We won't have control over our lives anymore. Now if I don't feel well, I don't have to tell uber I'm not well, just switch off and go home.

I feel like I'm the boss."<sup>2</sup>

This preference for independence is also revealed in how drivers use the app, which allows drivers to log in or out when and where they choose. Just 21% of drivers drive set themselves a fixed amount of hours, while 34% decide how many hours to drive depending on what else they have going on. Another 32% of these drivers set an earning goal for a given day, week or month and drive until they hit that goal. And 12% decide to drive on the spur of the moment, turning the app on whenever they choose. Internal Uber data shows that 23% of drivers in the UK are logged into the app for 10 hours or less each week, and 25% are logged in for 40 hours or more each week.

Driving is an entrepreneurial activity. Drivers have a lot of choice and exercise a high degree of control over when and where to drive, as well as whether to buy, rent or lease a vehicle, its fuel efficiency etc; all of which impact their earnings potential. When using Uber, drivers are also entirely free to work elsewhere at the same time, for example delivering parcels, or to use Uber while also working for a mini-cab firm.

And because drivers are able to turn on and off the app at any time, as well as decide when to take requests, an hour logged into the Uber app is not the same as an hour of work in say an department store. This is because drivers may be at home, doing other work or simply on a personal trip across town while driving with the app on.

*Driver earnings*

Most drivers say that their earnings have increased or remained the same since they started using Uber: one in two (51%) drivers say that since using the app their income has increased with a further 37% saying it has remained the same<sup>3</sup>. And those who drive at busier times (for example after the pubs have closed) and in high-demand areas are likely to earn more than those who choose to work in quieter areas or at off-peak times, such as in the middle of the day.

We see that the average earnings in London in December 2016 were £16.70 per hour logged in to the Uber app<sup>4</sup> and the average for 2016 as a whole was £15.00 per hour. For drivers who spent the majority of their time in central London, average earnings rose to over £16 per hour.

Looking back over time, we see that average earnings per hour logged in to the app has been largely stable at around £15 per hour for uberX drivers in London. Similarly, we find that the amount of time that

<sup>2</sup> Case studies edited slightly for clarity.

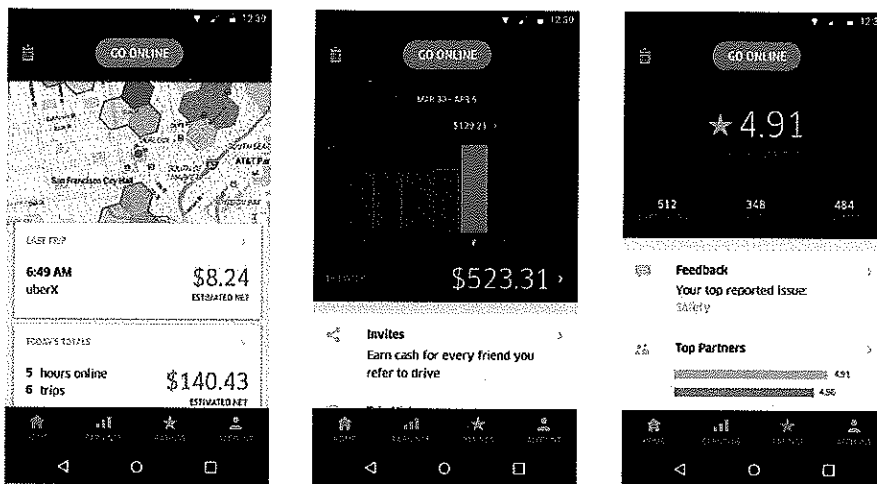
<sup>3</sup> ORB International, Quantitative Poll on behalf of Uber 2016, ([link](#))

<sup>4</sup> Median earnings, net of Uber's service charge

drivers choose to spend logged-in to the Uber app is also stable at around 30 hours per week in London (with seasonal periods of lower average hours during the Christmas period). In other words, we do not see evidence in the data that drivers are either earning less over time, or driving more hours as a result of lower earnings.

*Designing the Uber app to support drivers*

We've designed the driver app to help drivers easily access information they need to make the best decisions for themselves about when, where and for how long to work. We give drivers recommendations on which parts of a city are busier (and where fares are likely to be higher as a result) than others at a given time, and share information that makes it easier for drivers to track their progress and earnings in real-time.



Just like the vast majority of self-employed taxi and private hire drivers, drivers who use the Uber app are responsible for paying their own taxes. Uber partners have their own online dashboard, which shows all the fares that they have earned while using the Uber app. And every seven days, they get an email update setting out their earnings for the week. In the UK we also have partnerships with third-party tax experts, such as Crunch, who partner-drivers can turn to for advice. Because these earnings are electronically tracked and recorded, it's easier for drivers to declare them than the cash given/taken in traditional black taxis and mini cabs.

Many features of the app are also designed to enhance both rider and driver safety. For example, before taking a trip request, a driver is shown a rider's rating and vice versa. And at the end of a trip, both rider and driver rate the experience. We then make it easy in the app for drivers to see how riders have rated their service, and tips for how to deliver a 5-star experience to their riders.

We've also announced Community Guidelines that set out the behaviour we expect from both riders and drivers using Uber, and we've clearly stated the circumstances in which drivers may be denied access to Uber. For example, any driver found to be under the influence of drugs or alcohol while using the Uber app will have their access to the app permanently removed. This clarity is important to ensure the safety of riders and drivers, and remove any uncertainty about unacceptable behaviour.

Over the years, we've heard feedback from drivers about features they would like to see added to the app, or changes they would like to see in our policies and procedures. As a result of their feedback, we've built features like Driver Destinations, which allows drivers to input their destination, for example at the end of the day when they are headed home, and request that Uber only send trip requests that are

en route. This feature helps drivers to continue earning, even when they are heading out in the morning and their way home at night.

#### *Partnerships*

The app also links to a number of partnerships we've established with third parties, that provide drivers with access to exclusive discounts and services. These include discounts on cars, phone subscriptions, car washes, vehicle services and more—the things drivers need in order to do their work.

We expect these types of partnerships to grow as more companies in the UK see business opportunities in building innovative solutions for independent workers. For example in the US, we have partnered with a company called Betterment to offer flexible retirement savings accounts to people who drive with the Uber app. Here in the UK, there is also budding ecosystem of providers working to solve problems for independent workers. For example a company called Wollit helps independent workers smooth out their incomes, solving a problem for workers whose earnings may be lumpy, varying hugely from one week to the next.

#### *A path back to work*

Services like Uber can also play a role providing a path back to work, or offering additional work for those who need it, including the unemployed, women, stay-at-home parents, retirees and students. For example, in Newcastle, Jobcentre Plus and Profound Services - a third party employment agency - are helping people apply for a private hire licence, sign up to use the Uber app and provide for their families (for more details see Annex).

Working as a private hire driver can be a good opportunity for people looking to make money and join (or rejoin) the labour market. However, significant upfront costs<sup>5</sup> before someone can get their licence and get on the road also make it harder for those out of work to be able to access these work opportunities. The New Enterprise Allowance is intended to help jobseekers start their own business and begin earning. We believe DWP should issue clearer guidance to ensure that the NEA can be used to support jobseekers who wish to become private hire drivers, and help them defray these start up costs.

Uber can also help people with disabilities, and other groups who have traditionally struggled to find meaningful, reliable work. For example, even in times of high employment nationally, the unemployment rate among the deaf and hard-of-hearing in the UK can be up to four times higher than the national average<sup>6</sup>. But thanks to technology, for example the ability to communicate by text, Uber works just as well for these drivers as anyone else<sup>7</sup>.

To take advantage of these technological developments, we have recently begun working closely with Lingoing on a national project to attract a greater number of deaf and hard of hearing partners onto the Uber app. As part of our work with Lingoing, a number of British Sign Language interpreted 'onboarding' sessions have already taken place with more planned for future months. We are also undertaking a joint effort to launch online adverts specifically targeted at people who are deaf or hard of hearing and could access economic opportunity through becoming private hire drivers and joining the Uber app.

#### *Barriers to independent work*

With more than a million drivers using Uber around the world, we have experience with the impact that regulations have on economic opportunities. We see this in London for example, where TfL regulations requiring private hire drivers to hold hire and reward insurance for the full term of their licence including for the periods when the vehicle is not in use for private hire. This means that licensed drivers who wish

---

<sup>5</sup> Including fees for private hire licence, private hire vehicle licence, topographical test, medical test, CRB check, English language test

<sup>6</sup> RNID, Opportunity Blocked, 2007 ([link](#))

<sup>7</sup> Uber, Uber Teams Up with Communication Service for the Deaf to Expand Work Opportunities for Deaf Drivers, 19 April 2016, ([link](#))

to only work for limited times (e.g. students during their holidays) are forced into more expensive long-term insurance contracts. Similarly, licensing requirements such as a *written* English language test costing up to £200, make it harder for people to start working and making money, and can also discriminate against communities<sup>8</sup>.

Outdated regulatory requirements help explain why in the UK relatively few drivers spend less than 10 hours per week logged in to Uber - just 23% - compared to cities where the regulatory barriers to entry are lower. Where it is relatively straightforward for drivers to get going, with relatively low financial and time costs, Uber enables greater independence and flexibility in daily work<sup>9</sup>.

## THE FUTURE OF WORK: INDEPENDENCE

Uber set out with a simple mission of helping people get from A to B at the push of a button. Along the way we've learned a lot about the motivations people have for choosing independent work; and the barriers they face pursuing these kinds of work opportunities, whether using online apps or in the offline economy.

From self-employed GPs and barristers to freelance writers, from construction workers and cleaners to taxi drivers, millions of people in the UK have been choosing to work independently since long before the mobile phone. In fact self-employment in the UK has been growing since around the year 2000, when 12% of the workforce classified themselves as self-employed. Since then it has grown to around 15% of the workforce<sup>10</sup>, but even that understates the demand for this type of work. McKinsey estimate that over a quarter of the UK workforce engage in some form of independent work, meaning work with a high degree of autonomy; payment by task, assignment, or sales rather than a fixed salary; and a short-term relationship between the worker and the client.<sup>11</sup>

Work that is flexible to people's schedules - in particular family life or studies - has traditionally been hard to find. This has shut certain people out of the workforce altogether. For example personal commitments, in particular childcare, can make full-time or even traditional part-time jobs difficult. Independent work offers an alternative because people can tailor it around their lives. With Uber, people decide where, when and for how long to drive. They are free to turn off the app and stop working at any moment. In other words, their needs determine their work schedule — and nothing else. By a margin of almost five to one drivers say that being self-employed and being able to choose their own hours is preferable to having things like holiday pay which come with being employed<sup>12</sup>. What's interesting is that people who use the Uber app as their main source of income value this flexibility and independence the most.

It's for the same reason that McKinsey's research found that for every independent worker who wanted a traditional job, more than two traditional workers hope to shift to more flexible work<sup>13</sup>. They also found that those who choose to work independently are happier and more satisfied in their work than those in traditional jobs<sup>14</sup>. The ONS similarly found that self-employed are "*broadly content with their labour market status*" and that "*many respondents report that they would prefer not to work full-time*."<sup>15</sup>

---

<sup>8</sup> For example, equality think tank, The Runnymede Trust said "It is unclear why the new TfL test requirements for private hire drivers are higher than for bus or train drivers. Employment requirements should be in line with the skills that are necessary to successfully fulfil the role. Anything else would be indirect discrimination." ([link](#))

<sup>9</sup> Uber, When it comes to driving with Uber, all cities are not created equal, 20 June 2016, ([link](#))

<sup>10</sup> ONS, Trends in self-employment in the UK: 2001 to 2015, 13 July 2016, ([link](#))

<sup>11</sup> McKinsey Global Institute, Independent work: Choice, necessity, and the gig economy, October 2016, p. 4 ([link](#))

<sup>12</sup> ORB International, Quantitative Poll on behalf of Uber 2016, ([link](#))

<sup>13</sup> McKinsey Global Institute, Independent work: Choice, necessity, and the gig economy, October 2016, p. 7

<sup>14</sup> *Ibid*, p. 10

<sup>15</sup> ONS, Trends in self-employment in the UK: 2001 to 2015, 13 July 2016, ([link](#))



Whilst the growth of digital intermediaries like Uber, Airbnb, TaskRabbit, Deliveroo, Etsy, Upwork and others has become a focus for policy attention, digital apps are only used by a minority (15%) of independent workers<sup>16</sup>. In Europe, only 4% of all independent workers who offer labour services have used a digital app. While digital apps only make up a small fraction of independent work, they can bring significant benefits, including through their ability to better match skills to needs, and offer value-added services for users. This can also have a positive macro-economic impact, including boosting participation in the labour market, reducing unemployment and raising productivity, which McKinsey estimates could add as much as €350 billion to European GDP<sup>17</sup>.

However, as the McKinsey research shows, many people who work independently are not necessarily classified as self-employed. This is a reflection of the complexity today's system of employment classification rules, which base classification on characteristics like whether a company offers training to individual workers; or provide help to individuals to get the best deal on vehicle financing, for example. We believe a modern classification system would recognise independent work arrangements and reward rather than penalise companies for helping independent workers with training, perks or benefits.

#### *Recent GMB Case*

Given the publicity around the recent GMB ruling, where an employment tribunal ruled that two claimants (both Uber partner-drivers) were "workers" at all times when the app was switched on, we wanted to briefly set out our views on this case.

As we have already explained, drivers who use Uber are not required to be logged onto the Uber app at any time: they have complete freedom to choose *if* to use the Uber app, and *when, where* and for *how long* they want to log in. And once logged in, a driver does not need to take the trips sent to him and can be doing any number of other things. One driver, for example, logged onto the app for 91 hours over one week last year, but took only 18% of the trips that were sent to him. What he did during the other time, Uber cannot know: he may have been working for another mini cab company; he may have been at home working on something else; or, he may have been asleep and simply forgotten to switch off the app. Whatever he was doing, he was taking advantage of the flexibility the app creates to work only when it suited him.

If this same driver were classified as a worker, Uber would be required to compensate him on an hourly basis for his time. Like almost all other companies that pay hourly wages, Uber would likely schedule predefined shifts for him, and require that he take all trip requests that came his way during that shift. As a result, he would lose the flexibility and independence that drivers say they value so much today. It would also raise questions as to which 'employer' should be responsible for paying this hourly wage if the worker used Uber while also working for another company at the same time. For example someone driving with Uber may also have parcels in their car that they are delivering throughout the day. It would be an odd result for both to be required to pay the minimum wage.

Of course we want passengers (as well as drivers) to have a consistently high quality experience when using Uber. It's why we focus on certain minimum standards of service, for example once drivers have confirmed they can take a trip, we expect them not to refuse to take a rider where he or she wants to go. And we do remove access to the app (temporarily or permanently) for drivers whose passenger ratings fall below a certain threshold. As a licensed private hire operator, there are also certain standards that must be enforced as a matter of regulation. Working to ensure that all our customers have a great experience when using the app does not change the absolute freedom a driver has to log onto the app each time they choose to do so.

However, the tribunal found that the standards Uber expects when drivers use the app were indicative of those two drivers being workers of Uber. This despite the fact that it's been long commonly-accepted

---

<sup>16</sup> McKinsey Global Institute, Independent work: Choice, necessity, and the gig economy, October 2016, p. 4 ([link](#))

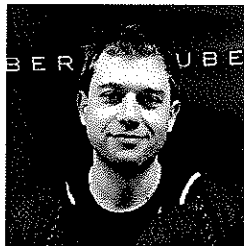
<sup>17</sup> McKinsey Global Institute, Digital Europe: Realizing the continent's potential, July 2016, p. 30 ([link](#))

that taxi and minicabs drivers (many of whom have far less control over their work than drivers using Uber) are self-employed.

## ANNEX: NEWCASTLE

Despite steady improvements, the unemployment rate in the North East remains above 6%. There are clear structural unemployment challenges in the region: many jobs are temporary and offer little security for those looking to provide for their families.

Meet Andrzej, uberX partner-driver in Newcastle



*"I was unemployed for half a year due to a back injury that meant I couldn't work – before that I was a chef. I have a partner and two kids. I chose to go on the Profound course as I had considered being a taxi driver before but I wanted to be flexible. This partnership sounded perfect for me. One of the main things that attracted me to Uber is that you are the boss and can do the hours you want."*

Andrzej earned £715 for his first week on the road.

### *New skills and training for long-term economic independence*

Together, Jobcentre Plus and Profound Services - a third party employment agency - are helping people apply for a private hire licence, sign up to use the Uber app and provide for their families.

Applicants enroll in a 2-week JobCentre-sponsored BTEC Level 2 Introduction to the Role of a Taxi and Private Hire Driver and apply for their private hire licence. The licensing process after the course takes 1-2 weeks, after which successful applicants become licensed Newcastle Private Hire drivers. (Newcastle City Council has shortened the licensing process from 4-6 weeks to just 1-2 weeks, without cutting corners any corners on safety or medical checks. This has significantly improved the speed with which industry job seekers can start driving and making money.)

In addition to accessing sponsored training, new Uber partner-drivers also receive a £300 joining reward once they have completed their first 20 rides using the Uber platform. Many use to cover the costs of getting their private hire licence (£170-210 in total in Newcastle).

### *Continuing our work*

So far, over 50 partner-drivers from non-driving backgrounds have joined the Uber platform in Newcastle. As yet, only a minority are graduates of the JobCentre Plus-sponsored BTEC, in partnership with Profound Services, but their story is one of success: they're doing well on the platform, regularly receiving 5 star ratings from their customers and taking home payments above the weekly average of £650.

We hope to work together with the council to find prospective applicants and provide them the access to complete this programme successfully and start providing for their family.

[Redacted]

**From:** [Redacted]  
**Sent:** 30 June 2017 10:43  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Re: Invitation to join evidence session on Workers' rights including Peer to Peer transportation & logistics – Scottish Expert Advisory Panel on the Collaborative Economy - 26 July 2017  
**Attachments:** Submission to Work and Pension Sel Ctee.pdf; Summary for Scottish Affairs Sel Ctee.pdf

Hey guys,

I look forward to joining the discussion on 26 July. In the meantime, I thought it might be helpful to share a few updates as food for thought in advance.

I attach our submission to the Work and Pensions Committee and a briefing we sent to the Scottish Affairs Committee as part of their inquiries into the future of work.

Further to the pro-driver initiatives mentioned in the Scottish Affairs Committee note, we have since announced a partnership with the Association of Independent Professionals and the Self-Employed (IPSE), giving drivers access to a range of benefits and protections, including heavily subsidised access to illness and injury cover. See [here](#) for more information.

As for peer-to-peer ridesharing and the role of regulation in making it possible (or otherwise) this Uber [blog](#) may be worth a read.

Don't hesitate to get in touch with any questions, and see you in a few weeks.

[Redacted]

On Wed, 28 Jun 2017 at 08:53 [Redacted] wrote:

Thanks for the confirmation [Redacted]. The questions will be issued once we have all responses to the invitation. Cheers

[Redacted]

Consumer, Competition and Regulatory Policy

[Redacted]

**From:** [Redacted]  
**Sent:** Tuesday, June 27, 2017 8:50 PM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Re: Invitation to join evidence session on Workers' rights including Peer to Peer transportation & logistics – Scottish Expert Advisory Panel on the Collaborative Economy - 26 July 2017

H [REDACTED]. I'll be there. Feel free to send the questions over.

[REDACTED]  
On Tue, 27 Jun 2017 at 15:23 [REDACTED] wrote:

Dear [REDACTED]

The Cabinet Secretary for Economy, Jobs and Fair Work has established an independent panel to consider both the challenges and the opportunities that the collaborative economy brings to Scotland. Throughout 2017 the panel - which is chaired by Helen Goulden, Executive Director of Nesta - will meet to develop a set of recommendations for Scottish Ministers. More details on its purpose and work can be found [here](#).

The panel would like to invite you to attend an evidence session on Workers' rights including Peer to Peer transportation & logistics. It will be held in the Scottish Government building, **St. Andrew's House, Regent Road, Edinburgh, EH1 3DG on 26 July 2017 and will last between 12:00 and 15:00** with exact times to be confirmed and lunch will be provided.

The Panel believes your organisation could play a pivotal role in this conversation and would like to hear your views, experiences and evidence. They welcome an open and frank discussion on this topic. However, to enable them to hear from as many interested parties as possible, you will be provided with key questions which they would like you to consider. At the session you will have ten minutes to present your responses to the Panel. You are welcome to listen to all the other presentations as an observer and other stakeholders will be invited to observe your session too. There will then be an opportunity for the panel to ask questions and seek further information from presenters, before beginning their discussion.

The Panel will use the information gathered at the sessions alongside evidence from the call for evidence and existing data, literature and research to deliver a set of recommendations to Scottish Ministers by the end of 2017.

Please let myself know at [REDACTED] if you are able to attend the evidence session by 7 July 2017. If you are unable to attend but would like to nominate a replacement, or would like to discuss the invitation please contact [REDACTED] or [REDACTED]

The panel very much look forward to meeting with you and hearing your views.

Regards

[REDACTED] | Consumer, Competition and Regulatory Policy

3<sup>rd</sup> Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU

Telephone: [REDACTED]

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

[REDACTED]

[REDACTED]

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.





[REDACTED]  
[REDACTED]

[REDACTED]  
**Sent:** 15 June 2016 16:21  
**To:** Licensing Consultation  
**Cc:** [REDACTED]  
**Subject:** Taxi and Private Hire Consultation

Dear [REDACTED]

Please find attached a submission on behalf of Uber to the Scottish Government consultation on the impact of modern technology on taxi and private hire licensing.

I understand that a number of partner drivers are planning to respond separately.

If you have any questions or would like to discuss further then please do let me know. I look forward to hearing from you.

Regards

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*







[Redacted]

**From:** [Redacted]  
**Sent:** 20 July 2016 15:49  
**To:** [Redacted]  
**Subject:** Re: Uber - Taxi Licensing

Hi [Redacted]

Look forward to discussing in person - I'm based in Edinburgh and happy to pop over to SAH sometime soon. How are you fixed over the next week or two?

Just so that you're aware, I dropped John McFarlane a note the other day to offer to take him through how Uber works and the wider benefits we can bring to cities. Happy to talk you through that wider piece too if you're interested in that angle besides the more technical material in the consultation.

All the best and look forward to hearing from you

[Redacted]

[Redacted]

On 20 July 2016 at 15:14, [REDACTED] wrote:

Thanks v much, [REDACTED] Most kind.

It may be worth you having a conversation with our GM in Scotland, [REDACTED] (copied) so we can get moving more quickly on this one. I'll leave you two to arrange a convenient time.

Thanks again.

■

On 20 July 2016 at 14:28, [REDACTED] wrote:

Dear [REDACTED]

Thanks for getting back to me on this and my apologies for the delay in responding.

I can confirm that the Uber consultation response was safely received.

We have not yet started work on the analysis of the consultation responses, so it might be a while before the next steps for taxis and phc licensing clarify themselves, but I would be happy to meet up for a chat the next time you are up in Scotland,

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**Sent:** 13 June 2016 15:48  
**To:** [REDACTED]  
[REDACTED] Licensing

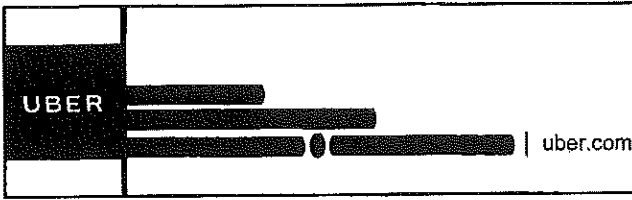
Hi [REDACTED]

Your email to the press team here at Uber has been passed to me. Thank you for getting in touch. I can assure you that we're planning on submitting on Wednesday. Just putting the finishing touches to things over the next couple of days.

It would be great to schedule a chance to have a conversation to discuss the issue in more detail over the next few weeks. We'd love to understand what the plan is on taxi and ph in Scotland and how we can be most helpful.

Hope all well.

●



--

[REDACTED] | Public Policy UKI

[REDACTED]

[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorized use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

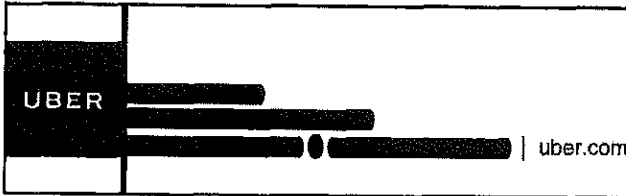
Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh' fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh' fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

--



---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and

has been swept for the presence of computer viruses.

\*\*\*\*\*





Do you also have any update on when you expect the SG next steps to be published?

Thanks and speak soon

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

On 3 August 2016 at 09:16 [REDACTED] wrote:

Dear [REDACTED]

Many thanks for this, and for a very useful and informative discussion,

I have already passed on relevant details to colleagues in other policy areas, and will bear in mind the other topics that we covered. Within the Licensing Team we are regularly contacted by a wide variety of other policy areas, so it is invaluable to be able to point them in the direction of useful initiatives and contacts.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 02 August 2016 09:59  
**To:** [REDACTED] ([REDACTED])  
**Subject:** UberWAV

Hi [REDACTED]

Great meeting you yesterday - thanks again for your time and a very interesting conversation. I promised to send over a rider video about UberWAV in London:

<https://www.youtube.com/watch?v=aPVW1leVKc>

Do please introduce me to any of your colleagues that you think would be interested in hearing more about Uber or partnering on projects - anything from congestion reduction to EVs to rural transport!

All the best and speak soon

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*  
This email has been received from an external party and  
has been swept for the presence of computer viruses.  
\*\*\*\*\*

\*\*\*\*\*  
This e-mail (and any files or other attachments transmitted with it) is  
intended solely for the attention of the addressee(s). Unauthorised use,  
disclosure, storage, copying or distribution of any part of this e-mail is not  
permitted. If you are not the intended recipient please destroy the email,  
remove any copies from your system and inform the sender immediately by  
return.

Communications with the Scottish Government may be monitored or recorded in  
order to secure the effective operation of the system and for other lawful  
purposes. The views or opinions contained within this e-mail may not  
necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-  
ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith,  
a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e  
is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus  
lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am  
post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a  
chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu  
h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan  
anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*



[REDACTED]

**From:** [REDACTED]  
**Sent:** 27 October 2016 18:40  
**To:** [REDACTED]  
**Subject:** Uber's 1st birthday in Edinburgh

Dear [REDACTED]

I hope you're well.

We wanted to get in touch to invite you to an event we're holding in Edinburgh at Dynamic Earth, 112-116 Holyrood Road, EH8 8AS, on Sunday 6 November from 12-2pm to mark Uber's first birthday since launching in the area. We'll also be inviting the many Uber partner-drivers who live in the city, as well as their families.

We use local events like this to show our appreciation to those driving on the platform and to bring together a significant part of the community for an enjoyable day out. It will be a relaxed occasion so please feel free to drop in any time, if not available for the whole event. We also realise this is short notice so, if you're unable to attend at all, would you please offer some words of support for local residents that we can share on the day?

Our mission is to ensure everyone has access to safe, affordable and reliable transport at the touch of a button. We're also proud of the economic opportunities we create for our partner-drivers - many of whom were previously without work - enabling them to make money using Uber while enjoying the freedom and flexibility to log on whenever they want on a non-exclusive basis.

We hope you'll be able to attend the event, and if you have any questions then please don't hesitate to get in touch.

Best wishes,  
[REDACTED]

--

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*



**From:** [REDACTED]  
**Sent:** 02 November 2016 14:40  
**Cc:** [REDACTED]  
**Subject:** FW: Consultation on sections 165 and 167 of the 2010 Equality Act  
**Importance:** High

Dear Taxis and Private Hire Car licensing contacts,

Just providing you with a quick update on a couple of issues,

1 The UK Home Office have now laid their commencement order for the taxis and private hire car provisions within their Immigration Act 2016. The coming into effect date will be 1 December and local authorities will be required to undertake certain checks on applications.  
<http://www.legislation.gov.uk/id/uksi/2016/1037>.

2 The UK Department of Transport are undertaking a limited consultation as below. This is as a precursor to the commencement of sections within the Equality Act 2010 which will impose on certain taxis and phc drivers a duty to assist passengers in wheelchairs. I would encourage people to respond directly to the Department for Transport, but I would be interested if local authorities have practical concerns about implementation.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Taxis [<mailto:Taxis@dft.gsi.gov.uk>]  
**Sent:** 01 November 2016 14:01  
**Subject:** Consultation on sections 165 and 167 of the 2010 Equality Act  
**Importance:** High

Dear Consultee

## Equality Act 2010

1. This is an informal consultation, seeking your views on:
  - the form of, and method of displaying, the Exemption Notices which the Department intends to print and distribute to those drivers who will be exempt from the duties to assist passengers in wheelchairs; and
  - the draft guidance accompanying the commencement of the regulations of sections 165 and 167 of the Equality Act 2010
2. The deadline for comments is the **29<sup>th</sup> of November 2016**.

### Background

3. The Equality Act 2010 places a duty on drivers of taxis and private hire vehicles to assist passengers in wheelchairs. This provision only applies to drivers of vehicles on designated lists held by local authorities. Before these duties are brought into force, any driver who suffers from a disability or a condition which would make it difficult for them to provide physical assistance can apply for an exemption from the duties to offer assistance. The Equality Act 2010 can be viewed at <http://www.legislation.gov.uk/ukpga/2010/15/contents>
4. The duties are as follows:

If a local licensing authority decides to maintain a list of designated vehicles (i.e. wheelchair accessible taxis and private hire vehicles) under Section 167, the following duties would be imposed on the driver:

- (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.

Section 165(5) states that the term 'mobility assistance' means assistance

- (a) to enable the passenger to get into or out of the vehicle;
- (b) if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;
- (c) to load the passenger's luggage into or out of the vehicle;
- (d) if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

5. The Equality Act contains a regulation making power which enables the Secretary of State to prescribe the form of the Exemption Notice which must be displayed in taxis and private hire vehicles and the manner in which it must be displayed.
6. The duties and exemptions, including these regulations, cover England, Wales and Scotland. Although taxi licensing legislation is devolved in Scotland, the legislation contained in the Equality Act is a reserved matter (i.e. dealt with by the Westminster Parliament). That is why the Department is making these Regulations in respect of Scotland.

### The draft Regulations

7. We have prepared a set of draft regulations; they are attached at **Annex A**. They do two things:

- (i) they say what the Exemption Notice must look like; and
  - (ii) they say how the Notice is to be displayed in the vehicles of those drivers who have been granted an exemption.
8. On (i), we have prepared two separate Notices, one for England and Scotland and another for use in Wales. Each Exemption Notice has text on the front and the back. So, in all, the four pdf attachments (**Annexes B-E**) show what we are proposing for the form of the Exemption Notices. They are based on the same format as the existing Exemption Notices for drivers who are exempt from the duty to carry an assistance dog. We considered that this was the most appropriate approach in the interests of consistency. Please bear in mind that the Notices will be the same size as the assistance dog Exemption Notices (10cm X 10cm).
9. On (ii), I would draw your attention to Regulation 2(2) which sets out how the Exemption Notice is to be displayed in the vehicle.

#### **Guidance on Sections 165 and 167 of the Equality Act 2010**

10. As part of commencing Section 167, which introduces the concept of lists of designated wheelchair accessible vehicles, the Department must issue statutory guidance. Those licensing authorities that keep a list of designated wheelchair accessible vehicles must have regard to this guidance. This is "Part Two" of the document at **Annex F** in the email.

#### **Feedback**

11. We are conducting a focussed consultation to ensure those immediately affected by the Notices are directly consulted. That is, you represent either issuing authorities, people who will display the Notices or people who will need to take note of the message they convey. The list of stakeholders is attached at **Annex G**.
12. We would like your views on whether the proposed Exemption Notices and the proposal as to how they will be displayed meet your needs.
13. The draft Regulations do not specify any colour for the Exemption Notices; we would welcome views on this. Unless your comments are of a general nature, please identify the actual Annex in making any specific comments about the text.
14. We welcome views on the draft guidance aimed at licensing authorities on sections 165 and 167. It is not intended to be prescriptive -- we are open to views across the board on how to ensure the guidance is helpful for all stakeholders.
15. Please send e-mail responses to [taxis@dft.gsi.gov.uk](mailto:taxis@dft.gsi.gov.uk)
16. If you wish to request this consultation in an alternative format, or would like to provide a response in paper form then please contact [REDACTED] Taxi accessibility consultation, Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.

#### **Freedom of Information**

17. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).
18. If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
19. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information

we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

20. The Department will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

**Next steps**

21. We aim to bring these Regulations into force early next year. We shall take account of your feedback in doing so. The Department will be printing the Notices and distributing them to licensing authorities. We will be undertaking a separate exercise later to determine how many Notices are needed by licensing authorities.

Yours sincerely,

██████████



---

The information in this email may be confidential or otherwise protected by law. If you received it in error, please let us know by return e-mail and then delete it immediately, without printing or passing it on to anybody else.  
Incoming and outgoing e-mail messages are routinely monitored for compliance with our policy on the use of electronic communications and for other lawful purposes.

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

## **Equality Act 2010 – Taxis and Private Hire Vehicles**

### **Duties on drivers to assist passengers in wheelchairs.**

#### **Introduction**

1. The Equality Act 2010 imposes duties on the drivers of wheelchair accessible taxis and private hire vehicles (PHVs) to assist passengers who are either disabled and use wheelchairs or accompanied by a disabled person who uses a wheelchair.
2. Part One of this guidance note explains what the new duties mean for drivers and passengers.
3. Part Two of the note is statutory guidance. This is issued under section 167(6) of the Equality Act 2010 and constitutes the Secretary of State's formal guidance to licensing authorities as to the accessibility requirements which they should apply for the purposes of that section.

## Part One – Equality Act 2010: Taxis and Private Hire Vehicles

### Duties on drivers to assist passengers in wheelchairs.

#### Overview

4. The Equality Act 2010 introduced the concept of a designated list of wheelchair accessible taxis and PHVs which can be maintained by licensing authorities.
5. If a taxi or PHV is on the licensing authority's designated list, then (unless exempt) the driver of that vehicle must undertake the duties to assist passengers which are set out in the Act.
6. Local authorities already have the power to maintain a list of wheelchair accessible taxis and PHVs which provide local bus services under special Public Service Vehicle (PSV) Operator licences issued by the Traffic Commissioner. The drivers of such vehicles must already undertake the duties to assist passengers in wheelchairs when the vehicle is being used to provide a local bus service. The provisions in the Equality Act 2010 provide local authorities with the power to include all wheelchair accessible taxis and PHVs on their designated lists.
7. It is up to a licensing authority to decide whether it wishes to maintain a list of designated taxis and PHVs (or to expand on a list already maintained in relation to accessible taxis and PHVs providing local bus services).
8. ***The Department would urge all licensing authorities to maintain a list of wheelchair accessible taxis and PHVs in order that disabled passengers get the best possible service.***

#### The duties

9. **Section 165** of the Equality Act contains the actual duties placed on drivers of designated wheelchair accessible taxis and PHVs.
10. The duties are:
  - to carry the passenger while in the wheelchair;
  - not to make any additional charge for doing so;
  - if the passenger chooses to sit in a passenger seat to carry the wheelchair;
  - to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
  - to give the passenger such mobility assistance<sup>1</sup> as is reasonably required.

---

<sup>1</sup> Mobility assistance means helping the passenger to get into or out of the vehicle; enabling a passenger who wishes to remain in a wheelchair to get into and out of the vehicle while in the wheelchair; helping

11. This guidance is being published alongside the commencement of the duties under Section 165.
12. Once the duties are commenced, it will be an offence for the driver (unless exempt) of a taxi or PHV which is on the licensing authority's designated list to fail to comply with them.
13. It is important to note that the duties do not extend beyond assistance once a passenger has hired the vehicle. So, it does not mean, for example, that a driver is compelled to accept a hiring which he would ordinarily be able to refuse (for example a journey which goes beyond the district boundary).

#### **Exemptions from duties to assist passengers in wheelchairs.**

14. The duties apply only to the drivers of those taxis and PHVs which are on the list of designated vehicles held by the local licensing authority.
15. Some drivers may have a medical condition or a disability which makes it impossible or unreasonably difficult for them to provide the sort of physical assistance which these duties require. That is why the Equality Act allows licensing authorities to grant exemptions from the duties to individual drivers.
16. Accordingly, the exemption provisions, contained in **section 166**, were commenced on 1 October 2010. Section 165, which contain the duties will come into force in 2017.
17. **Section 166** allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties.
18. Since October 2010, taxi and PHV drivers who drive wheelchair accessible taxis or PHVs have therefore been able to apply for exemptions. If they do not do so already, licensing authorities should put in place a system for assessing drivers and a system for granting exemption certificates for those drivers who they consider should be exempt.
19. The Department has drafted regulations which prescribe the form of the Exemption Notice and how it is to be displayed.

---

with loading a passenger's luggage in and out of the vehicle; and (if the passenger wants to transfer to a seat) loading the wheelchair into or out of the vehicle.

## **Lists of designated vehicles**

20. **Section 167** is the section which allows licensing authorities to maintain a list of "designated vehicles", that is, a list of wheelchair accessible taxis and PHVs. The consequence of being on this list is that the driver must undertake the duties in Section 165 when it is commenced (unless that driver is exempt).
21. As of 1 October 2010, licensing authorities have been permitted to maintain a designated list in order to administer the granting of driver exemption certificates under section 166. However, a licensing authority's list will have no effect in relation to the duties imposed on drivers until the remainder of Section 167 is commenced in full.
22. We encourage all licensing authorities to make it clear as soon as possible if they do maintain – or intend to maintain – a list of designated vehicles in order that drivers will know whether they should be applying for exemptions.
23. This guidance sets out the accessibility requirements which licensing authorities should apply in relation to this provision.

## **Questions and answers**

**Q1. *As a licensing authority, do we have to maintain a list of wheelchair accessible taxis and PHVs?***

A1. The Act gives licensing authorities a power to maintain a list of wheelchair accessible taxis and PHVs. This means that licensing authorities can choose whether they wish to maintain a list of designated vehicles. However, we strongly urge all licensing authorities to do so, as the objective of this provision is improve the travelling experience for people who use wheelchairs.

**Q2. *Is it only wheelchair accessible vehicles that go on the licensing authority's list of designated vehicles?***

A2. Yes, the list of designated vehicles is solely for wheelchair accessible taxis and PHVs; the duties are designed to ensure that passengers who use wheelchairs receive the assistance they need from taxi and PHV drivers.

**Q3. *Does a licensing authority have to put every wheelchair accessible taxi and PHV in the district on its designated list?***

A3. In practice we would expect the answer to be "yes". The Secretary of State's formal guidance (in Part Two below) encourages licensing authorities to include on their designated lists every licensed vehicle which they regard



as wheelchair accessible. However, licensing authorities are ultimately responsible for making decisions about which vehicles they include.

The Act says that a vehicle can be included in a licensing authority's list of designated vehicles if it conforms to such accessibility requirements as the licensing authority thinks fit. However, it also says that a licensing authority which maintains a list under the Act must have regard to any guidance issued by the Secretary of State. That is why Part Two of this guidance is so important – a licensing authority must have regard to it when deciding which vehicles to include on its list of designated taxis/PHVs.

**Q4. *Does any of this mean that licensing authorities must adopt a policy of licensing only wheelchair accessible taxis and PHVs?***

**A4.** No. Nothing in this section obliges a licensing authority to change its policy on which vehicles it is prepared to license. Rather, it is simply saying that where wheelchair accessible taxis and PHVs are licensed in a district, the licensing authority has a power to maintain a list of such vehicles – and the driver must adhere to the duties under section 165 of the Equality Act 2010.

## **PART TWO – Equality Act 2010: Taxis and Private Hire Vehicles**

### **Statutory Guidance**

24. This part of the guidance note is issued under section 167 (6)<sup>2</sup> of the Equality Act 2010. It constitutes the Secretary of State's formal guidance in relation to the accessibility requirements which licensing authorities should apply for the purposes of maintaining a list of wheelchair accessible taxis and PHVs.
25. Any licensing authority which maintains a designated list must have regard to this part of the guidance note.

### **Designated wheelchair accessible vehicles**

26. The Secretary of State considers that the primary purpose for a local authority to create a list of wheelchair accessible vehicles under section 167 is to ensure that passengers in wheelchairs are provided with the assistance they need in order to use taxis and PHVs in safety and comfort. If local authorities apply strict accessibility requirements in relation to the vehicles they place on their lists, then there may well be vehicles licensed within their districts which can accommodate wheelchairs but whose drivers are not subject to the duties to assist. This would mean that the provisions in section 165 are not being applied to their full extent and, potentially, passengers in wheelchairs will be using vehicles where no duties are placed on the drivers.
27. The Secretary of State therefore advises all local authorities to refrain from adopting accessibility specifications in relation to the vehicles they place on lists maintained under section 167. Instead, local authorities should place all licensed taxis and PHVs in their district on their designated lists if they are thought to conform to the accessibility requirements in a general sense. By this, the Secretary of State means that a vehicle should not be excluded from being placed on a local authority's list by virtue of the fact that it does not conform to specific accessibility requirements (such as recommended internal space requirements or door widths etc) if, nevertheless, the vehicle is designed to accommodate, and can accommodate, a standard wheelchair. The approach adopted by licensing authorities should be as inclusive as possible in terms of the vehicles which are placed on their designated lists whilst still being able to comply with these requirements.

---

<sup>2</sup> s167(6) The Secretary of State may issue guidance to licensing authorities as to-  
(a) the accessibility requirements which they should apply for the purposes of this section;  
(b) any other aspect of their functions under or by virtue of this section.

S167(7) A licensing authority which maintains a list under subsection (1) must have regard to any guidance issued under subsection (6).

28. The provisions contained at sections 165 to 167 of the Equality Act 2010 should not be confused with other powers available to the Secretary of State to mandate standards for wheelchair accessible vehicles. The purpose of *these* provisions is to subject drivers to the duty to provide reasonable assistance to passengers in wheelchairs. The more drivers that are placed under these duties to assist, the better the quality of service passengers in wheelchairs will receive. This guidance should not be confused with separate guidance issued by the Secretary of State (i.e. the Department for Transport) setting out recommended specifications for purpose-built wheelchair accessible vehicles.

### **The duties and enforcement**

29. By maintaining a list of designated wheelchair accessible vehicles, licensing authorities place duties on all taxi and PHV drivers under Section 165. The duties are:

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

30. Therefore, it is a criminal offence if a driver of a designated wheelchair accessible vehicle fails to comply with the duties specified. Any driver found to be non-compliant is liable for a level 3 fine, which is currently £1,000. It is up to the licensing authority to ensure that these duties are enforced. The Secretary of State encourages that sanctions through the courts is used as last resort by licensing authorities.

31. A key part of the enforcement of the duties listed above is to make sure that all taxi and PHV drivers are aware of them, as well as the consequences of not undertaking them. The Secretary of State encourages all licensing authorities to raise awareness of the duties through training, literature and other appropriate means that licensing authorities see fit. This will ensure that all passengers are able to experience the same level of service in safety and comfort.

### **Granting exemptions**

32. The licensing authority can make a decision to put a wheelchair accessible taxi or PHV on its list of designated vehicles – there is no requirement for the consent of the owner. However, if the owner of the vehicle does not consider that it should be on the list then he or she (or any other aggrieved person) is permitted to appeal against the licensing authority's decision. In England and Wales, an appeal can be made within 28 days of the

inclusion of the vehicle on the list to the magistrates' court. In Scotland, an appeal can be made within 28 days to the sheriff.<sup>3</sup>

33. Licensing authorities should have an appropriate system to assess exempting drivers from the duties under Section 165 on the basis of medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties. Licensing authorities should be fully satisfied that the driver is unable to carry out the duties before issuing exemptions.
34. Licensing authorities will need to issue those drivers who are exempt with an exemption certificate which the Secretary of State has introduced along with the commencement of the duties under Section 165. These will need to be placed in the vehicle as prescribed in the regulations.

---

<sup>3</sup> Section 172 (2) of the Equality Act 2010.

# RHYBUDD WARNING

**Dim ond y gyrrwr a enwir dros y ddalen all arddangos yr Hysbysiad hwn wrth yrru'r cerbyd. Gellir hefyd arddangos yr hysbysiad pan fydd y cerbyd wedi'i barcio cyhyd ag y bydd yn cael ei yrru gan, ac i'w yrru gan, y gyrrwr a enwyd. Fel arall rhaid i'r gyrrwr dynnu'r hysbysiad.**

*Only the driver named overleaf may display this Notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.*

ADRAN 166 O DDEDDF CYDRADDOLDEB 2010

# HYSBYSIAD AM ESEMPTIAD

SECTION 166 EQUALITY ACT 2010

NOTICE OF EXEMPTION

**Enw'r awdurdod trwyddedu** *Name of licensing authority*

---

**Enw'r gyrrwr**

*Driver's name*

---

**Tacsi neu Gerbyd Hurio Preifat** *Taxi or Private Hire Vehicle*

---

**Rhif y Drwydded**

*Licence No.*

---

**Mae'r person a enwir uchod yn esempt rhag y dyletswyddau i roi cymorth symudedd i deithwyr mewn cadeiriau olwyn. Dyletswyddau yw'r rhain sydd wedi eu cynnwys yn adran 165 o Ddeddf Cydraddoleb 2010.**

*The person named above is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in section 165 of the Equality Act 2010.*

**Daw'r hysbysiad hwn i ben ar**

**20**

*This notice expires* \_\_\_\_\_ **20**

The logo consists of the letters 'E' and 'W' in a bold, sans-serif font. The 'E' is significantly larger than the 'W', and they are positioned to the left of each other.

# **WARNING**

Only the driver named overleaf may display this notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.

SECTION 166 EQUALITY ACT 2010

# NOTICE OF EXEMPTION

Name of licensing authority

---

Driver's name

---

Taxi or Private Hire Vehicle

---

Licence No.

---

The person named above is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in section 165 of the Equality Act 2010.

This notice expires \_\_\_\_\_ 20 \_\_\_\_\_

The logo consists of a large, bold, black letter 'E' followed by a smaller, bold, black letter 'W'.



---

STATUTORY INSTRUMENTS

---

2017 No. 0000

EQUALITY

The Equality Act 2010 (Taxis and Private Hire Vehicles)  
(Passengers in Wheelchairs) Regulations 2017

<i>Made</i> - - - -	2017
<i>Laid before Parliament</i>	2017
<i>Coming into force</i> - -	2017

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 207 (1) and (2) of the Equality Act 2010(a).

**Citation, commencement and interpretation**

1.—(1)— These Regulations may be cited as the Equality Act 2010 (Taxis and Private Hire Vehicles) (Passengers in Wheelchairs) Regulations 2017 and come into force on **XXX**.

(2) In these Regulations “the 2010 Act” means the Equality Act 2010.

**Notices of exemption**

2.—(1)— The prescribed(b) notice of exemption for the purposes of section 166(3)(b) and (4)(b) of the 2010 Act is—

- (a) in the case of a driver of a designated(c) taxi or a private hire vehicle to whom the exemption certificate has been issued by a licensing authority in England or Scotland, the notice set out in Schedule 1 ; and
- (b) in the case of a driver of a designated taxi or private hire vehicle to whom the exemption certificate has been issued by a licensing authority in Wales, the notice set out in Schedule 2 .

(2) The prescribed manner of exhibiting a notice of exemption for the purposes of section 166(3)(b) and (4)(b) of the 2010 Act is—

- (a) by displaying it—
  - (i) on the nearside of and immediately behind the windscreen of the vehicle facing outwards; and
  - (ii) in a manner that readily permits its removal;
- (b) so that—

---

(a) 2010 c.15

(b) Section 212 (1) of the 2010 Act defines “prescribed” to mean prescribed by regulations

(c) Section 166(5) of the 2010 Act defines “designated” to mean a taxi or private hire vehicle, which appears on a list maintained under section 167 of the 2010 Act

- (i) its front is clearly visible from the outside of the vehicle; and
- (ii) its back is clearly visible from the driver's seat of the vehicle.

Signed by authority of the Secretary of State


Date

*Name*  
Parliamentary Under-Secretary of State  
Department for Transport

SCHEDULE 1

Regulation 2(1)(a)

1. FORM OF FRONT OF NOTICE OF EXEMPTION IN ENGLAND  
AND SCOTLAND

<p>SECTION 166 EQUALITY ACT 2010</p> <h2 style="margin: 0;">NOTICE OF EXEMPTION</h2>	
Name of licensing authority _____	
Driver's name _____	
Taxi or Private Hire Vehicle _____	
Licence No. _____	
<p><b>The person named above is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in section 165 of the Equality Act 2010.</b></p>	
<p>This notice expires _____ 20 _____</p> 	

2. FORM OF BACK OF NOTICE OF EXEMPTION IN ENGLAND  
AND SCOTLAND

**WARNING**

Only the driver named overleaf may display this notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.

SCHEDULE 2

Regulation 2(1)(b)

1. FORM OF FRONT OF NOTICE OF EXEMPTION IN WALES

ADRAN 166 O DDEDDF CYDRADDOLDEB 2010

**HYSBYSIAD AM ESEMPTIAD**

SECTION 166 EQUALITY ACT 2010

NOTICE OF EXEMPTION

Enw'r awdurdod trwyddedu *Name of licensing authority*

Enw'r gyrrwr  
*Driver's name*

Tacsi neu Gerbyd Hurio Preifat *Taxi or Private Hire Vehicle*

Rhif y Drwydded  
*Licence No.*

Mae'r person a enw'r uchod yn esempt rhag y dyletswyddau i roi cymorth symudedd i deithwyr mewn cadeiriau olwyn. Dyletswyddau yw'r rhain sydd wedi eu cynnwys yn adran 165 o Ddeddf Cydraddoleb 2010.

*The person named above is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in section 165 of the Equality Act 2010.*

Daw'r hysbysiad hwn i ben ar \_\_\_\_\_ 20

*This notice expires \_\_\_\_\_ 20*

**Ew**

## 2. FORM OF BACK OF NOTICE OF EXEMPTION IN WALES

### **RHYBUDD WARNING**

**Dim ond y gyrrwr a enwir dros y ddalen all arddangos yr Hysbysiad hwn wrth yrru'r cerbyd. Gellir hefyd arddangos yr hysbysiad pan fydd y cerbyd wedi'i barcio cyhyd ag y bydd yn cael ei yrru gan, ac i'w yrru gan, y gyrrwr a enwyd.  
Fel arall rhaid i'r gyrrwr dynnu'r hysbysiad.**

*Only the driver named overleaf may display this Notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.*

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Section 165 of the Equality Act 2010 (“the Act”) imposes duties on the drivers of designated taxis and private hire vehicles in relation to the carrying of passengers in wheelchairs (a vehicle is “designated” if it appears on a list maintained by a licensing authority under section 167 of the 2010 Act). Section 166 of the Act provides that drivers may be exempted from the duties imposed by section 165 on medical grounds (or other grounds linked to the driver’s physical condition).

These Regulations prescribe the form of the exemption notice which must be displayed by an exempted driver and the manner of its display in the vehicle.

**From:** [REDACTED]  
**Sent:** 07 February 2017 11:44  
**To:** [REDACTED]  
**Subject:** Re: Law change demands equal treatment for disabled taxi users

Hi [REDACTED]

Sorry to hear that, I hope they are feeling better soon. Do let me know how you get on with the response.

Best

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] | uber.com

On 7 February 2017 at 10:35, [REDACTED] wrote:

Dear [REDACTED]

Thanks for this, unfortunately my colleague who was working on the consultation has been off sick, I will see what we can do within the team to conclude and publish it.

We got a lot of very good responses and a lot of work has gone into the consultation, so I am keen to resolve it,

Kind regards

[REDACTED]

[REDACTED]

[Redacted]

**From:** [Redacted]  
**Sent:** 07 February 2017 09:27  
**To:** [Redacted]  
**Subject:** Re: Law change demands equal treatment for disabled taxi users

Hi [Redacted]

Thanks for sending that on. Is there any update on the consultation from last year on the impact of modern technology on taxi and private hire licensing?

Hope all is well with you

[Redacted]

[Redacted] | [uber.com](http://uber.com)



On 7 February 2017 at 09:23, [REDACTED] wrote:

Dear [REDACTED]

You may wish to be aware of the attached press release that has been issued by the UK Department for Transport

<https://www.gov.uk/government/news/law-change-demands-equal-treatment-for-disabled-taxi-users>

kind regards

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

\*\*\*\*\*

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d' fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh' fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh' fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

---

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

**From:** [REDACTED]  
**Sent:** 22 February 2017 09:47  
**Subject:** Publication of the guidance on s165/167of the Equality Act

Dear Taxis and Private Hire Car licensing stakeholders,

You may be interested in the attached publication of guidance by the Department for Transport to support their commencement of sections within the Equality Act 2010 in relation to wheelchair users and taxis and private hire cars. This will create a new offence in relation to adverse treatment of wheelchair users,

Kind regards

[REDACTED]

**From:** Taxis [mailto:Taxis@dft.gsi.gov.uk]  
**Sent:** 21 February 2017 16:40  
**Subject:** Publication of the guidance on s165/167of the Equality Act

Dear consultee,

Following our email to you of 7<sup>th</sup> February, alerting you to the fact that Andrew Jones MP has now signed the Commencement Order which will bring the remaining parts of Sections 165 and 167 of the Equality Act 2010 into force on the 6<sup>th</sup> April 2017, we are now emailing to inform you that we have published guidance for licensing authorities to help with implementation. It can be found here:  
<https://www.gov.uk/government/publications/access-for-wheelchair-users-to-taxis-and-private-hire-vehicles>

Clearly the new provisions can only have their intended effect with the support of licensing authorities and the taxi and private hire trades, and we hope that our guidance will help authorities understand their role in implementing the requirements. The guidance document provides advice on maintaining lists of vehicles designated as wheelchair accessible, handling applications from drivers for

exemption from the requirements, and on transitioning from existing arrangements to those covered by the Equality Act.

We are also in the process of developing regulations to set out the form of the exemption notices that should be displayed by drivers that have been exempted from the new duties on medical grounds. We will be in touch again closer to April about the exemption notices and procedure for making them available to authorities.

We would be happy to answer any queries you may have.



**From:** [REDACTED]  
**Sent:** 05 June 2017 17:02  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Uber Introductions

Thanks [REDACTED] (moved to bcc) and hello [REDACTED]

[REDACTED] and I are due in Edinburgh on 27 June if a 2pm coffee that day suits?

Best

[REDACTED]

On 5 June 2017 at 16:41, [REDACTED] wrote:

Dear [REDACTED]

Thanks for this update, if you are moving on then best wishes, and thanks for all your help.

Dear [REDACTED]

I head up the [REDACTED] with the Scottish Government, we handle the licensing legislation for taxis and private hire cars, and if you want a quick catch up over a coffee, then feel free to get in touch,

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 05 June 2017 16:05  
**To:** [REDACTED]  
[REDACTED]  
**Subject:** Uber Introductions

Dear [REDACTED]

I hope this finds you well. This is just a brief note to introduce you to [REDACTED] who is part of the Uber policy team and will be your main point of contact here from now on. Please send [REDACTED] any messages you would previously have directed to me, and update your address book accordingly. I've included him on the CC line for this email, and you can reach him at [REDACTED]

Regards,



This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

This email has been received from an external party and  
has been swept for the presence of computer viruses.

This e-mail (and any files or other attachments transmitted with it) is intended solely for the attention of the addressee(s). Unauthorised use, disclosure, storage, copying or distribution of any part of this e-mail is not permitted. If you are not the intended recipient please destroy the email, remove any copies from your system and inform the sender immediately by return.

Communications with the Scottish Government may be monitored or recorded in order to secure the effective operation of the system and for other lawful purposes. The views or opinions contained within this e-mail may not necessarily reflect those of the Scottish Government.

Tha am post-d'seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadaichte a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo le gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh, leig fios chun neach a sgaoil am post-d gun dàil.

Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

--



[REDACTED]

[REDACTED] | [uber.com](http://uber.com)

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*

--



[REDACTED]

[REDACTED]  
[REDACTED] | [uber.com](http://uber.com)

---

This email has been scanned by the Symantec Email Security.cloud service.  
For more information please visit <http://www.symanteccloud.com>

---

\*\*\*\*\*

This email has been received from an external party and  
has been swept for the presence of computer viruses.

\*\*\*\*\*