



Driver and Vehicle Licensing Agency

Freedom of Information
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Mr John Anderson
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Email FoI@dvla.gsi.gov.uk
Website www.direct.gov.uk/motoring

Your Ref request-28500-8f129175
Our Ref FOIR 1828/10

Date: 4 March 2010

Dear Mr Anderson

Request for Information

Thank you for your e-mail of 7 February, regarding a request for information from DVLA relating to the release of information from the Agency's vehicle database to Private Parking Companies. We have been asked to deal with this request and am doing so under the terms of the Freedom of Information Act 2000 (FOIA).

The information you requested, as well the relevant answers, is as follows:

1. *"How many requests have been made to the DVLA from Private Parking Companies for private information, i.e. name and address of car owners etc since the 1st of January 2009 to the 1st of January 2010"?*

We should explain that vehicle keeper information requested by Car Parking Companies can be obtained either by manual (application form) or electronic (direct access) means.

Information is held and recorded in relation to the number of applications dealt with by the Agency received via the electronic link from Car Parking Companies and I can confirm that the figure for 1 Jan 2009 to 1 Jan 2010 is 997,549.

We can confirm that there are no separate statistics kept for the amount of manual applications dealt with by DVLA from Private Parking Companies. All such applications are recorded on the vehicle enquiry database and against the record of the vehicle subject to the enquiry. The enquiry database is accessed using the name of the company concerned. Without the actual name of the company, DVLA would need to obtain a full print out of every company that has requested information and manually determine which of those relate to car parking companies. Alternatively, the Agency would need to interrogate every vehicle record (of which there are in excess of 40 million) and manually establish which were subject to enquiries then which of these were subject to enquiries by car parking companies.



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We should clarify that the Agency receives in excess of 380,000 manual paper fee-paying enquiries per year from both private organisations and individuals. Section 12 of the FOIA does not oblige the DVLA to comply with a request where the cost in determining whether we hold the information, and locating, retrieving and extracting the information exceeds £600. This represents the estimated cost of one person spending 3.5 days (or 24 hours) costs at £25.00 per hour. This costing is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

Even if you were to narrow your request to manual figures for one month only, it would still require staff to manually interrogate the same number of applications or vehicle records to extract the information you require and would exceed the appropriate cost limit of £600 as previously described.

2. *“How much in search fees has the DVLA received from the above companies in the same time?”*

Whilst DVLA holds the total income from all Vehicle Fee Paying Enquiries for January 2009 to December 2009 which is £5.4m, we do not hold separate financial data for revenue received from requests made only by Car Parking Companies. We should emphasise that the Agency is not able to make a profit from this. This figure represents costs recovered via the fees and does not show any profit. DVLA cannot and does not sell personal information for profit.

3. *“As the information kept by the DVLA is primarily used for the prevention or detection of crime and as parking on private land is a civil matter, please provide me with the list of guidelines used by the DVLA for the disclosure of this private information”*

This information is held. Please find attached at annex A, a copy of the guidelines DVLA staff take into consideration when information is requested for vehicles parked on private land.

DVLA has produced guidance for members of the public to understand how and when their data may be used and how an application can be made. This information is publicly available via the website at

http://www.direct.gov.uk/en/Motoring/OwningAVehicle/AdviceOnKeepingYourVehicle/DG_4022066. Information that is available in the public domain is exempt from disclosure by virtue of section 21 of the FOIA.

4. *“What security and vetting checks are used by the DVLA to ensure the employees working in Private Parking Companies use this information in a responsible manner, for example: threatening people whom the DVLA has supplied personal information with court action, threatening bailiff action resulting in the harassment for money or threatening to remove good from their homes”*

DVLA has no authority to vet employees of private companies, regardless of the industry they work in.

However, a number of safeguards are in place to ensure the companies to which it may be disclosed do not misuse data.

All private car parking companies that wish to access DVLA data have to be a member of a DVLA accredited trade association (ATA) and operate in accordance with the ATA's code of practice. Currently, the only ATA for the parking industry is the British Parking Association (BPA). To view the British Parking Association's code, which covers, amongst other things, requirements on how companies contact individual motorists, please visit www.britishparking.co.uk.

All disclosures of information are subject to audit by DVLA personnel.

5. *“As harassment is a criminal offence under The Protection from Harassment Act 1997, what steps are the DVLA employing to ensure they are not supplying information which is then used by a 3rd party to break the law”*

As noted above, all private car parking companies who request information from DVLA must be a member of an ATA and abide by its code of practice. Those who do not comply may lose their membership and would automatically lose access to data.

In addition, DVLA will consider any evidence of inappropriate / criminal behaviour by a company and, if appropriate, withdraw access to the data.

The Agency would be concerned if information were to be used for a purpose other than that it was requested for. If this were to occur, DVLA would ask the Information Commissioner to investigate the matter.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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If you are unhappy with the way the DVLA has handled your request, you may write to FOI – D16, DVLA, Swansea, SA6 7JL or by e-mail for an internal review. The email address is foi@dvla.gsi.gov.uk. Please remember to quote the reference above in future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

Yours sincerely

Sent unsigned via e-mail

Yours sincerely

Freedom of Information
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