

James Caithness

Email us at: foi@dvla.gsi.gov.uk
Website: www.gov.uk/browse/driving

Your Ref:
Our Ref: FOIR6954
Date: 30 July 2018

Dear Mr Caithness

Freedom of Information Request

Thank you for your e-mail of 3 July requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

You since clarified that DVLA has given your personal data to Civil Enforcement Ltd and that the company says in its literature that it will share information with "Analytics organisations".

You then asked:

Please supply me with the following information.

- 1. Who gave my personal information to this company.**
- 2. Was DVLA paid for the information.**

Civil Enforcement Ltd obtains information about vehicle keepers from DVLA via an electronic link, the Keeper at Date of Event (KADOE) service. This is governed by strict contractual conditions. There is a fee per enquiry which is currently set at £2.50.

- 3. I want DVLA to provide me with its "complaints procedure"**
- 4. I want the name and address of the CEO of DVLA.**

DVLA's complaints procedure can be found online. The following link provides this information:

<https://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency/about/complaints-procedure>

Contact details for our Chief Executive are below.

Julie Lennard
Chief Executive's Office
DVLA
Swansea
SA6 7JL

5. I want DVLA to get my personal information back from the company you sold it to.

This is not a request for recorded information in accordance with the terms of the FOIA. And therefore is being dealt with outside of that Act. The information concerned was provided lawfully to Civil Enforcement Ltd to allow them to pursue their legal rights. They are controllers of the data they hold and as such are responsible for meeting their associated obligations

You also asked:

Further to this : -

Please Furnish me with the the following information : -

- the DVLA's definition of the 'reasonable cause' that must be demonstrated by a private company before they will have data provided to them

This information is not held. Outside the provisions of the FOIA, I can advise that Information about registered keepers of vehicles can be released by DVLA under the provisions of the Road Vehicles (Registration and Licensing) Regulations 2002. This legislation allows vehicle keeper details to be disclosed to third parties who can demonstrate that they have a reasonable cause to receive it. Reasonable cause is not defined in legislation but Government policy is that it should relate to the vehicle or its use, following incidents where there may be liability on the part of the driver. Guidance on what constitutes reasonable cause is published online at www.gov.uk/request-information-from-dvla

- the DVLA's definition of 'fair enforcement' as it pertains to the private parking industry

This information is not held. Outside the provisions of the FOIA, I can advise that members of the International Parking Community (IPC) and British Parking Association (BPA) are required to be compliant with the Code of Practice set out by the Accredited Trade Association (ATA). All private parking operators that request data from DVLA, are required to be members of the IPC or BPA.

- the DVLA processes and procedures for assessing whether the private company has demonstrated 'reasonable cause' to have data, in each individual request
- the number of staff employed by the DVLA in assessing whether private companies have demonstrated this 'reasonable cause'.
- the DVLA processes and procedures used to 'carefully evaluate' every individual request for information
- the number of staff employed by the DVLA in the process of carefully evaluating every request for information

Electronic requests for information from the DVLA vehicle record are handled via an automated process and processed in accordance with the terms and conditions of the contractual agreement in place. There is no manual intervention when electronic requests for information are made to the Agency.

DVLA and Government Internal Audit Agency (GIAA) audit external data users to ensure that information is only requested and used in accordance with the contract terms.

Individuals and organisations can make manual requests for information from the DVLA vehicle record by submitting a 'V888 form (Request by an individual for information about a vehicle)'. As at 30 July, there were 42 staff engaged in handling a variety of applications from members of the public, local authorities and parking companies.

The V888 form is assessed against criteria, which can be found via the following link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720466/mis546-giving-people-information-from-our-vehicle-record.pdf

The information which follows concerns the procedures for making any complaint you might have about the reply. Please quote the reference number of this letter in any future communications about it.

Yours sincerely

Robert Toft
Head of Data Sharing Policy & Freedom of Information Team

Your right to complain to DVLA and the Information Commissioner

If you are not happy with the reply to your request, you can ask DVLA to re-consider the response you received by writing (within two calendar months of receiving this response) to either foi@dvla.gsi.gov.uk or DVLA Freedom of Information Team, DSPG/FOI, C2/W, DVLA, Swansea SA6 7JL.

DVLA will acknowledge and consider your request, re-visiting the response provided. This is known as an Internal Review and will be considered by a staff member not involved with the original reply.

If you disagree with the outcome of the Internal Review, you have the option to complain to the Information Commissioner's Office. Further information can be found via: <https://ico.org.uk/concerns/getting/> Alternatively you may wish to write to: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF.