

Pat James

Your Ref:  
Our Ref: FOIR5045  
Date: 16 December 2015

Dear Mr James

### **Freedom of Information Request**

Thank you for your e-mail dated 25 November requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

You asked for:

**In the context of:**

**The first party being the subject driver**

**The second party being the DVLA**

**The third party being anyone else including but not limited to the Police, Local Authorities, Private Parking Companies (and their Agent) Civil Enforcement of any Kind.**

**Is any medical information related to the first party's licence conditions, given or otherwise divulged to a third party, by the second party.**

**If the answer is yes, please provide the authorisation (in Law not Legislation) and the justification for the release of such information.**

DVLA does not share medical information with third parties except where legislation provides for it. You have requested information about provision, and in doing so informed us that you disqualified legislation as an acceptable source, in a previous request under the Freedom of Information Act (our ref: FOIR 4905). We made it clear that DVLA does not hold such information, and confirmed this following an internal review on the way in which the Agency handled that request. DVLA operates under statutory provision and is not enabled by, or aware of, any other kind of law that is recorded officially.

With the authorisation of the licence-holder/applicant, the DVLA may obtain medical information from medical professionals and may share that information with other medical professionals as part of an investigation into that person's fitness to drive.

Section 94 of the Road Traffic Act 1988 provides for this. A link to the relevant legislation follows:

<http://www.legislation.gov.uk/ukpga/1988/52/section/94>

DVLA may disclose to a Coroner's Court or a Fatal Accident Enquiry (in Scotland) where a driver with a medical condition has caused a fatality and to a magistrates' court if an individual is appealing against a DVLA decision to revoke a driving licence or refuse an application because the person is unfit to drive. We will also disclose where a court order requires us to do so. Section 35 of the Data Protection Act 1998 refers to disclosures required by law or made in connection with legal proceedings. A link to the relevant legislation follows:

<http://www.legislation.gov.uk/ukpga/1998/29/section/35>

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

A handwritten signature in black ink, appearing to be 'Robert Toft', with a large loop and a long horizontal stroke extending to the right.

ppRobert 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](mailto:foi@dvla.gsi.gov.uk) or DVLA Freedom of Information Team, DSPG/FOI, D16, 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 can 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.