



Driver and Vehicle Licensing Agency

Telephone
Fax
Minicom
Email
Website www.direct.gov.uk/motoring

Your Ref
Our Ref

Date:

Dear

Freedom of Information

Your e-mail of 17 March asked a range of questions specific to the release of data. I am replying under the terms of the Freedom of Information Act 2000 and will respond to each question in the order made.

1. *I understand what is meant by 'reasonable cause' (re: private enforcement) but in 'INS160 / data protection' there is nothing about my rights. Why is this? (After all it says 'data protection and it seems for the keeper there is none).*

The INS160 leaflet is not a guide on data protection it provides guidance on the V5C Registration Certificate. Its purpose is to explain the various sections of the V5C and when and how the keeper needs to inform the Agency of a change. Details on the release of keeper information are included to make keepers aware that their details may be released and to draw their attention to the circumstance under which this may lawfully happen.

2. *Shouldn't I be informed as to who and why my data is being released (outside of Government bodies) to? And if I want to object to that 'release of data' be able to do so. Is there a DVLA process for that?*

The Agency receives about 10,000 requests for information per week, and the majority are from insurance companies investigating fraud or pursuing claims after minor hit-and-run incidents, from housing associations dealing with abandoned vehicles or from the general public.

It would not be practical to consult with vehicle keepers before releasing information as the Agency could then become involved in disputes over which it cannot arbitrate. There would also be resource implications and significant cost to the taxpayer if we were to write to keepers to notify them that an enquiry had been received.

The Agency has an obligation under the Road Vehicles (Registration) and Licensing Regulation legislation to provide information where the enquirer demonstrates a lawful right



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to receive it; it is not in a position to refuse even if the keeper objects. This legislation can be found on the website www.opsi.gov.uk/si/si2002/20022742.htm#27

3. In the case of UK Parking Control, they used a digital picture to access my data. My point is as no paper ticket was issued to inform me of their 'reasonable cause' I was unaware that such an enquiry was being made into my personal details. This I find wholly wrong and is a practice open to obvious abuse?

The Agency is aware that some companies use CCTV style technology to monitor car parks, and that no tickets will be placed on the vehicle. Information is released on the basis that 'reasonable cause' is demonstrated, and not on any other aspect of a company's business practice.

4. Does DVLA, in the case of private contractors, insist that they issue paper notice informing that a search of personal data is about to take place? If not, why not?

Private car parking enforcement companies are not regulated. If they were it would fall outside the remit of the DVLA. Despite this, the Agency introduced a voluntary Code of Practice in order to encourage fairness and best practice amongst companies. The Code advises that tickets should be placed on the windscreen of vehicles, and that they should inform motorists that their details will be requested from the DVLA. However, the Code is a voluntary arrangement and the Agency has no power to enforce its terms or make it mandatory.

5. Because of this loop hole, UK Parking Control can now pass my details onto debt recovery agencies which they threaten, and in my case there is provable evidence of no notice or sign of private parking enforcement? Shouldn't DVLA be doing its utmost to protect us from this practice?

Car parking companies can contract with debt collection agencies to collect outstanding payments on their behalf. If payment is not forthcoming, it is then for the agent or company to satisfy a court that the debt is owed. The Agency has no power to arbitrate in disputes between parties or decide on the validity of pursuing individual cases. Ultimately, you may put your case to the Courts.

6. I'd still like to know on what grounds UK Parking Control access my personal data?

The Agency has released your details as keeper of a particular vehicle to UK Parking Control under the 'reasonable cause' provisions. Enforcement of unauthorised parking on private land meets the 'reasonable cause' criteria.

If you are unhappy with the decisions made by this Agency in relation to your request, you may ask for an internal review. If you wish to complain, you should write to

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

If you have any queries about this letter, please contact Please remember to quote the reference above in any future communications.

Yours sincerely