



Dear

### **Freedom of Information Request**

I am writing in connection with the reply dated 18 November to your recent Freedom of Information request. You asked for a list of companies like G24 that apply for registered keeper details from DVLA. This question was interpreted as a request for a list of companies with direct electronic links with DVLA like G24. While the information provided is accurate, it is not a complete list of companies that request vehicle keeper information from DVLA.

A complete list of organisations that request information from DVLA is already publicly available and is available via the following link:

<https://www.gov.uk/government/publications/who-dvla-shares-data-with>

I have enclosed a hard copy of this document for your information.

You asked:

#### **1. How many firms like G24 have access to DVLA records?**

As G24 make electronic enquiries under Contract, the following answer is based on the same criteria. Since 2010, 32 parking companies (including G24) have made electronic enquiries under Contract for registered keeper information from DVLA. Currently, 25 companies make electronic enquiries. Annex A attached shows which companies have made electronic enquiries over the past 5 years.

#### **2. Do these firms pay DVLA for the information? Is so how much?**

They are charged £2.50 per enquiry.

#### **3. If they do pay, how much money have DVLA accrued over the last 5 years, year on year?**

This information is provided in Annex A and shows the amount of revenue received from companies who have made requests via an electronic link. Please note the figures for 2014-15 are interim figures and are subject to year-end audit.

Please note that while DVLA is permitted to charge a fee for the release of information under the reasonable cause provisions, it is not permitted to profit from it. The fees are set to recover the related administrative costs and this means that it is the applicant and not the taxpayer who funds this activity.

#### **4. I can understand the Police etc having access to these records. Why do our details not fall under the Data Protection Act?**

Information about registered keepers of vehicles can be released by the DVLA under the provisions of the Road Vehicles (Registration and Licensing) Regulations 2002. This legislation allows information 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 the Government's 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 on the motoring pages at <https://www.gov.uk/request-information-from-dvla>

The release of information to private car parking companies is considered to be a reasonable cause. Landowners would have great difficulty in enforcing their rights if motorists were able to park with impunity on private property. If it is alleged that the terms of the contract are breached, it is considered reasonable that vehicle keeper details may be released in order to enable the landowner or his agent the opportunity to pursue their legal rights. If this were not the case, motorists would be able to park with disregard for the law or the rights of landowners, with no prospect of being held to account for their actions. This does not infringe the Data Protection Act and the Information Commissioner (ICO) is aware that personal data held on the vehicle register can be used in this way.

#### **5. I understand that these firms are regulated. Who does the regulations and do DVLA check these firms on an ongoing basis?**

Before a company is granted electronic access, they must have valid Data Protection registration and their registration must be appropriate for processing DVLA data. All unregulated companies must be members of a DVLA approved Accredited Trade Association (ATA) and adhere to its code of practice. The British Parking Association (BPA) and The Independent Parking Company Ltd (IPC) are the approved Accredited Trade Associations for the parking industry. DVLA will also undertake checks against the company including a credit and director checks. Companies must also serve a mandatory six month probationary period, during which time a specified number of valid paper requests must be made.

DVLA also carries out audits of companies to monitor their behaviour in the use of our data. There is a three year rolling programme of audits, with provision for conducting targeted audits of companies when it is felt necessary. The audit

involves a physical visit to the organisation concerned to check security of the premises and storage of the information, interview with the organisation's representative(s) and examination of the documentation and/or other records for a sample of data requests made. Any companies found to have not complied with the required standards may be suspended from receiving keeper details. Annual and random on-team checks are also carried out on organisations.

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](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: [www.ico.org.uk/concerns/getting](http://www.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.