

Section 44 exemption: information intended for future publication

Exemption in Full

44 Prohibitions on disclosure

(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it--

- (a) is prohibited by or under any enactment,
- (b) is incompatible with any Community obligation, or
- (c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).

Section 22 exemption: information intended for future publication

Exemption in Full

Section 22 - Information intended for future publication

(1) Information is exempt information if—

(a) The information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) The information was already held with a view to such publication at the time when the request for information was made, and

(c) It is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

<u>Factors for disclosure</u>	<u>Factors for withholding</u>
<ul style="list-style-type: none"> • It would give transparency to the information being held by the DSA • There is a high public interest in practical driving test statistics. 	<ul style="list-style-type: none"> • The number of car practical tests conducted and passed at Cheltenham DTC between January and March 2012 and those passed at the first attempt at Cheltenham DTC in 2011/12 is intended for general release; the current proposed dates are 5 July 2012 and 16 August 2012 respectively • Running of reports is included in a business timetable for which resource has already been scheduled and time allocated. To reschedule this now would take time away allocated to other tasks. • We need to have sufficient time to upload test reports and resolve any reports incorrectly uploaded

Reasons why public interest favours withholding information

On the balance of the arguments for and against disclosure, we conclude that releasing the information would be against the public interest. We have included the running of this report into business planning which ensures that sufficient time has passed since the end of the reporting period to capture accurate information. To run and release this information now would mean that time had to be taken from other reporting duties and would impact on the agreed reporting and statistical publication timetable.

We intend to publish this information in July and August 2012.