

1) Could you please advise me of the number of accidents that have happened in the last five years where there has been damage to the test vehicle?

In the table below, you can find the number of accidents that have occurred during a car practical test in the last four financial years where there has been damage to the test vehicle. This information is correct as of 31 January 2012. Please note that we only hold records dating back four years, in line with our retention schedule; so we are unable to provide information for 2008/9.

Financial year	Number of vehicles damaged whilst on the car practical test
2008/9	427
2009/10	359
2010/11	501
2011/12	392

2) Could you advise me of the number of accidents causing damage to the test vehicle where examiners have intervened to prevent the damage to the test vehicle?**3) Could you advise me of the number of accidents causing damage to the test vehicle where no preventative action was taken by the examiner?**

We do hold information on the number about the number accidents that occurred on test in the last four financial years, where an examiner used preventive measures or not. This information is, however, not held in a central record. To compile this information would involve manually reviewing the record of each incident in the table above. It has been estimated that it would take between three and four minutes to check each record, taking approximately 91.5 hours in total.

This information is exempt from release under section 12 (1) (cost of compliance exceeds appropriate limit) of the FoIA. A full breakdown of this exemption can be found at Annex B.

The appropriate limit, as prescribed by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, is £600 for Central Government and £450 for other public authorities, with staff costs calculated at a rate of £25 per hour. When calculating whether the appropriate limit is exceeded, authorities can take account of the costs of determining whether the information is held, locating and retrieving the information, and extracting the information from other documents. They cannot take account of the costs involved with considering whether information is exempt under the Act.

4) Could you advise me of the number of successful claims, by individuals against the DSA where vehicles have been damaged on a driving test and the examiner has not intervened?

Since October 2007 there have been no successful legal claims against the agency by individuals where vehicles have been damaged on a driving test and the examiner has not

intervened. Please note that we do not hold records about court cases prior to October 2007.

5.) Could you advise me of what the DSA policy is, on Examiners telling instructors about damage to their vehicles following an accident during the driving test?

6) Could you advise me of what the DSA policy is when examiners fail to inform the instructor of damage sustained during a test and offering information on where the accident took place and how it took place?

7) Is there any record that should be given to an instructor by the DSA or examiner where an accident has sustained damage to the test car, in order that an insurance claim can be made?

Information about what procedures an examiner should follow after an accident occurs on test, and their legal obligations, can be found in the DT1 standard operating procedure. This information can be found under section 8 of the procedures, on our website at <http://www.dft.gov.uk/publications/dsa-dt1-standard-operating-procedure>.

This information is, therefore, exempt from release under section 21 (information accessible by other means) of the Freedom of Information Act. A full breakdown of this exemption can be found at Annex C.

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Section 12: Exemption where cost of compliance exceeds appropriate limit

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

Section 21 - Information accessible to applicant by other means

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.