Driver & Vehicle Licensing Agency
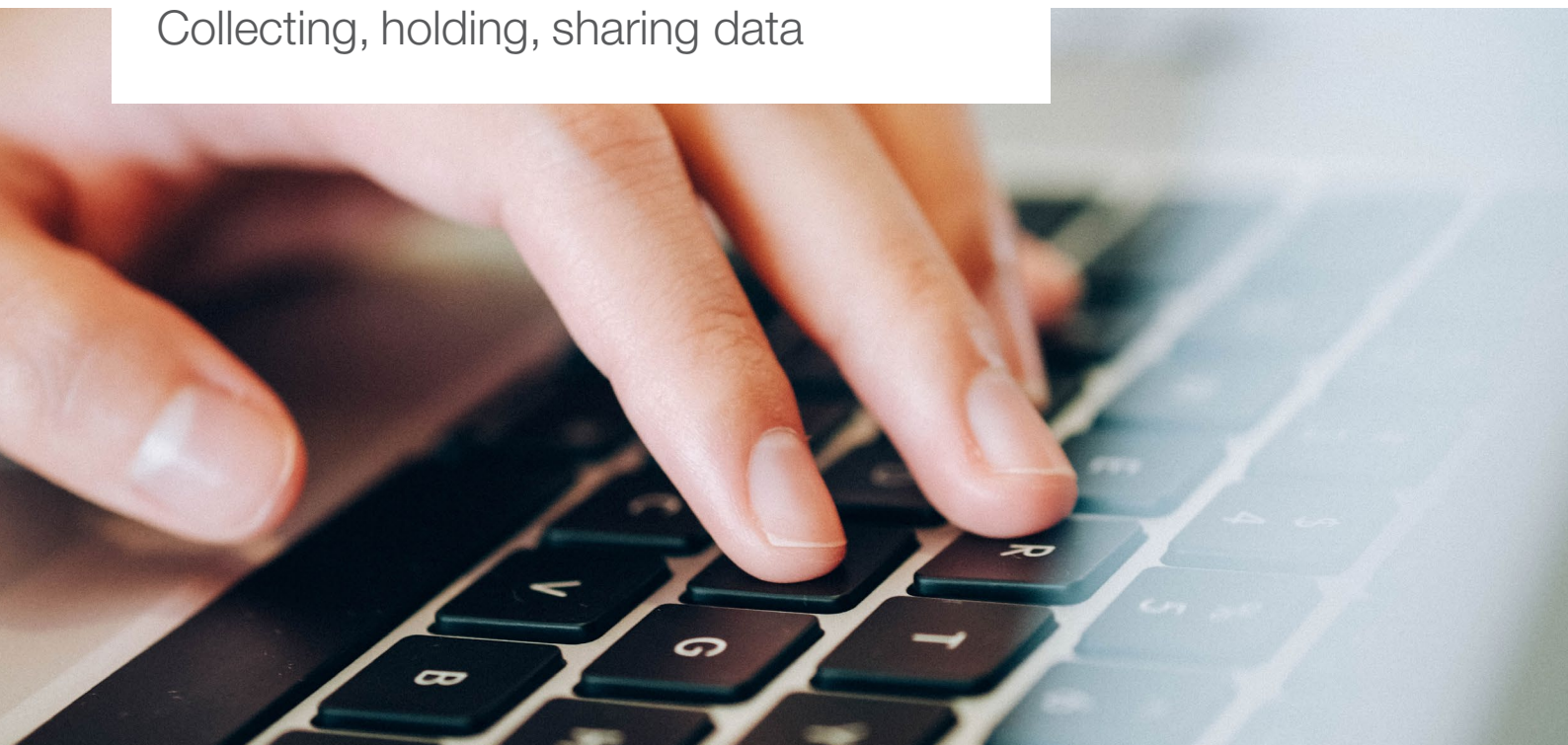
DVLA Data Sharing Strategy

Collecting, holding, sharing data

Interactive document
February 2017

Simpler | Better | Safer

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01 Overview

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Overview

1.1 DVLA collects and holds data as part of its core functions. We recognise that sharing this data for other purposes, in a controlled way, can support road safety priorities. Sharing data can also help provide service improvements and wider benefits to the public, government and UK economy.

Our core functions include:

- maintaining a record of drivers in GB
- issuing driving licences
- keeping a register of vehicles in the UK
- collecting and enforcing vehicle tax.

Other things we do include:

- maintaining records for, and issuing, digital tachograph cards and certificate of professional competence cards to professional drivers.

1.2 The range of datasets we hold and our capability to combine and share the data can support motoring requirements for the public and private sector. This is consistent with integrating public services; an important part of the government's drive to improve the relationship between citizen and state.

1.3 We also hold statistical information derived from raw data as well as data relating to our staff, finances and estates[1].

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[1] The type of information DVLA processes, who this information is about, who it can be shared with and for what purposes is covered by the Department for Transport's data controller notification. This can be found on the Information Commissioner's Office website at https://ico.org.uk/ESDWebPages/Search?EC=1 using the registration number Z7122992.

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1.4 In our 2015 -16 business plan, we said we would review and develop a refined data sharing strategy. This was to make sure that the driver and vehicle data we release to third parties continues to fit with our wider organisational objectives and future direction, focusing on delivering simpler, better and safer services based on user needs.

1.5 We also need to respond to other challenges. There are continued advances in technology and the range of purposes (public, commercial and private) for which people and organisations want access to DVLA data is growing. As it does, the demands of end users about how they want to access that data are becoming more complex. There is also pressure for us to make data we hold open.

1.6 We share data where there is a need to do so for wider benefits. However, we are also determined to protect the integrity and confidentiality of our databases.
It is paramount we continue to do so.

Key things we want from our driver and vehicle data sharing services

- To protect the integrity of the data and privacy of the individuals whose data we hold.
- To support delivery of improved services and wider benefits wherever possible.
- To be based on simple, streamlined processes and mechanisms.
- To be low cost to the public and our customers.

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1.7 We will continue to comply with the law and relevant guidance but this document now sets out our plans for achieving these key aims by:

- prioritising our data sharing activities

- considering making more data open

- changing how we provide data to our customers

- making sure that the data is used appropriately and remains secure

- improving the way users will be charged.

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02 The data we hold

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The data we hold

2.1 We hold information on individual drivers and vehicle keepers. If this information can be used to identify a living person it is regarded as personal data under data protection law.

2.2 We also hold other information which will be regarded as personal data if it can be related to an identifiable, living individual. Some of this information is or could be considered sensitive (e.g. the disabled tax class)[2]. We will always protect personal and sensitive data.

2.3 We also hold data about vehicles and their history. This may be anonymised where it is separated from the vehicle registration mark (VRM), vehicle identification number (VIN) or other personal information.

Personal information that can be used to identify an individual includes:

- driver number, name, address, date of birth, photograph
- in some circumstances, the VRM and VIN.

Other sensitive personal information includes:

- driving entitlements, licence status, driving offences, medical information.

Vehicle information includes:

- make, model, date of first registration etc.

2.4 The data is held across a number of databases designed for specific internal business needs. The data shared will vary according to the legal basis for disclosure, the customer's need and the service channel available.

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[2] The Data Protection Act defines sensitive personal data as personal data consisting of information about racial or ethnic origins, political opinions, religious or similar beliefs, trade union membership, physical or mental health, sexual life and committed or alleged offences.

03 Current position

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When we share data

3.1 Sharing of personal or sensitive personal data must comply with data protection law. This data cannot be accessed as open data where there is no restriction on who accesses or uses it. Data collected for one purpose cannot be processed for an incompatible purpose. DVLA will only share data that is going to be used for another purpose where the law allows us to do so.

3.2 We only allow access to data with appropriate controls and auditing in place. We protect the integrity of the data whilst balancing the benefits that allowing access to it can provide.

3.3 The legal frameworks that govern releasing driver and vehicle data and the nature of the data itself are very different. As a result, driver data is released for far fewer purposes than vehicle data.

Some of the things we consider when we are deciding whether to share data include:

- that sharing the personal data would be legal
- that it is necessary and proportionate for the purpose it is going to be used for
- that those receiving the data comply with any conditions or restrictions required for minimising the impact on the data or data subject.

Ensuring that shared data is used appropriately and remains secure

3.4 We control access to services for common types of requests for data with upfront checks to confirm that sharing is appropriate before data is released. Sometimes this may involve completing a probationary period using a manual service before access to an electronic link is permitted.

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3.5 Use of a service and the data is governed by contract or other form of agreement and is subject to audit. The types of agreement and audit requirements vary according to the circumstances. Auditing will be by self assessment (including own evidence of compliance), management and remote checks carried out by DVLA staff and site visits by Government Internal Audit Agency personnel. If a breach is identified, the service can be suspended and ultimately a data sharing agreement could be terminated.

3.6 For individual requests, upfront checks are carried out to ensure there are grounds to release the data. A signed declaration is received by DVLA before we release the data.

Charging for our data and access to it

3.7 HM Treasury rules require us to recover our costs when providing data sharing services. These costs include technical set-up, maintenance and support, staff and all other overheads incurred in handling requests and audit costs.

3.8 We currently recover these costs by a variety of methods. These include one-off set-up charges, fees charged per enquiry or pre-agreed set fees and annual charges which are allocated across the customer base in line with specific financial and policy considerations.

3.9 Charging for anonymised vehicle data is not limited to cost recovery only. In accordance with Treasury guidelines, DVLA adds a 5% surplus to reflect risks involved in producing and releasing data.

04 Challenges

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Growth in demand

4.1 A number of developments are creating more requests for us to provide data.

Driver data

Other government departments want driver data either to support their own enforcement functions or as part of initiatives that are looking for the public benefits that sharing data across government can bring.

Demand for driver data is often linked to its use for identification and verification. It can be a valuable tool in helping to establish identity alongside other validation. It is already being used in this way for the GOV.UK Verify service which assures the identity of digital public service users. However, the Verify service is built on the idea of government-set standards for identity assurance with users choosing between certified companies who can meet these standards. In this way, the service has created a growing market that can assure identity not only for central but for wider government and private sector services. This could lead to wider demand for DVLA data.

With an increasing focus on the potential value of government data to the wider economy, DVLA could also face future demands for driver data for research other than that related to road safety.

Keeper and vehicle data

The growth in demand is coming from a variety of sources. This includes new initiatives such as parking permit and car sharing schemes that may need a different data service to any that are currently being provided. DVLA also continues to support the general drive to make more government data open. DVLA already has the Vehicle Enquiry Service (VES) in place which is designed to give open access to data on individual vehicles.

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Our data sharing processes

4.2   DVLA's data sharing services have evolved over time to meet a diverse range of customer needs in line with DVLA's functions. This has resulted in a number of distinct electronic delivery routes based on closed user connections and encrypted digital media (e.g. CD ROMs, DVD and hard drives) alongside manual processes. This affects elements of DVLA's overarching strategy to deliver services that are simpler, better and safer.

Costs

The cost to customers of the technical set up for individual electronic services may discourage some organisations from moving to newer services. Some customers, particularly those smaller scale businesses, may choose to rely on manual processes because they are seen as lower cost. Our intention is to offer cost effective digital services which benefit the majority of customer groups and the taxpayer through being the most efficient for DVLA.

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05 Our strategy

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Our priorities for sharing data

5.1 Our overriding priority is to protect the integrity, availability and confidentiality of the data we hold. Data sharing activities are based on services designed to meet specific, lawful uses where there are identifiable benefits and where we know the impacts and have controls in place to manage them.

5.2 Where there are benefits, we still want to offer these kinds of services whether the benefits are to road safety, the wider public, government or the UK economy. However, there are costs to delivering services that satisfy these demands and the question is where we focus our resource. We must establish priorities to make sure we remain capable of delivering on current and future commitments.

A. DVLA functions and other motoring requirements

5.3 We recognise that to maximise benefits and to achieve our aim of supporting current and future motoring requirements, we have to better understand the overall value of the data we hold.

We will strengthen our ability to analyse DVLA's datasets to identify the road safety and other benefits that we can get from them directly, or by matching them with government or other motoring related data. The results of this will be used to direct further service development.

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5.4 Currently, we share personal data with organisations including the police, the Driver and Vehicle Standards Agency and local authorities. Where the law permits or requires it, we also share personal data with other licensing agencies and authorities within the EU which have a direct role in road safety, vehicle registration, driver licensing and enforcement.

5.5 We share data with organisations that have other responsibilities but which are directly aligned with DVLA's road safety and licensing priorities. These include organisations that need to check driving entitlement, such as employers, vehicle hire companies and motor insurers. Data is only released in these cases with the driver's consent. At the same time, some demand (e.g. small scale driving entitlement checks based on the driver's consent) can be met through services that currently allow drivers to access and share their own data free of charge, rather than DVLA creating small scale, bespoke digital services.

We will continue to prioritise data sharing and developing related services where there are identifiable road safety and licensing benefits whether this means sharing with public sector or commercial organisations.

We will look to channel demand based on the driver's consent through services that are low cost to DVLA and customers wherever possible.

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B. Combating wider crime

5.6 There are longstanding but closely controlled data sharing arrangements based on tackling crime. These include arrangements with the police and enforcement agencies but also with other organisations that are looking to protect themselves against fraud. We also release intelligence reports on specific vehicles or identities to a limited number of government organisations to help identify criminal activity.

5.7 We agree sharing data with enforcement agencies for the investigation and prosecution of crime where necessary is in the public interest. Sharing intelligence is also consistent with cross-government co-operation on combating crime. This needs to be proportionate and we consider the impacts of wider data protection case-by-case.

We will continue to support data sharing with enforcement agencies for combating crime where appropriate.

5.8 Private organisations looking to protect themselves against fraud have included car finance companies that rely on the driving licence as identity to support loan applications. Insurance companies also look to validate details supplied by those making a claim. However, the platform view driving licence developed to allow drivers themselves to access their data free of charge and control who this is shared with and for what purposes could support this type of wider activity. Finance companies are already referred to this service by DVLA.

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C. Other government functions and services

5.9   We will share data for other government functions to support action on crime. We will also share data for other purposes that may have the potential to deliver similar benefits.

Some examples of how sharing of DVLA data has supported other government functions

We have been supporting Home Office action on immigration by matching DVLA data with Home Office records. The aim has been to identify individuals who no longer have the right to remain in the UK but hold a GB driving licence. This provides the basis for enforcing law that requires the licence to be revoked where the individual has no lawful status to remain in the UK. In 2015, nearly 10,000 licences were revoked.

We are sharing vehicle keeper data with HM Revenue & Customs to help them prevent and detect excise fraud.

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5.10 Data sharing can take place under common law powers and in accordance with the Data Protection Act. There is also explicit provision in legislation which requires DVLA to share driver data for some activities. These functions are likely to be government priorities aimed at delivering public benefits in specific circumstances. We want to continue to support these priorities.

5.11 Vehicle information supports a range of government functions. Local authorities are responsible for a number of these, from road traffic measures (e.g. enforcing bus lanes) to issues unrelated to the vehicle or its use but where the vehicle can be used to trace the offender (e.g. fly tipping). Vehicle information also supports other government functions, including trading standards, Council Tax enforcement and benefit fraud.

5.12 There will be a legal basis for releasing data for all of these functions and services. Most will be covered by a provision[3] specifically for releasing information to local authorities or to anyone that can demonstrate they have 'reasonable cause' to access the data[4]. This legal provision recognises that releasing information can be in the public interest.

[3] Regulation 27 of the Road Vehicles (Registration and Licensing) Regulations 2002.

[4] DVLA requires those wanting personal vehicle related data (e.g. keeper details) to show that the purpose for requesting it is directly related to the interests of, or a liability on, the keeper. It will also share keeper details where there is liability on the driver of the vehicle following an alleged offence or breach of conditions.

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5.13 We will continue to support these types of requests given their alignment with the current move to share data, particularly across government, to provide public benefits and improve public services. However, given rising demand we must take account of the potential impact on DVLA.

We will look to develop services that are able to meet a range of demands. However, we will need to consider new requests to share data for government functions and services individually. Data that is not already open will not be shared for undefined, incompatible purposes. A clear legal basis is required and where a specific service needs to be developed or value added to the data, there will need to be funding or clear evidence to justify providing it.

D. Identity verification

5.14 There are risks in extending too far the concept of using DVLA data for confirming identity. Our databases were never intended to provide the basis for a national identity register.

5.15 We know that the driving licence is often used as a means to prove identity. We accept that services which allow individuals to share their own data can be used as part of this. However, the driving licence is not an identity document in itself and we will not develop services specifically to support it being used in this way.

5.16 We recognise though that where it is not used in isolation, the data we hold can be used to support identity assurance services, which can deliver public benefits.

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We will consider requests to share data individually. However, the context must align with our core purpose of road safety or wider government policy and we will not fund development of bespoke services.

E. Driver-related research

5.17 We release driver data for research sponsored by DfT to support road safety priorities. We recognise that there is public value in continuing to do this with appropriate safeguards in place.

5.18 Even where data is anonymised, we recognise that there is the potential for 'triangulation' (matching different datasets that individually present no risk, but together could enable individuals to be identified and their privacy compromised). We are careful to consider these risks before data is released. There is also concern about public acceptance of DVLA data relating to an individual being used for research related to commercial and promotional purposes.

We will release anonymised driver records to government bodies or their contractors for research that aligns with DVLA's core purpose of road safety or contributes to wider government policy. The potential for going further than this is discussed below in the context of the open data agenda.

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F. Commercial and individual rights and interests

5.19 We provide access to keeper details and other information about individual vehicles to commercial organisations and private individuals. We also share bulk vehicle data that includes the vehicle registration number and vehicle identification number (but not keeper name and address data) and anonymised vehicle data sets with some commercial organisations.

5.20 The data is used for a broad range of commercial and individual purposes. However, while many of those receiving data are principally focused on commercial or private interest, sharing it could be said to deliver benefits to the public in general.

How can release for commercial or private interests deliver wider benefits?

Bulk vehicle data (which includes the VRM and VIN) is used for services that enhance road safety, customer service and consumer protection. Its use enables correct vehicle parts to be easily identified and fitted and helps prospective buyers confirm the history of used vehicles.

Anonymised vehicle datasets give the geographic spread of vehicles. This is used by garages to make sure they are stocked with parts for vehicles in their area and means consumers get quicker vehicle repairs.

5.21 Most of these sharing activities will be covered by 'reasonable cause' provisions. Releasing large, anonymised datasets is based on law allowing DVLA to provide data[5] in certain circumstances. The commercial organisations that receive the data use it for marketing and research and sometimes combine it with other information and can profit from it.

[5] Regulation 28 of the Road Vehicles (Registration and Licensing) Regulations 2002.

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5.22 Demand for the datasets is relatively limited. We have not been made aware of additional uses but we recognise the benefits that this type of commercial activity can have for the public and UK economy. However, we will need to understand any implications arising from the potential triangulation of these datasets.

We will fully evaluate the benefits and risks as new uses for anonymised or bulk datasets arise before making any recommendations about sharing and using the data wider.

We will consider individual demands of this type as low priority in terms of developing and resourcing service delivery, with commercial interests last in any list of considerations. Again, any agreement will take account of the extent to which a specific product needs to be developed.

Being open with the data we hold

5.23 The potential for commercial use of non-personal data and the economic benefits it can deliver is a key element of the open data agenda, which is aiming to make government data much easier to access and use. This is on the principle that it offers the opportunity for anyone to work with it to find and develop new uses and/or services.

5.24 This may not only be of commercial benefit to those using the data in this way. It could benefit DVLA and government by getting a wider pool of data experts and developers to identify other uses for the data that may support government priorities, or improve or add to existing services. This can help meet customer needs in a way that is far quicker and at a lower cost to the public. We also recognise that making data more transparent and open to scrutiny can improve its governance and quality. This would benefit DVLA in performing its core functions.

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Changing our delivery mechanisms

5.25 Currently, DVLA services providing open data are limited. Only access to certain vehicle data using the vehicle registration mark search on the Vehicle Enquiry Service is unrestricted and that is based on the principle that only single enquiries can be made. As we have noted, sharing non-personal data from individual driver and vehicle records is closely controlled in terms of the organisation it is released to and what it can be used for.

Our approach will be to provide non-personal data openly where we can do so safely and where there are wider public benefits.

5.26 We intend to move towards developing a single strategic solution using the internet or internet-based application programming interfaces (APIs). These will have differing levels of security appropriate for the volume and sensitivity of the information being shared. They would give responses to live enquiries where the customer requests one or many driver or vehicle record details and gets an instant response. We will look first at developing an API for the information currently available on VES.

What advantages does this solution allow us?

- Presents a catalogue of standard digital services that would meet a range of needs without the requirement to develop and maintain a number of bespoke services.

- Reduce the cost of connecting customers to digital services and remove barriers to access.

- Reduce risks to other core services.

- Audit and fraud capability to be built in upfront.

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- Move away from the current bulk extraction of data which provides a limited service to those wanting large datasets. It would mean a wider range of datasets could be delivered to meet future demand and with limits that we would want to apply to protect the data.

- Offer a platform from which commercial developers can build additional services over and above those developed and funded directly by DVLA. To do this we will need to expose information including the data shared through the internet or APIs.

5.27 Work is ongoing to define user requirements, understand impacts, determine the period over which customers can transfer to new services and establish costs, which will vary according to the complexity of the build. Regardless of the benefits, we recognise that some may find moving difficult in terms of the effort and changes to existing processes that are needed. We will work with customers to find ways to make sure they take up new services as quickly as possible.

We will replace existing closed user connection services and digital media with the web/API solution.

Where manual options remain, they will be subject to customer research and aim to limit their use to single, one-off enquiries. No other channels will be available.

Protecting the data we share

5.28 We will ensure that where we develop these new services there is an appropriate level of security for the data being released. We will work closely across government to ensure we protect the data by using recognised controls, not only as part of the design of any service but with compliance measured by auditing the system itself.

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5.29 These recognised controls will be in scope of the web/API development work. This includes the ability to authenticate that a customer is eligible to receive restricted data at each request and making sure that validation of requests is robust so that only relevant data is released. It is likely that different approaches may be needed for different types of customers.

Authenticating customers

Where personal data is sought under 'reasonable cause', we will look to authenticate an enquirer's identification through the GOV.UK Verify service so requests can be traced to an individual.

Where personal data is sought under 'reasonable cause' by an organisation, public or commercial, access will be subject to an approved registration token and/or contractual arrangement.

Validation of requests

We will validate requests by asking for other information when sharing keeper details for a specific VRM in case the VRM is incorrect.

5.30 Service information and legally binding contracts will make clear the restrictions and responsibilities that apply to the data shared.

5.31 The web/API development work will also look at collecting management information, system monitoring as well as audit logging and tracking to make sure that issues are identified and action taken immediately.

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Audit controls

5.32 Beyond this, DVLA is working to specify audit and assurance arrangements for each service type. We will continue to carry out data customer audits through a combination of remote checks and site visits. However, the emphasis in their design and application will be on an intelligence-led approach. We are considering tailoring the audit approach based on volume and scale of customer. An intelligence-led and risk-based approach will be implemented and include where possible:

- a consistent and centralised assurance rating system across all audit functions (subject to ensuring that the independence and credibility of the internal audit function are not compromised) and targeting action on new customers or those with red or amber ratings

- greater use of existing intelligence (e.g. enquiry volumes, results of previous audits, complaints, media reports) via a data customer risk scoring matrix and capturing of intelligence from new sources, detailed scheduling will be driven by customer and volume type

- introduction of service level targets for investigating and taking action in cases of non-compliance

- recovering all audit costs from the customer

- built-in audit capability on new systems.

We will continue to apply the most effective control measures available to make sure the integrity of the data we hold and the security of data subjects are protected. Correct use of data, including restrictions on de-anonymising it, will be strictly enforced through suspending or removing access.

We will simplify processes though where those measures give us the opportunity to do so.

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Pricing

5.33 We will continue to price our services in accordance with HM Treasury's Managing Public Money principles.

Treasury's managing public money principles for setting fees, charges and levies

These are to make sure that the government in providing public services neither profits at the expense of consumers nor makes a loss for taxpayers to subsidise.

Services supplying data into competitive markets though should aim to recover full costs plus a real rate of return in line with rates achieved by comparable businesses facing a similar level of risk.

5.34 Developing a catalogue of data sharing services available through the web/APIs will help us to minimise the costs of providing services and the charges that our customers must pay.

5.35 When setting charges, we will still take account of other financial and policy considerations to make sure that the interests of customer groups are fairly balanced and charging supports wider priorities. However, in defining the pricing structure for API and other services, we will make sure that wherever possible:

- direct user charging is adopted as this will allow economies of scale to be passed on to customers and make sure low level users are not penalised

- any agreement to introduce different services would require all costs to be paid for by the customer.

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We recover costs through fees for the enquiries customers make. However, to make sure that charges are as fair as possible to both the customer and DVLA, customers will be charged appropriately. This way, customers who need to be audited more frequently will meet the costs themselves rather than these being spread across all users.
Not only would this be a more equitable distribution of costs but also encourage compliance.

Changes to data sharing contracts and agreements

5.36   We have a programme of work underway to review the way we establish contracts with our data sharing customers. This
is looking to develop a standardised approach that will result in process efficiencies and support transparency through using generic terms and conditions for customers.

5.37   Changes to data mechanisms, auditing and pricing may also impact on contract and agreement templates and will be taken into account as work progresses.

5.38   Our priorities are to safeguard information, prevent the data we share being misused and make sure that formal provisions are in place to do this.

We will make sure that for each data sharing arrangement a signed contract or cross-government agreement is in place before we transfer or release any data.

06 Conclusion

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Conclusion

6.1 We believe that the plans set out in this strategy will enable us to strike the right balance between openness and protecting the data we hold. We will be able to develop services that are based on the value of the data and the benefits it can deliver.

6.2 To do this we will ensure that where we can provide data openly, we will. We will protect the confidentiality of the information we are entrusted with at all times and ensure that the level of audit we undertake corresponds with/ is proportionate to the nature of the data. We will ensure that our services are provided in a cost-effective manner and that we take advantage of emerging technologies to maintain this position.

6.3 We will remain capable of delivering effectively on the commitments we make to share data through mechanisms that are controlled where necessary and are fit for purpose. We will also provide a service that is simpler, better and safer for data subjects and users alike.

DVLA Data Sharing Strategy
Collecting, holding, sharing data

DVLA
Longview Road
Morriston
Swansea
SA6 7JL

gov.uk/dvla