

DVLA / BPA Focus Group Meeting
4th November 2015
Richard Ley Development Centre, Swansea

Attendees:

Rachel Rooks (RR)	DVLA
Steve Hopkins (SH) (chair)	DVLA
Liz Symons (LS)	DVLA
Nigel Hanbury (NH)	DVLA
Jamie Pickering (JP)	DVLA
Steve Clark (SRC)	BPA
Helen Crozier (HC)	Oxfordshire County Council
Jim Daniels (JD)	Gloucestershire County Council
Michael Robinson (MR)	Portsmouth City Council
David Morris (DM)	LB of Enfield
Anjna Patel (AP)	Sandwell MBC
Gary Osner (GO)	ZZPS
Glynnis Jeavons (GJ)	Walsall Council
Dean Fennell-Connell (D F-C)	Spur

1. The DVLA / BPA Focus Group meeting was opened by SH with introductions from all attendees. SH then chaired the meeting in line with the agenda items provided by BPA.

2. VRM as Personal Data

There was challenge on classification of VRM as personal data. JP referred to ICO position and new European Data Protection legislation that will probably expand on what is classed as personal data. RR and SH stated that the Agency is not able to pre-determine what other information may be held that could identify a living individual so in all cases regarding DVLA services the VRM is classed as personal data. SH provided an example which was used by the ICO in previous discussions.

ACTION: JP to produce a paper outlining the DVLA's policy based on the ICO position.

ACTION: SC (BPA) to consider inviting ICO representatives to future Focus Group meetings or Local Authority Special Interest Group (LASIG) events.

3. FAQ Document

DVLA stated that have been unable to produce the FAQ paper. It was raised that as the agenda / questions are raised by BPA on behalf of their members that the FAQ paper is produced by BPA based on DVLA responses. Steve Clark broadly agreed with this.

ACTION: SC (BPA) to produce FAQs paper for their members and DVLA to review before distribution.

4. Automated feeds to make/model/colour at time of issuing PCN (VES options etc)

SH confirmed that the Agency has a detailed data sharing strategy review underway which is looking at all aspects of data sharing, including potential for new services and changes to existing services. This will include the VES service and all other data services. Firm timescales couldn't be confirmed for when this work will start and when we can update the Focus Group. RR referred to the potential for customer insight and there may be an opportunity for Focus Group members to feed into that.

UPDATE: SH has recently provided details of attendees of the BPA Focus Group to the Project for their consideration to include in the customer insight part of forthcoming Discovery work. This work will look at options and requirements for the VES service, along with the KADOE, WEE and paper channel services and options for parking permit schemes. We cannot confirm when this will start at this point. Some Focus Group attendees may be contacted by the Project in due course.

5. Reporting known foreign registered vehicles (and other Intelligence Sharing)

SH provided update on the pilot with two Local Authorities and two commercial organisations. Some information provided has been useful and acted upon for prosecutions.

There was a discussion on foreign registered vehicles and JP stated that the challenge is related to quality and accuracy of data available to prove a vehicle has overstayed. A foreign registered vehicle used by a visitor could have left the country and then returned at a later date, which is perfectly lawful. This was the case in pre-infraction proceedings that were brought against the Agency by the Commission where a vehicle was seized despite travelling back and fore from Spain to the UK. A 'written undertaking' followed so the Agency needs very firm basis for action. JP did

say there has been recent joint DVLA and Police action on around 100 vehicles a month where sufficient data has been available, but data is not yet in a state where powers can be devolved on this.

There was further discussion on various problems encountered by the members on contacting the registered keeper and intelligence was offered in a range of issues.

ACTION: RR/SH/LS to hold internal DVLA meeting with Vehicle Registration Policy, Enforcement Team, Fraud, and Criminal Intelligence Officers (CIOs) to define what intelligence is of use to the Agency, how it can be used, received and handled.

6. PO Box Usage

There was a discussion on using a PO BOX to register a vehicle and what the Agency policy is. There was no one available to attend from DVLA Vehicle Registration Policy.

ACTION: SH / LS to obtain PO Box policy from Vehicle Registration Policy. This needs to clarify if there are any circumstances where a PO Box is acceptable

UPDATE: DVLA's Vehicle Registration Policy Team has confirmed that individual keepers are unable to register using a PO (Post Office) Box address. Only companies and corporate bodies are able to use PO Box number but must supply the full postal address.

7. Terms of Reference of Focus Group

A discussion took place around the current format and frequency of the Focus Group meetings following a proposal sent to DVLA from Kelvin Reynolds to reduce the DVLA focus group meetings to once a year and for DVLA to attend two LASIG events.

It was decided that Focus Groups need to remain twice a year at DVLA but RR and DSPT would consider the position in regard to the LASIG events and will respond to SC and KR before 26 November. It was thought that if DVLA were to attend, the role would be to provide responses to previously determined questions rather than taking questions on the day (and the ToR would need to reflect this).

UPDATE: Consideration of this is underway by our Director and will need to consider if there are any changes in responsibility following DCLG consultation.

8. Removal of DVLA Clamped Vehicles

A concern was raised on vehicles that have been clamped by DVLA contractors that need to be removed by Local Authorities because they are causing an obstruction.

An example was given – the Great South Run in Portsmouth where roads have to be cleared to become a running track. It was discussed that LA's and DVLA Contractors could communicate more effectively to ensure that DVLA Clamping activity does not take place on particular dates and in particular areas where there are events etc.

ACTION: SH / LS to check with DVLA Enforcement Team on whether Local Authorities have power to move DVLA clamped vehicles and how this should be managed.

UPDATE: The DVLA Enforcement Team has suggested the best solution could be for them to issue the Local Authorities with contact details of each Pound Manager so that they can liaise directly with them. This may mean that they avoid a particular area for a day or two or instantly lift a vehicle rather than clamping it. The issue they have is getting the right contact in the Local Authority to make sure the information gets to the right person.

Local Authorities can contact Debbie Gladwin (Debbie.gladwin@dvla.gsi.gov.uk) to provide contact details that can be provided on to the Pound Managers.

9. Verifying Registered Keeper Data for Parking Permit Schemes

DVLA representatives confirmed that proposals for a verification service have been received and are included on the pipeline for Service Managers to consider as part of the overall review that was referred to in point 4 above.

ACTION: SH to check with Vehicle Service Management that a keeper verification service for parking permit schemes is in the pipeline and ask for approx timescales.

UPDATE: SH has recently provided details of attendees of the BPA Focus Group to the Project for their consideration to include in the customer insight part of forthcoming Discovery work. This work will look at options and requirements for the VES service, along with the KADOE, WEE and paper channel services and options for parking permit schemes. Some Focus Group attendees may be contacted by the Project in due course.

10. Blue Badge Fraud Investigation

JD asked how keeper data could be obtained where there is evidence of Blue Badge Fraud. The DVLA representatives and other members of the Focus Group stated that the NAFN service would provide this service. Alternatively the manual paper service can be used. The KADOE and WEE services cannot be used for this purpose.

11. Access to Historical Keepers or Updated Records

JD asked whether electronic access to be available to check the keeper at different dates of event where challenged at tribunal or debt registration. There were various scenarios discussed when this would be helpful.

ACTION: BPA to canvass views of the Focus Group members to provide details of the various scenarios for DVLA consideration;

ACTION: (dependent on action above being completed) DVLA to consider as part of overall review (referred to in point 4).

12. Use of DVLA Data for Single View of Debt

DM asked if there was any update to the view stated in 2012 and 2013 that DVLA data obtained to pursue a PCN could not be used for other Council debt related activities (Council Tax etc). It was confirmed that this position has not changed.

13. Sale of Unpaid Parking Charges

The Focus Group asked for DVLA's position on the sale of unpaid parking charges to Debt Collectors. This is different to sub-contracting as the debt collector would not be recovering debt on behalf of the operator. Concerns were raised that some operators may see this as a way of making money while absolving themselves of responsibility. Also concerns as to the level of control that could be enforced.

ACTION: DVLA will review this and will confirm the position as soon as possible.

UPDATE: JP provided the DVLA policy to Steve Clark on 22 December. This confirmed that in the absence of a formal sub contracting relationship between operators and MIL, the operators should seek permission from DVLA before forwarding on any DVLA data to third parties. On the basis of the information we have at present, DVLA would be unlikely to agree to DVLA data being forwarded on

to third parties in the absence of the assurance that comes with a formal sub contract.

14. VED where no Keeper

A question was raised on how a vehicle could be taxed where there is no registered keeper. It was discussed that there could be a gap where the record has not been updated with new keeper details, but further information will be needed from Vehicle Registration Policy on any other scenarios.

ACTION: SH / LS to check with Vehicle Registration Policy on scenarios, and also check whether (and if so what) action is taken on keepers that do not update their address details when they have moved.

UPDATE: DVLA Vehicle Registration Policy has confirmed:

- It is the responsibility of the seller to notify DVLA of the new keeper. The seller is advised to pass on the V5C/2 to allow the new keeper to tax, and then there will be a period of either 'in trade' or the seller details (if individual keeper) on the registered keeper part of the vehicle record, until the details of the new keeper are updated by DVLA.
- A new keeper is able to tax if the current keeper status confirms 'in trade' and they can tax at the Post Office or by post to DVLA. They can use the V5C/2 or V62. Being able to tax the vehicle at the Post Office means that a vehicle could be taxed and then used for a period before the vehicle record is updated with the new keeper.

ACTIONS

No	Subject	Date Action Raised	Action Owner	Action Description	Update
1	VRM as Personal Data	4 November 2015	Jamie Pickering	JP to produce a paper outlining the DVLA's policy based on the ICO position. The ICO is meeting with DVLA in March 2016 so the position will be discussed again to make sure the paper is up to date.	Paper in process of being drafted and will be provided in due course.
2	VRM as Personal Data	4 November 2015	Steve Clark	SC (BPA) to consider inviting ICO representatives to future Focus Group meetings or Local Authority Special Interest Group (LASIG) events.	
3	FAQ Document	4 November 2015	Steve Clark	SC (BPA) to produce FAQs paper for their members and DVLA to review before distribution.	
4	Reporting of Foreign Registered Vehicles and Other Intelligence Sharing	4 November 2015	Steve Hopkins	RR/SH/LS to hold internal DVLA meeting with Vehicle Registration Policy, Enforcement Team, Fraud, and Criminal Intelligence Officers (CIOs) to define what intelligence is of use to the Agency, how it can be used, received and handled.	
5	PO Box Usage	4 November 2015	Steve Hopkins	SH to obtain PO Box policy from Vehicle Registration Policy. This needs to clarify if there are any circumstances where a PO Box is acceptable	DVLA's Vehicle Registration Policy Team has confirmed that individual keepers are unable to register using a PO (Post Office) Box address. Only companies and corporate bodies are able to use PO Box number but must

					supply the full postal address.
6	Removal of DVLA Clamped Vehicles	4 November 2015	Steve Hopkins	SH / LS to check with DVLA Enforcement Team on whether Local Authorities have power to move DVLA clamped vehicles and how this should be managed.	<p>The DVLA Enforcement Team has suggested the best solution could be for them to issue the Local Authorities with contact details of each Pound Manager so that they can liaise directly with them. This may mean that they avoid a particular area for a day or two or instantly lift a vehicle rather than clamping it. The issue they have is getting the right contact in the Local Authority to make sure the information gets to the right person.</p> <p>Local Authorities can contact Debbie Gladwin (Debbie.gladwin@dvla.gsi.gov.uk) to provide contact details that can be provided on to the Pound Managers.</p>
7	Verifying Registered Keeper Data for Parking Permit Schemes	4 November 2015	Steve Hopkins	SH to check with Vehicle Service Management that a keeper verification service for parking permit schemes is in the pipeline and ask for approx timescales.	SH has recently provided details of attendees of the BPA Focus Group to the Project for their consideration to include in the customer insight part of forthcoming Discovery work. This work will look at options and requirements for the VES service, along with the KADOE, WEE and paper channel services and options for parking permit schemes. Some Focus Group attendees may be contacted by the Project in due

					course.
8	Access to Historical Keepers or Updated Records	4 November 2015	Steve Clark	BPA to canvass views of the Focus Group members to provide details of the various scenarios for DVLA consideration;	
9	Access to Historical Keepers or Updated Records	4 November 2015	Steve Hopkins	(dependent on action 8 above being completed) DVLA to consider as part of overall review (referred to in point 4 of Minutes and update to Action 7.	
10	Sale of Unpaid Parking Charges	4 November 2015	Jamie Pickering	DVLA will review this and will confirm the position as soon as possible.	JP provided the DVLA policy to Steve Clark on 22 December. This confirmed that in the absence of a formal sub contracting relationship between operators and MIL, the operators should seek permission from DVLA before forwarding on any DVLA data to third parties. On the basis of the information we have at present, DVLA would be unlikely to agree to DVLA data being forwarded on to third parties in the absence of the assurance that comes with a formal sub contract.
11	VED Where No Keeper	4 November 2015	Steve Hopkins	SH to check with Vehicle Registration Policy on scenarios, and also check whether (and if so what) action is taken on keepers that do not update their address details when they have	DVLA Vehicle Registration Policy has confirmed: It is the responsibility of the seller to notify DVLA of the new keeper. The seller is advised to pass on the V5C/2

				moved.	<p>to allow the new keeper to tax, and then there will be a period of either 'in trade' or the seller details (if individual keeper) on the registered keeper part of the vehicle record, until the details of the new keeper are updated by DVLA.</p> <p>A new keeper is able to tax if the current keeper status confirms 'in trade' and they can tax at the Post Office or by post to DVLA. They can use the V5C/2 or V62. Being able to tax the vehicle at the Post Office means that a vehicle could be taxed and then used for a period before the vehicle record is updated with the new keeper.</p>
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