

## **FOI Request (received 28 September 2024) - Reference: DFI/2024-0408**

I have received my new Drivers Licence renewed for three years. I am extremely unhappy... Please do not consider this complaint as resolved. I will be making a Freedom of Information request seeking to know the percentage of Drivers Licences treated this way... and also how many referrals were sent to a Private Medical Company for assessment in the last financial year, and the cost to the tax payer, prior to making a formal complaint to the Public Service Ombudsman.

## **Response (issued 25 October 2024)**

Thank you for your correspondence dated 28 September 2024 requesting information under the Freedom of Information Act 2000 held by this office.

You had referred to our licensing decision which recommended you receive a 3-year licence and asked:

*“In the last Financial Year what percentage of applications for Renewal were treated in this way”.*

You also asked:

*“how many referrals were sent to a Private Medical Company for assessment in the last financial year, and the cost to the taxpayer”.*

I can confirm that the information you have requested in the first part of your request is held in the driver licensing database, but we do not hold it in a format that would enable us to extract it easily.

To provide you with this information we would need to examine every record where a driving licence has issued in the last financial year, following medical investigation, to identify those records relating to drivers who had declared that they suffered from mental ill-health. Each of these records would then have to be checked to identify those where a reduced period licence was issued. I can confirm that, in the last financial year 1 April 2023 to 31 March 2024, we issued 272,950 driving licences, with 117,874 of these requiring medical decisions in respect of ordinary driving licences. Please note that this figure may include multiple decisions for a single driver where more than one decision was made within the year.

To determine whether we could meet your request, an estimate had to be made of the time it would take to obtain the requested information from our records. In

making our calculations, we considered the costs we would reasonably expect to incur in carrying out the following activities in complying with your request:

- determining whether the information is held.
- locating the information.
- retrieving the information; and
- extracting the information.

Determining whether the information was held did not impact greatly on the cost calculations. However, locating, retrieving and extracting the information from our records would be both time-consuming and costly. I should explain that the information you requested is contained in documents attached to the driver licensing database. Providing the level of detail required to address your request would necessitate a check on the 117,874 records where ordinary driving licences issued in the last financial year following medical investigation.

Retrieving and extracting this information, in line with your request, would involve significant amounts of staff time. In the sample exercise carried out, five minutes were needed to provide the requested information from each record. For the purposes of this exercise, we estimate that processing the information you have requested would take approximately 9,823 hours to complete.

Therefore, answering your request would greatly exceed the appropriate limit, laid out under s12(1) of the Freedom of Information Act. Under the Act, the appropriate cost limit for the Department for Infrastructure is £600. For the purposes of the legislation, costs are calculated at a flat rate of £25 per hour. If answering a request would require greater than 24 hours at the flat rate, that request would be subject to consideration under s12, and the public authority would not be obliged to comply.

In response to the second part of your request, I can confirm that 28,429 referrals were sent to a private medical company for assessment in the last financial year.

You have requested information regarding the cost of these referrals to the taxpayer.

Although the Department does hold information relating to your request, the FOI Act covers public rights of access to information, and I must consider whether information is suitable for release to the world at large, and not solely to the applicant. S43(2) of the FOI Act states that information is exempt if its disclosure would prejudice the commercial interests of any person.

In this case the information you requested relates to a contracted service and includes pricing details relating to a competition. Disclosure of this information could prejudice the commercial interests of the company by placing commercial information in the public domain that they would have expected to remain private. Disclosure may allow the public, and in particular economic competitors, to identify commercial rates/costs for carrying out these activities. This would have the effect of creating a competitive advantage for competitors and would clearly have an adverse effect on the commercial position in future similar competitions.

It could compromise future competitive tendering for these services and prevent the Department achieving the best value for money for the public purse. There is a stronger public interest in protecting the integrity of the market and the commercial interests of both the company involved and the Department, than the public interest in disclosure.

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