DVLA

**DVLA - Consent for the Release of Relevant Medical Information**

You do not need to see the written consent of your patient to share relevant information with the DVLA, **the consent will have been given and this is legally assured**

In August 2009, rules called Consent by Assurance were implemented by the DVLA relating to the release of relevant medical information for patients applying for driving licences.

The BMA agreed that that DVLA no longer need to provide the patient's written consent for access to the relevant parts of their records for the purposes of being granted a driving licence. See attached [DVLA Letter](https://www.wessexlmcs.com/websitefiles/download/12059).

We are aware that this agreement might generate concerns amongst GPs about patient confidentiality. The GMC web site has a frequently asked questions section to supplement their [confidentiality guidance](https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality).

One scenario advises that doctors should:-

"Obtain, or have seen, written consent to the disclosure from the patient or a person properly authorised to act on the patient's behalf. You may, however, accept written assurances from an officer of a government department that the patient's written consent has been given."

The BMA has taken legal advice about a system of accepting such assurances from a government department, and received written assurances from the DVLA, in the form of a written legal indemnity.

**When do I refer a patient to the DVLA?**

**When should I tell a patient to notify the DVLA of their condition?**

As most GPs will already know, there are certain medical conditions listed in our guidance (previously ‘At a glance’ and now '[Assessing fitness to drive](https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals)’) that drivers need to tell the DVLA about. For example, epilepsy, diabetes and visual disorders, among many others.

If your patient has one of the conditions listed in the guidance that would affect their ability to drive, you should advise them of their legal obligation to notify the DVLA. If the patient is incapable of understanding the information that they cannot drive (for example if they have severe dementia), then GMC guidance is that you should refer them to DVLA.

If you are unsure about a condition, for example if it’s not listed in ‘[Assessing fitness to drive](https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals)’ but you think it could impact on an individual’s ability to drive, you can phone our medical advisers to seek advice or clarification or discuss a particular condition or patient.

In general, we would like to ensure that every doctor thinks of driving in any relevant patient consultation. We know GPs are very pressurised, and when advising a patient about topics around their medical condition, for example whether they can have time off work, driving often doesn’t come into the equation. However, particularly during the initial consultation when a condition is diagnosed, a GP is in a pivotal position to advise the patient about the impact of their medical condition on their ability to safely drive.

**Do I need to check if my patient has told the DVLA about their condition?**

You are not obligated to actively chase up whether patient has notified the DVLA but, according to GMC guidance, if you know that a patient continues to drive when they should not be, after you have tried persuading them to stop, you should contact the DVLA to report the patient. You should try to notify the patient that you are reporting them before you do so, and after you have reported them you should inform them in writing. The GMC has updated this guidance - [Confidentiality: patients' fitness to drive and reporting concerns to the DVLA or DVA](https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality---patients-fitness-to-drive-and-reporting-concerns-to-the-dvla-or-dva)

**How do I report a patient to the DVLA?**

There are a variety of routes you could take. Any healthcare professional can contact the DVLA’s medical advisers – contact details are available at: <https://www.gov.uk/contact-the-dvla/y/driving-and-medical-issues>

**What will happen to a patient after I report them to DVLA? Will they lose their licence?**

Once the DVLA has been notified about a patient, either from the patient or a healthcare professional, they start the medical enquiries process. During this, they will first obtain information from the patient themselves, then they will contact their GP, and then may reach out to hospital consultants, psychologists, or whatever relevant specialties have been involved in the individual patient’s care.

There are a very small number of conditions where a licence would be removed very quickly, particularly things involving alcohol misuse. But most people will keep their licence when they declare a medical condition to DVLA to enable people to continue driving if at all possible but of course only if it’s safe to do so. Someone’s licence may be ‘restricted’ – valid for one year or three years etc, or restricted for example to driving to automatic cars or cars with hand controls only, but again the DVLA will always look to offer an individual a licence if they can and if it’s safe, not only for that individual but also for all road users.

**What if a patient has a temporary condition?**

A short-term medical condition is not something the DVLA would normally require a formal notification of. But we do have some guidance to prompt doctors whether they should consider advising patients not to drive during this time.