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## **Press Release**

### **For immediate release**

Date: 12 November 2008

### **ICO rules against VOSA over details of non-safety recalls**

The details of 22 non-safety recalls recorded by the Vehicle & Operator Services Agency (VOSA) in 2006 must be made public following a ruling under the Freedom of Information Act. The Information Commissioner's Office (ICO) has ordered VOSA to release the information as the details of non-safety recalls will not affect the commercial interests of manufacturers.

Following the initial complaint to the ICO, VOSA agreed to release information relating to two elements of the request which included the details of 44 vehicle recalls registered in 2006. VOSA also disclosed details on the response rates for the number of vehicles recalled from September 2002 to March 2006 after wrongly stating that gathering the requested information would exceed the cost limit. The ICO made it clear to VOSA that responding to the freedom of information request fell within the cost limit.

The first two elements of the complainant's request were resolved informally by the ICO. The ICO's ruling focuses on the remaining element of the request - the details on 22 non-safety recalls. VOSA maintained that disclosure of this information would breach the confidentiality of the relevant vehicle manufacturers and would be likely to prejudice their commercial interests.

In her ruling, the Assistant Information Commissioner, Anne Jones, noted that manufacturers inform vehicle owners when there has been a non-safety recall as a way of preventing the issue developing into a safety related incident. As a result, the details of non-safety recalls were made available to thousands of

owners and there is no evidence to suggest that vehicle owners are under a duty of confidentiality relating to this information.

The Assistant Information Commissioner also considered whether disclosing the information would be likely to prejudice the commercial interests of manufacturers. VOSA believed that releasing the information could undermine and damage the reputation of manufacturers and as a result could have a detrimental effect on their commercial revenue. The Assistant Information Commissioner disagreed with this argument, stating that VOSA could avoid misinterpretation of the information by providing an appropriate explanation of its context. She argued that manufacturers would continue to provide details of non-safety recalls on a voluntary basis as it is in the best interest of manufacturers to keep vehicle owners informed of non-safety recalls.

The Assistant Information Commissioner has ordered VOSA to release the information within 35 days of this notice.

To read the full Decision Notice on this case, please go to

[http://www.ico.gov.uk/upload/documents/decisionnotices/2008/fs\\_50146033.pdf](http://www.ico.gov.uk/upload/documents/decisionnotices/2008/fs_50146033.pdf)

## **ENDS**

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: [www.ico.gov.uk](http://www.ico.gov.uk)

### **Notes to Editors**

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.
2. For more information about the Information Commissioner's Office subscribe to our e-newsletter at [www.ico.gov.uk](http://www.ico.gov.uk).