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British and Irish Orthoptic Society

Orthoptists' responsibilities in delivering driving advice and reporting concerns to the DVLA/DVA

British and Irish Orthoptic Society guidance, December 2025

Orthoptists' responsibility in delivering driving advice

The Driving and Vehicle Licensing Agency (DVLA) in England, Scotland and Wales and the Driver and Vehicle Agency (DVA) in Northern Ireland are the government agencies that register and issue licenses to drivers in the UK. As part of this role, they are legally responsible for deciding if an individual is medically fit to drive and retain their driving license.

Orthoptists owe a duty of confidentiality to their patients, but they also have a wider duty to protect and promote the health of patients and the public.

A patient's consent should be sought to disclose information for the protection of others unless the information is required by law or it is not safe, appropriate or practicable to do so. You should consider any reasons given for refusal.

If it is not practicable or appropriate to seek consent, and in exceptional cases where a patient has refused consent, disclosing personal information may be justified in the public interest if failure to do so may expose others to risk of death or serious harm.

If it is considered that a failure to disclose the information would leave individuals or the public exposed to a risk so serious that it outweighs the patient's and public interest in maintaining confidentiality, you should disclose relevant information promptly to an appropriate person or authority.

A driver/license holder is legally responsible for informing the DVLA/DVA about any reportable health condition, not just those relating to vision. Orthoptists should therefore alert patients to conditions or treatments that might impact their ability to drive and remind them of their duty.

When assessing fitness to drive refer to the DVLA's guidance – Assessing fitness to drive – a guide for medical professionals (www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals). This includes information about conditions that can impact a patient's ability to drive.

Seek advice from an experienced colleague or the DVLA medical advisors (medadviser@dvla.gov.uk) if you are not sure whether a condition or treatment might impact a patient's fitness to drive, this can be done confidentially without revealing the patient's identity.

Orthoptists may, however, need to make a decision about whether to disclose relevant information without consent to the DVLA/DVA in the public interest if a patient is unfit to drive but continues to do so.

Reporting concerns to the DVLA/DVA

If a patient has a condition or is undergoing treatment that could impact their fitness to drive, an orthoptist should:

1) Explain this to the patient, advise them to stop driving immediately and tell them they have a legal duty to inform the DVLA/DVA,
2) Tell the patient of the professional obligation to disclose relevant medical information about them, in confidence, to the DVLA/DVA if they continue to drive when they are not fit to do so,
3) Record any advice given to the patient about their fitness to drive in their medical record.

If a patient is unable to understand this advice e.g. due to cognitive impairment, the orthoptist should inform the DVLA/DVA as soon as practicable and record this in the medical records.

If a patient refuses to accept their diagnosis, or the effect of the condition or treatment on their ability to drive, it could be suggested that they seek a second opinion, and the orthoptist could help arrange for them to do so. Advise the patient not to drive in the meantime. If the patient agrees, discuss your concerns with their relative, family or carers.

If it becomes apparent that a patient is continuing to drive / likely to drive when they may not be fit to do so, every reasonable effort should be taken to persuade them to stop. If cannot be persuaded to stop driving, or it is discovered they are continuing to drive against advice, it should be considered whether the patient's refusal to stop driving leaves others exposed to a risk of death or serious harm. If it is believed that it does, the orthoptist should contact the DVLA/DVA promptly and disclose any relevant medical information using the 'notification form for healthcare professionals', in confidence, to the DVLA medical adviser (medadviser@dvla.gov.uk) in England, Scotland and Wales or by emailing the DVA drivers medical section (dva@doeni.gov.uk) in Northern Ireland. Please note, the patient can request copies of any medical

documents held at DVLA unless a healthcare professional specifies in writing that releasing this information could cause serious harm to the patient

Before contacting the DVLA/DVA, an attempt should be made to inform the patient of the intention to disclose personal information. If the patient objects to the disclosure, any reasons they give for objecting should be considered. A decision for the Orthoptist to disclose information in the public interest needs to be justified.

If a decision is taken to contact the DVLA/DVA, the following steps should be followed:

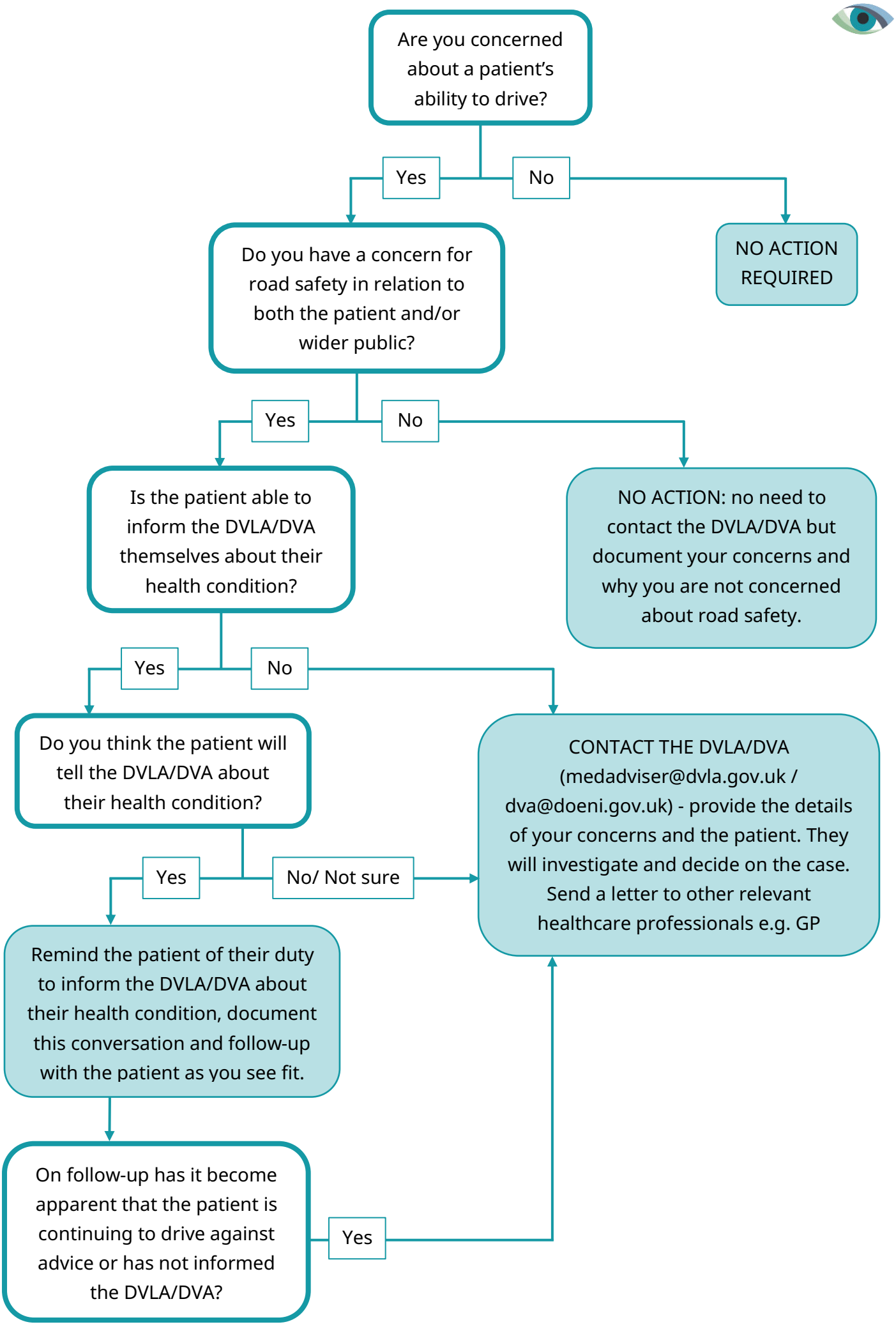
1) Notify the DVLA/DVA and provide all relevant information,
2) Keep the patient informed about the situation as much as possible i.e. write to the patient once the DVLA/DVA have been contacted. However, this might not be possible or appropriate to inform the patient in some circumstances,
3) Make a record of any advice, actions and the information disclosed in the patient's medical record,
4) Consider if any other healthcare professionals need to be notified e.g. GP

Documents used for guidance in the preparation of this document:

- General Medical Council, *Confidentiality: patients' fitness to drive and reporting concerns to the DVLA or DVA*
- General Optical Council, *Disclosing confidential information*
- Health & Care Professions Council, *Disclosing information with consent*

This document was prepared following a coroner's inquest (Westwell, Cunningham, Foulds and Ferguson) and publication of their report to prevent future deaths. It is specifically in response to the matter of concern relating to drivers failing to self-report visual conditions.

Westwell-Cunningham-Foulds-Ferguson-Prevention-of-Future-Deaths-Report-2025-0197.pdf


Are you concerned about a patient's ability to drive?
Yes
No
NO ACTION REQUIRED
Do you have a concern for road safety in relation to both the patient and/or wider public?
Yes
No
NO ACTION: no need to contact the DVLA/DVA but document your concerns and why you are not concerned about road safety.
Is the patient able to inform the DVLA/DVA themselves about their health condition?
Yes
No
Do you think the patient will tell the DVLA/DVA about their health condition?
Yes
No/ Not sure
CONTACT THE DVLA/DVA (medadviser@dvla.gov.uk / dva@doeni.gov.uk) - provide the details of your concerns and the patient. They will investigate and decide on the case. Send a letter to other relevant healthcare professionals e.g. GP
Remind the patient of their duty to inform the DVLA/DVA about their health condition, document this conversation and follow-up with the patient as you see fit.
On follow-up has it become apparent that the patient is continuing to drive against advice or has not informed the DVLA/DVA?
Yes