



Dr Kevin Pelan  
Committee Clerk  
Committee for Social Development  
Room 284  
Parliament Buildings  
Ballymiscaw  
Belfast  
BT4 3XX

2<sup>nd</sup> Floor  
Lighthouse Building  
1 Cromac Place  
Gasworks Business Park  
Ormeau Road  
BELFAST  
BT7 2JB

Telephone: 028 9082 9400  
Facsimile: 028 9082 9324  
EMail: [Heloise.brown@dsdni.gov.uk](mailto:Heloise.brown@dsdni.gov.uk)

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Your Ref: CSD/008/2015/SK

Dear Kevin,

## **HOUSING (AMENDMENT) BILL – DEPARTMENTAL BRIEFING**

Thank you for your letter of 27 November regarding the Housing (Amendment) Bill.

I can confirm that the Minister's final decision on the issues raised in your letter is as follows.

### Clause 1

While Departmental officials will meet with DFP to discuss this issue, it is the Minister's final decision that the Bill should not extend information-sharing provisions on empty homes to councils. This is on the basis that the relevant information is held by DFP and is only required by DSD and the NIHE for the purposes of the Empty Homes Strategy. If councils require such an information sharing provision, this should be made in Local Government legislation rather than Housing legislation.

I can confirm that one protocol for information sharing is in place between the NIHE and a utility provider. Some providers have not signed a protocol but will consider each case as it is raised. The Department is not aware of any protocols in place with registered housing associations.

The Committee was previously informed that formal protocols are being pursued with the utility companies. Objections have been raised by some companies citing data protection issues and the Energy Order (Northern Ireland) 2003. The Department is arranging a meeting with the Information Commissioner to clarify the issues. The Committee was also previously informed that the Department intends to carry out a consultation on the proposals to introduce new fraud legislation in May 2016 with a view to introducing the new legislation by May 2017.

The Minister's final position on this issue is that information sharing between utility providers and social landlords is not relevant to the purpose of identifying the owners of empty homes with a view to bringing these homes back into use, and therefore information sharing between utility companies and social landlords should not be included in this Bill.

## Clause 2

The Minister's final decision on this issue is that, while he does not believe that the references to Grounds 1 and 3 in the Bill go beyond what is necessary, if the Committee request their removal from the Bill, he will accept this in order to ensure the Bill's timely progress through the Assembly. The Department remains concerned that in cases where tenants have mental vulnerabilities, a supportive rather than a punitive approach is appropriate, and access to appropriate information is essential in these cases to enable social landlords to make an informed decision. Minister is however content to make the amendment if the Committee is of the view that the references to Grounds 1 and 3 should be removed.

I hope this information is helpful.

Yours sincerely,



**Dr Heloise Brown**

Cc     Stewart Kennedy  
       Ashleigh Mitford  
       Alicia Muldoon  
       Billy Crawford  
       Mick Shine  
       Bernie McCafferty  
       Ellen Corry  
       Kate Jeffrey