



Subject:	Information sharing protocol between the Landlord Registration Registrar and Belfast City Council
Date:	7 August 2018
Reporting Officer:	Nigel Grimshaw, Strategic Director, City & Neighbourhood Services
Contact Officer:	Siobhan Toland, Director of City Services Stephen Leonard, Environmental Health Manager

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The Department for Social Development (now the Department for Communities) introduced the Landlord Registration Scheme Regulations (Northern Ireland) 2014, which became operational on 25th February 2014. Landlords of any new tenancies created after 24th February 2014 must register with the registrar. Local Councils have the responsibility of enforcing this legislation.

1.2	<p>The Department appointed a Landlord Registration Registrar who is in charge of the information and may disclose it, on request, to:</p> <ul style="list-style-type: none">• a district council to enable or assist it to carry out its legal duties;• the Department of Finance and Personnel Northern Ireland to help it to carry out its legal duties for rating purposes;• the Northern Ireland Housing Executive for the purposes of administering housing benefit and the regulation of Houses in Multiple Occupation (HMO regulation due to be transferred in 2019)
1.3	<p>The offence of the failure of a landlord to register carries a maximum fine on conviction of £2,500. If a landlord is found guilty of providing false information a maximum fine on conviction of £2,500 is applicable. If a landlord fails to provide evidence of registration a maximum fine on conviction of £500 can be given.</p>
1.4	<p>Payment of a fixed penalty will discharge any liability for prosecution. These fixed penalties which was determined by the Council were set at £500 for the offence of non-registration and providing false information, and £100 for the offence of failing to provide evidence of registration.</p>
1.5	<p>The Landlord Registrar has developed a protocol for sharing data with all Councils in Northern Ireland.</p>
1.6	<p>The purpose of this document is to ensure there is a protocol for the sharing of certain personal data collected by the Registrar in its role as Data Controller of the Landlord Registration Scheme, where that personal data is needed for the purposes of enabling or assisting a council in the exercise of its functions under any provision of the Private Tenancies (Northern Ireland) Order 2006 and Article 54 of the Rent (Northern Ireland) Order 1978, as per The Landlord Registration Scheme Regulations (Northern Ireland) 2014.</p>
1.7	<p>The protocol sets out the following areas:</p> <ul style="list-style-type: none">• What data can be shared,• How the information is going to be exchanged• Timescales

	<ul style="list-style-type: none"> • How securely the data is to be stored • Breach of Confidentiality • Requests for Disclosure of Information subject to legislation. • Audit Requirement – System Access Check
2.0	Recommendations
2.1	<p>The Committee is;</p> <ul style="list-style-type: none"> • Invited to consider and endorse the Information sharing protocol between the Landlord Registration Registrar and Belfast City Council • Asked to authorise the Director of City and Neighbourhood Services to sign the protocol on the Council's behalf.
3.0	Key Issues
3.1	The protocol outlines the arrangements between the Landlord Registration Registrar and the City and Neighbourhood Services Department of Belfast City Council.
3.2	<p>The objectives of this agreement are:</p> <ol style="list-style-type: none"> 1. To establish the roles of both parties; 2. To establish an agreed level of response and performance targets; 3. To set out the legal responsibilities of both parties
3.3	The document has been reviewed by the Council's Records Management Unit and Legal Services.
3.4	<p><u>Financial & Resource Implications</u></p> <p>None.</p>
3.5	<p><u>Equality or Good Relations Implications/Rural Needs Assessment</u></p> <p>There are no relevant equality considerations associated with the delivery of the service level agreement.</p>
4.0	Appendices – Documents Attached
	Appendix One - Information Sharing Protocol between the Landlord Registration Registrar and Belfast City Council