



**Response to the Communities and Local Government consultation on:
“The Next Steps: EPCs and the establishment of the Green Homes Service”**

This submission is from the insulation industry and has been produced by the National Insulation Association (NIA) in association with the Cavity Insulation Guarantee Agency (CIGA).

The NIA represents the manufacturers and installers of insulation products including cavity wall and solid wall insulation, loft insulation and other innovative products

CIGA provide independent 25 year guarantees for cavity wall insulation fitted by registered installers. CIGA was established in 1995 in consultation with the Government to provide householders with an independent, uniform and dependable guarantee covering defects in materials and workmanship.

We have consulted widely in producing this response and have no objection to its contents being made public.

Below we provide our detailed response to the proposals that are highlighted within the Consultation. If further information is required then we will be pleased to provide this either direct or in writing. Contact details are provided at the end of this response.

a) Giving the Energy Saving Trust (EST) access to the information contained in domestic EPCs as part of implementing the Green Homes Service

The biggest challenge to reducing emissions from existing buildings is identifying the worst performers. We therefore support this proposal as it is essential to ensure that EPC information is used to allow the appropriate organisations to focus on targeting and encouraging low energy efficiency homes to install measures to improve their thermal standards.

We understand the issues in relation to the confidentiality of information. However, we are concerned that this could be overstated to the detriment of helping to drive action for those householders in the least thermally efficient homes.

Guidance from the Information Commissioner following the Durrant case coupled with recent rulings in the Lords mean that it is not entirely clear whether information relating to a property represents Personal Information as defined in the Act.

Ultimately, in the event that a robust opinion indicated that property information was not personal information as defined then we believe that the most cost effective approach to mitigating emissions from existing buildings would be accurate targeting of poorly performing properties.

This would allow the entire supply chain to be engaged in encouraging the uptake of carbon saving measures and leverage the data available to the fullest extent. To ensure the greatest action is driven from the use of EPC's then this legal position must be clarified as a top priority.

However, in the absence of a clear position, we have assumed that the provisions of the Data Protection Act are assumed to apply, and that data must be anonymised prior to use.

In this case then individual property data will not be available from HEED, and the rationale for restricting access to aggregated data solely to use in connection with the Green Homes Service is not clear.

We therefore believe that a greater range of stakeholders and a wider range of uses should be allowed for the aggregated data.

Even aggregated data would allow much greater efficiency, speedier action and easier targeting for EST to work with their partners in the energy efficiency industry to incentivise householders to have work carried out. Those who actually install the measures have the greatest opportunity to incentivise such householders to have work done and the key aim should be to ensure action.

It would also be sensible to allow local authorities to access this information. Legislation places a responsibility on local authorities for the energy efficiency of the housing stock within their area of responsibility and to implement the Housing, Health and Safety Rating System.

This, the Government's own housing fitness standard, uses a risk assessment methodology. Excess cold is the most common hazard identified where a serious excess cold hazard is found in a home and lack of insulation is a key determining factor within this. Environmental Health Officers should work with landlords and owners to ensure improvement is made to insulation and heating systems. If necessary, they should be issuing improvement notices to ensure action is taken.

EPC's represent a major step forward in the provision of information in relation to the energy efficiency standards of the householder's property. However there is a real risk that the potential benefits such action could achieve will not be realised due to an overly restrictive approach in the use of data due to concerns in relation to confidentiality issues. It is the hope of our industry that this will not happen and that a balance can be found which ensures that where an EPC highlights that a householder does not have suitable levels of insulation and therefore could be suffering from a cold hazard that this information can be used to drive action. Whilst the EST have a strong part to play within this the insulation industry are the only source that can ensure that sufficient levels of insulation are actually installed.

b) Giving the Carbon Trust access to the information contained in non-domestic EPCs

We are supportive of the principle of sharing the information contained in non domestic EPCs as it is essential that where an EPC identifies that a business is wasting resource through insufficient levels of insulation that this is used to drive action and have measures installed. However, we would question whether the Carbon Trust is best placed to drive this action.

Whilst the Carbon Trust has a great level of expertise in relation to pricing carbon reductions through for large businesses this expertise does not extend to the same level in relation to Small and Medium Enterprises and microbusinesses. The premises of such businesses have similar structural designs to domestic premises and therefore can benefit from the same type of insulation measures.

Therefore we believe that the EST would be better placed to drive action in the SME/microbusiness sectors of business. In addition as per above it is essential that partnership arrangements are agreed and that there is access to

information, with suitable controls in place, for other key organisations who can provide advice and drive action - local authorities and the insulation industry - to maximise the uptake of measures in relevant business premises.

c) Allowing energy assessors to search the domestic register by address as well as by reference number to give them more flexibility in carrying out their work.

According to our understanding there are a significant number of energy assessors, and in our view providing unrestricted access to EPC's poses a considerably greater confidentiality threat than the other proposals.

Whereas in the case of the EST, the HEED database is operated according to rigorous access protocols and the data is anonymised, equivalent controls would be unlikely to exist in the case of individual assessors.

Therefore we believe that this proposal needs to be treated with caution with particular reference to the ability to download property specific information.

d) Allowing search of the commercial register by address to know whether a given building has an EPC, although not permitted to download it

We would refer to our comments above, although in the case of commercial buildings the rationale for precluding download of EPC's is not clear.

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