

DECISION-MAKER:		OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE	
SUBJECT:		HOUSES IN MULTIPLE OCCUPATION LICENSING POLICY	
DATE OF DECISION:		15th August 2019	
REPORT OF:		CABINET MEMBER FOR HOMES AND CULTURE	
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Steven Hayes-Arter	Tel: 023 8091 7533
	E-mail:	Steven.hayes-arter@southampton.gov.uk	
Director	Name:	Mitch Sanders	Tel: 023 8083 3613
	E-mail:	Mitch.sanders@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
Not applicable			
BRIEF SUMMARY			
Approval is being sought by Cabinet on 20 th August 2019, to implement a policy to support HMO licensing in the city. The council currently runs the HMO mandatory scheme and has 2 areas designated as additional licensing schemes. The new policy will cover these schemes and any future schemes and takes account of new legislation and case law, in particular dealing with banning orders, civil penalties and HMO licence fees.			
RECOMMENDATIONS:			
	(i)	That Overview and Scrutiny Management Committee (OSMC) to examine and review draft policy, in order to highlight any matters which Members feel should be taken into account by the Executive when reaching a decision to approve the policy.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	The HMO Licensing Policy sets out how the council will administer HMO licensing in Southampton in accordance with the provisions of the Housing Act 2004. The Policy publishes specific information regarding refunds, fit and proper persons assessments & length of licences which fall outside the scope of the statutory framework within which HMO licensing is currently administered.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	Not having a policy on HMO licensing would limit the discretion of the council and would not make the council position clear and transparent on HMO licensing.		
DETAIL (Including consultation carried out)			
3.	Southampton City Council currently administers two additional HMO licensing schemes and the Mandatory HMO licensing regime under the provisions of the Housing Act 2004 part 2.		

4.	The additional licensing schemes and the mandatory regime are administered in accordance with the statutory framework of the Housing Act 2004.
5	This policy sets out the council's administration of the schemes and is now published so that it is clearer to all applicants, officers and members of the public.
6	Whilst it is not necessary to publish a policy on HMO licencing due to it being administered in accordance with a statutory framework, a published policy allows the council to provide guidance & advice to applicants & members of the public and to make specific local rules in regards to the administration including the setting of license fees and licence fee refund policy.
7	The Policy includes a detailed section on fit and proper person assessments necessary to ensure that licence holders are fit & proper. The Policy allows the council to strengthen the statutory requirements and provide the framework for decision making and appeals with regard the process.
8	The published policy provides guidance on all aspects of the licensing regime and will ensure that the council operates in a consistent manner in relation to the administration of HMO licensing.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
9	The administering of HMO licensing schemes is funded through HMO licensing, which is ring fenced to each individual scheme. Fees are set on a cost recovery basis in accordance with relevant legislation.
<u>Property/Other</u>	
10	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
11	HMO Licensing is undertaken in accordance with the Housing Act 2004 (as amended)
<u>Other Legal Implications:</u>	
12	The council must have due regard to the Public Sector Equality Duty under the Equality Act 2010 when carrying out any functions including developing any policies that may have any effect on any protected persons, in particular the duty to eliminate discrimination, harassment and victimisation and advance equality of opportunity and fostering good relations. Local Authorities also have a duty under the Human Rights Act 1998, when carrying out any function, not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms.
RISK MANAGEMENT IMPLICATIONS	
13	If the council does not publish a policy there is a risk that it could be challenged on the administration of the schemes, in particular with regards refunding of HMO licence fees and refusing licence applications following fit and proper person assessments.

POLICY FRAMEWORK IMPLICATIONS

14	The HMO licensing Policy supports the Southampton City Council Housing Strategy 2016-2025 priorities and outcomes; <ul style="list-style-type: none"> • People in Southampton live safe, healthy, independent lives
15	The HMO licensing Policy is supported by the Private Sector Enforcement Policy 2019

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED: All

SUPPORTING DOCUMENTATION

Appendices

1.	HMO Licensing Policy
2.	ESIA
3.	DPIA

Documents In Members' Rooms

1.	None
----	------

Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out. Yes

Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out. Yes

Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
-------------------------------------	---

1.	None
----	------

Southampton City Council

Houses in Multiple Occupation (HMO) Licensing

Southampton City Council Houses in Multiple Occupation (HMO) Licensing

Contents

1. Introduction
2. Definition of HMO
3. Legislative Context and Other Related Documents
4. The Mandatory and Additional Licensing of HMOs
5. Licence Fees
6. Refund of Licences
7. The Licensing process
8. Assessing suitability for occupation
9. Fit & Proper person assessment
10. Assessment of management arrangements
11. Granting a licence
12. Licence conditions
13. Temporary exemption from licensing
14. Enforcement
15. HMO declarations
16. Rent repayment orders for unlicensed HMO properties
17. Refusal to grant a licence & rights of appeal
18. Requesting information
19. Varying a licence
20. Revoking a licence
21. Civil penalties
22. Governance, monitoring & review

Houses in Multiple Occupation (HMO) Licensing			
Version	1.01.0	Approved by	Cabinet
Date last amended	Click here to enter a date.	Approval date	Click here to enter a date.
Lead officer	Rosie Zambra	Review date	Click here to enter a date.
Contact	Rosie.Zambra@southampton.gov.uk Rosie.Zambra@southampton.gov.uk	Effective date	Click here to

			enter a date.
--	--	--	---------------

DRAFT

1. Introduction

- 1.1 The Southampton City Council HMO Licensing Policy is intended to provide guidance for officers, business and members of the public on the HMO licensing process. This policy should be read in conjunction with the Southampton City Council Private Rented Sector Enforcement Policy.
- 1.2 This policy relates to all Houses in Multiple Occupation (HMO's) that are required to be licensed under the Housing Act 2004. This includes HMO's that are covered by the mandatory Licensing regime and any additional and selective licensing schemes. In 2019 the Council has 2 additional licensing schemes. A scheme covering the ward of Bevois, Bargate, Portswood and Swaythling that was approved in 2018 and a scheme covering the wards of Freemantle, Shirley, Milbrook and Bassett approved in 2015.
- 1.3 Southampton has a very large private rented sector, estimated at 24,000 properties. HMOs make up over a quarter of this stock and the Council wish to ensure that these types of properties are well managed, in a safe condition and that the housing needs of a wide range of private tenants are met.
- 1.4 The Council's objectives with HMO licensing are:
 - Improve living conditions by ensuring that appropriate facilities are provided
 - Keep occupants safe by ensuring the effective management of all HMOs
 - Improve housing standards and maintenance within HMOs, with a particular emphasis on security, fire safety and thermal comfort
 - Ensure that landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact of HMOs on the neighbourhood and local communities
 - Build on and expand existing partnerships with landlords, managing agents, tenants, universities, community groups and others
 - Encourage and support owners and managing agents of HMOs to work proactively with the council to achieve clearly defined standards and effective management
 - Facilitate stable and integrated communities through policy and the proactive targeting of risk-based and proportionate interventions
 - Reduce the number of complaints about HMOs received by the council and its partners, such as universities and the fire service
 - Have no adverse effect on homelessness in the city and ensure there is not an increase in the number of empty properties

2 Definition of an HMO

- 2.1 The full legal definition of an HMO is contained in sections 254 to 259 of the Housing Act 2004, which can be viewed online at www.opsi.gov.uk/acts/acts2004/40034--s.htm#254 . However, a basic explanation of what constitutes an HMO is given below.

- 2.2 The Housing Act 2004 changed the definition of HMOs, which are now defined as properties that are lived in by 3 or more people who are not from the same family. The people living there have to pay rent (or there has to be some other consideration), occupy the property as their main home and shares (or lacks) a kitchen, bathroom or toilet. A member of the same family means people who are married or living together, or related to one another.
- 2.3 An HMO may comprise bedsits, some shared houses, hostels and houses converted into flats. A single household is made up of persons who are members of the same family, whatever their family relationship.

Note – an HMO can be formed if an owner occupier has more than two lodgers

- 2.4 There is a slightly different definition of HMOs under planning law, in that there are two types of HMO specified. However, the general definition is aligned to that in the Housing Act 2004.
- 2.5 Planning permission will be required if you wish to change the use of a property from single to multiple occupation.

3 Legislative Context and Other Related Documents

- 3.1 The Housing Act 2004 part 2 provides the legal framework for HMO licensing. This policy is linked to a number of a different pieces of legislation and guidance. The council will adhere to all relevant legislation and guidance including:

Housing Act 2004

Housing and Planning Act 2016

Equality Act 2010

Human Rights Act 1998

Crime and Disorder Act 1998

Housing (Interim Management Orders) (prescribed circumstances) (England) order 2006

The Housing (Management Orders and Empty Dwelling Orders) (Supplemental provisions) (England) Regulations 2006

The Licensing of House in Multiple Occupation (Prescribed Descriptions) England Order 2018

Management of Houses in Multiple Occupation (England) (Regulations) 2006

Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2006

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018

SCC Corporate Enforcement Policy 2017

SCC Housing strategy 2016-2025

Private Sector Housing enforcement policy 2019

4 The Mandatory and Additional Licensing of HMOs

- 4.1 Mandatory and additional HMO licensing schemes apply in Southampton.
- 4.2 From 1 October 2018, the legislation regarding the mandatory licensing of houses in multiple occupation (HMOs) was amended. The storey-height criteria was removed. This means any HMO that is occupied by five or more persons who form two or more separate households, and who share basic amenities such as a kitchen, bathroom or toilet, will require a licence. The government has also introduced minimum room sizes for bedrooms and a new mandatory condition which require licence holders to have appropriate arrangements in place for the storage and disposal of household waste.
- 4.3 At the time of publishing this policy, the Council has 2 designated areas for additional HMO licensing and all HMO's in the area unless covered by Mandatory licensing or are HMO's that are exempted must be licensed with the council.
- 4.4 On 20th October 2015 the Council introduced an additional HMO licensing scheme in the wards of Bassett, Freemantle, Millbrook and Shirley. This scheme requires all HMOs not covered by mandatory HMO licensing and statutory exemptions to be licensed. This scheme will expire on 19th October 2020.
- 4.5 On 1st October 2018 the Council introduced an additional HMO licensing scheme in the wards of Bevois, Bargate, Portswood and Swaythling. This scheme will run until 30th September 2023 and requires all HMOs not covered by mandatory HMO licensing and statutory exemptions to be licensed.
- 4.6 A licensed HMO must comply with the statutory conditions and also comply with the councils HMO standards. Details can be found on our webpage:
<https://www.southampton.gov.uk/housing/landlords/houses-multiple-occupation/safety-standards.aspx>
- 4.7 All qualifying HMO's must have a Licence to operate and license conditions can include; the condition of the property, management conditions, amenities, room sizes, occupation restrictions, and require works to be completed. The Licence holder and any agent must be deemed a 'fit and proper person'.
- 4.8 The responsibility for licensing rests with the person having control of, or the person managing the property. This is usually the owner, or the person who lets the property and receives the rental income. It is the decision of the local authority as to who the most appropriate person is to hold the licence and who should be responsible for making an application.
- 4.9 The Council will use various methods to identify properties which could be subject to licensing, including council tax and housing benefit records, in accordance with section 237 of the Housing Act 2004 – available at www.opsi.gov.uk/acts/acts2004/40034--s.htm#237

5 Licence Fees

- 5.1 There is a 2 stage fee process when making an application for a HMO Licence. The first stage is a fee for verification and processing of the licence. Stage 2 is a fee once the licence has been approved and this is for the monitoring and enforcement e.g. of general and specific Licence conditions.
- 5.2 Unless specified all Mandatory HMO licenses will be valid for a period of five years. Licenses issued under the additional scheme will be valid for the duration of the scheme which is a maximum of five years.
- 5.3 When applying for an HMO licence, landlords have a choice of an officer from Southampton City Council or an independent HMO surveyor to carry out the inspection of their property.
- 5.4 An HMO licence should be applied for within three months of the property becoming licensable and we encourage all landlords to make timely HMO applications by offering a lower rate for those received within three calendar months of:
- The implementation of The Licensing of Houses in Multiple Occupation (Prescribed Description)(England) Order 2018, on 1 October 2018
 - The commencement of a designated Additional Licensing Scheme
 - The property first being let as a licensable HMO
 - Becoming the person in control of the licensable HMO
 - The HMO Licence renewal date

- 5.5 If your application reaches the council within three months of the HMO becoming licensable by the applicant, and you and your HMO meet all other conditions in full, there are two options available:

The Southampton City Council HMO all-inclusive rate (compliant and timely)

On completion of your application the Council will contact the applicant to arrange an inspection of the property. If any improvements are required to reach current standards, these will be included as a licence condition. The licence holder will be given full details and a reasonable timescale to complete them.

The landlord independent HMO surveyor rate

To access this rate, the property needs to be fully compliant with all HMO standards. Before making the application, the applicant must separately instruct an independent HMO surveyor, who is a member of the Royal Institute of Chartered Surveyors (RICS) or the Chartered Institute of Environmental Health (CIEH), and who holds their own insurance to carry out an inspection of the property. Please see guidance on [how to choose an independent HMO surveyor](#) for more information.

The independent HMO surveyor will complete a [Certificate of Compliance form](#) to prove that your property meets current HMO standards.

The application fee does not include the inspection fee charged by the independent HMO surveyor. The council reserves the right to place any conditions on the licence which it deems necessary.

- 5.6 If your full and valid application does not reach us within three months of the property becoming licensable (see above), then the all-inclusive rate will be applied.

All-inclusive rate (more than three months after becoming licensable)

On completion of your application the council will contact the applicant to arrange an inspection of the property.

If any improvements are required to reach current standards, these will be included as a licence condition. The applicant will be given full details and a reasonable timescale to complete them

5.7 The fees applicable from 1st April 2019 are set out below. These were agreed by the council to reflect the actual cost of verification and processing of the application (stage 1) and the monitoring and enforcement e.g. of conditions (stage 2). These fees can be varied by the council by its approved decision making process.

	Stage 1	Stage 2	Total
Independent HMO Surveyor route	£80	£210	£290
-			
SCC Timely & Compliant route	£80	£570	£650
SCC All-inclusive rate	£80	£1020	£1100

The Council offers a 50% reduction on the fees for ANUK accredited large student blocks.

The Licensing fees are published on the Council's webpage at

<http://www.southampton.gov.uk/housing/landlords/houses-multiple-occupation/licence-fees.aspx>

6 Refund of Licences

6.1 A full refund of a Stage 1 fee will be given if:

- You have made a duplicate application
- You made an application for an exempted property by mistake
- You made an application for a property which is not licensable under Southampton's HMO licensing schemes
- The authority fail to issue a licence before any licensing scheme expires

6.2 A refund will not generally be given if:

- You withdraw your application at any stage
- We refuse your application, other than in the circumstances set out in paragraph 6.1
- We revoke (take away) your licence
- You are subsequently refused planning permission for your HMO
- Your property ceases to be let as an HMO during the term of the licence
- You sell or dispose of the property

- 6.3 The Council will consider all requests for a refund on a case by case basis taking into account any individual exceptional circumstances
- 6.4 The stage 2 fee will be payable on issuing of the licence & is non-refundable. The Council however reserve the right to refund all or part of the stage 2 fee in exceptional circumstances.

7 The Licensing Process

- 7.1 The council have a dedicated webpage which has guidance on the procedure to apply for a property application including an on line application form.
<https://www.southampton.gov.uk/housing/landlords/houses-multiple-occupation/>
- 7.2 We are continually trying to identify properties in the city that meet the criteria for licensing, but remain unlicensed.
- 7.3 The public register of all Houses in Multiple Occupation that have been licensed is available on the council website. Properties are only included on the register once the final licence certificates have been issued.

You can view the public register at [HMO Public Register](#)

8. Assessing Suitability for Occupation

- 8.1 In approving a licence the council must determine whether the property is suitable for occupation by the number of persons requested in the application form. If the property is not suitable for the specified persons then the licence may be approved for a lesser number or conditions imposed to require specific remedial works to be carried out.
- 8.2 When assessing suitability the standards to consider include those for bathrooms, showers, toilets, wash hand basins, cooking facilities, room sizes and living space. Properties are also assessed for fire hazards using the Housing Health & Safety Rating System (HHSRS) and in accordance with the LACORS National Fire Safety Guidance. Please see the [SCC Guidance on standards for Houses in Multiple Occupation](#) for full details. Please note some upgrades to existing fire precautions may be required through specific conditions of the licence.
- 8.3 In relation to fire safety precautions the landlord can identify suitable provisions by undertaking a fire risk assessment. The Council however, reserve the right to require a higher level of fire protection as a result of their assessment.
- 8.4 In the case of the property being inspected by an independent HMO surveyor, a certificate of compliance must be submitted with the HMO application. This is a declaration by the independent surveyor that the property meets the standards for HMO licensing and is suitable for occupation by the required no of occupants.
- 8.5 The council reserve the right to carry out verification checks on properties inspected by independent surveyors. Should any deviation between the situation at the property and the information on the certificate of compliance be found in terms of SCC space and amenity

standards, the LACORs fire safety guidance, or the Housing Health and Safety Rating System (HHSRS), then investigations will be made. If errors are identified Southampton City Council may refuse to accept the certificate of compliance. The landlord would then be required to pay the full fee and have an officer from Southampton City Council visit and inspect.

- 8.6 Following an inspection of the property, a licence may be issued with specific conditions relating to the standards. Where specific conditions are attached to the licence, remedial work may be specified and timescales for compliance provided. Where a licence is issued with specific conditions these will be monitored to ensure conditions are complied with. Failure to comply with any specific condition may result in enforcement action by the council. The Council reserves the right to carry out checks on all licensed HMOs to ensure compliance with the standards.

9. Fit and Proper Person Assessment

- 9.1 The City Council must undertake checks to ensure that the proposed licence holder (and the manager, if different) is a fit and proper person. In deciding whether a person is fit and proper they must take into account:
- Any previous convictions involving fraud or other dishonesty, violence, drugs or specified sexual offences;
 - Contraventions of housing or landlord and tenant law;
 - Whether the person has practised unlawful discrimination; and
 - Whether the person has acted otherwise than in accordance with any applicable code of practice approved under section 233.
- 9.2 The Council will also consider whether the proposed licence holder has
- Been previously refused an HMO licence.
 - Been previously issued a reduced term HMO licence.
- 9.3 Where the above applies the Council must refuse to grant a HMO licence, unless it can be satisfied that any action can be taken within a reasonable period of time that means the person is no longer regarded as not a fit and proper person.
- 9.4 The local authority must also consider whether any person associated with, or formerly associated with the proposed licence holder/manager, on a personal, work or other basis, has committed any of the above offences. Having obtained this information, the Council must then determine whether that evidence is relevant to the fit & proper person's status of the proposed licence holder/manager.
- 9.5 The licensing regulations specify the information that the licence applicant and manager must declare on the licence application form with respect to their personal circumstances in relation to the matters listed above. The application form requests this information in the form of questions which the applicant must complete, and declare that it is correct to the best of their knowledge. To provide false or misleading information is an offence under section 238 of the Housing Act 2004. The licence applicant will also sign the form on behalf of all

joint licence holders and the manager, and must ensure that those persons do not have any offences that must be declared.

- 9.6 Where an applicant indicates that one or more issues applies to them, or where other information comes to light, then further information must be disclosed in order for the Council to assess whether this is of relevance to that person's ability to be regarded as being fit and proper. If it appears that the matter is not of relevance to their status as a fit and proper person, then the application may proceed for approval. If it is established that the matter is of relevance to their status as a fit and proper person, then the licence must be refused or the licence applicant may nominate another, more suitable, person. Wherever possible, applicants who are assessed as not being fit and proper will be encouraged to propose an alternative person or company, who has no personal connection with the refused person, to act as the licence holder on their behalf. The HMO Licensing Team will actively work with the initial proposed licence holder to assist in this process wherever possible. The final decision as to whether a person is to be regarded as not being fit and proper will be made by the Service Manager HMO licensing, after consultation with legal services and after considering any representations from the applicant.
- 9.7 When considering whether a person is fit and proper, we will make a decision on the basis of;
- The severity of any breach of law
 - The number of breaches
 - The time elapsed since the last breach and their conduct since it occurred
 - The relevance of the breach to the management of the HMO and their occupation
 - The evidence that the applicant has accepted the need to conduct his or her business in accordance with appropriate standards.
 - Satisfactory arrangements have been made for the repayment of debts associated with statutory responsibilities.

If the council decides that you are not a 'fit and proper' person, or the property does not meet the conditions, and there is no reasonable prospect of appointing an alternative licence holder, or bringing the property up to standard within an acceptable time period, we can refuse to issue you a licence for a house in multiple occupation (HMO).

In this situation, the council has a duty to issue an Interim Management Order (IMO). This allows the council to step in and manage the property, including collecting the rent. This order can last for a year or until suitable permanent arrangements can be made. If the IMO expires and there is no likelihood of a positive change in the circumstances, then the council can issue a Final Management Order (FMO). This removes the property from the control of the owner for a period of five years, which can be renewed.

- 9.7 Where the person is determined not to be a fit and proper person, the council will consider the impact of this decision on any other HMO licenses they may hold. Revocation of these licenses is a potential course of action.
- 9.8 Where accommodation is to be occupied by vulnerable persons, the applicant will be required to support their declaration by obtaining an enhanced disclosure certificate from the Disclosure and Barring Service (DBS) or Disclosure Scotland. Existing certificates to this or a higher level will be acceptable, provided they are no more than twelve months' old. This applies to supported accommodation housing persons with a background of dependency issues, mental illness, on probation, those under the age of 18, and any other persons considered to be vulnerable.
- The proprietors of Supporting People schemes which fall within the mandatory licensing requirements will need to produce a disclosure certificate in connection with their Supporting

People contract. Disclosure certificates are obtainable through the Disclosure and Barring Service or Disclosure Scotland. In certain cases, particularly larger hostel-type premises accommodating persons with drug/alcohol dependency, or persons who are still under supervision by the Probation Service, there may be other agencies who would wish to have their views or concerns taken in to account as part of the licensing process, such as the Police, WMFS, Probation Service, Community Safety Team, or the Drug Intervention Team. Such concerns may indicate that the proposed licence holder is failing to take reasonable steps to control the behaviour and activities of the occupiers, and this may have an impact upon the local community. As such, the competency of the proposed licence holder or manager may be questioned, even though they may not have declared any outstanding issues and may have a clear DBS Disclosure. The Licensing Team will actively work with all such agencies, and will consider their views as part of the decision-making process in considering the licence application, and whether any specific licence conditions should be identified.

10. Assessment of Management Arrangements

10.1 We expect the licence holder to have satisfactory arrangements and funding in place for the management of the HMO. This includes:

- A reliable contact for tenants to report defects, including in emergencies, who will arrange for repairs to be carried out within a reasonable period
- Where the manager of the HMO is not the owner, the manager must have the authority to fund urgent repairs, when the owner's approval cannot be obtained
- Arrangements in place for periodic inspections to identify where repair or maintenance is needed and to identify any overcrowding by tenants
- A protocol for dealing with anti-social behaviour occurring within the HMO by tenants or their visitors

While documentary proof of any such arrangements does not have to be provided with the licence application, the legislation specifies that such arrangements must be in place. The Council may request proof of such arrangements where considered appropriate.

10.2 The licence holder must comply with the requirements of The Management of Houses in Multiple Occupation (England) Regulations 2006, which set out minimum management standards for all HMOs. The regulations are available online at <http://www.legislation.gov.uk/ukxi/2006/372/contents/made> . However, they have since been amended by The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007. These regulations are available at <http://www.legislation.gov.uk/ukxi/2007/1903/contents/made> .

10.3 We expect the licence holder to have arrangements in place for ensuring that employees, contractors and others that visit the HMO in connection with its management or maintenance are fit and proper persons for the functions they carry out.

10.4 We carry out sample verification checking of declarations. This will have regard to outstanding debts for work in default and charges for statutory notices, County Court Judgments, and outstanding debts for Council Tax, Housing Benefit and other services. If necessary, Credit Reference checks will be made and landlords may be asked to provide additional information in some cases.

11. Granting a licence

11.1 The council will grant a licence if we are satisfied that the:

- HMO is reasonably suitable for occupation by the number of people specified in the licence application, or some other number, as determined by the Council
- Proposed licence holder is a fit and proper person
- Proposed licence holder is the most appropriate person to hold the licence
- Proposed manager, if there is one, is a fit and proper person
- Proposed management arrangements are satisfactory, including that the person involved in the management of the HMO is competent and the funding for management is suitable

11.2 The licence can be approved and signed on behalf of the Council by the Service Manager for HMO Licensing.

12. Licence Conditions

12.1 All HMO licenses will be granted with a set of general conditions (see appendix 1 – general conditions) where additional measures are required to achieve either a suitable level of accommodation, amenities or fire precautions, specific licence conditions may be imposed. In general we apply licence conditions requiring:

- The attainment and maintenance of proper standards of management and maintenance of facilities and equipment. In particular, the licence will require compliance with The Management of Houses in Multiple Occupation (England) Regulations 2006 – available at <http://www.legislation.gov.uk/ukxi/2006/372/contents/made> , as amended by The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 – available at <http://www.legislation.gov.uk/ukxi/2007/1903/contents/made>
- Compliance with amenity standards contained in Schedule 3 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 – available at <http://www.legislation.gov.uk/ukxi/2006/373/contents/made> , as amended by the Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 – available at <http://www.legislation.gov.uk/ukxi/2007/1903/contents/made> , within the time given on the licence. We will normally ask for wash hand basins to be provided in all letting rooms, unless the owner is able to provide evidence that it is not reasonably practicable to do so, or it is not in keeping with the age and character of the building, or there is sufficient other provision within the property.
- Room sizes. The SCC HMO general conditions & standards include minimum room sizes for bedrooms, kitchens and living areas. Statutory minimum room sizes are set out in The licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences)(England) Regulations 2018 available at <https://www.legislation.gov.uk/ukdsi/2018/9780111167359/regulation/2>
- Means of escape and fire precaution works to be carried out in order to upgrade the current provision in line with the LACORS guidance and a risk assessment.
- That specified documents be sent to the Council and made available to tenants for viewing on request

- That the licence document, licensee or manager's name, address and telephone number be displayed in a common area of the property
- Other conditions will be laid down as appropriate

12.2 We may specify conditions restricting occupation of parts of the HMO on the grounds of lack of amenities or useable space as appropriate.

12.3 We will actively monitor properties with specific licence conditions and investigate all allegations of a breach of licence conditions and consider enforcement action as appropriate to each individual case.

13. Temporary Exemption from Licensing

13.1 Under Section 62, Housing Act 2004 the Council may grant an applicant a temporary exemption notice (TEN) where;

- The Owner of a licensable HMO notifies the Council of their intention to take particular steps with a view to securing that the house is no longer required to be licensed.
- The Council is satisfied that the steps will be taken within three months of receiving the written notice.

13.2 In determining whether to grant a TEN, the Council will have regard to the proposals for the property, any planning considerations and arrangements for meeting the needs of the occupiers, including those to be displaced. Applications for TENs are likely to result in an inspection of the property by an SCC officer.

13.3 The Council may grant a second TEN that would take effect from the end of the three month period if it considers that there are exceptional circumstances.

13.4 If the Council refuses an application for a TEN they must notify the applicant of their decision in writing. Where an application is refused the applicant has a right of appeal to the appropriate housing tribunal within 28 days of the date the decision was made.

14. Enforcement

14.1 The councils approach is to encourage landlords to provide accommodation that is of a good standard and safe for tenants and we will work with them informally to do so where possible.

14.2 Enforcement action will be in accordance with the Councils corporate enforcement policy.& Private Rented Sector Enforcement Policy.

14.3 We will continually search for unlicensed HMOs and where necessary and proportionate take enforcement action to secure compliance.

- 14.4 We will monitor the condition of licensed HMOs and ensure that licence conditions are complied with and maintained. We will take steps to ensure compliance and will where necessary and proportionate take enforcement action.

15. HMO Declarations

- 15.1 We will declare bed and breakfast establishments as HMOs if they are housing people who use the hotel as their main residence for more than 30 days and the accommodation occupied by them comprises a significant proportion of the property. We believe that where this accommodation is used as a main residence, the same standards as in other HMOs should apply, especially as bed and breakfast hotels are often used to house vulnerable people.

16. Rent Repayment for unlicensed properties

- 16.1 A right of appeal exists to apply to the First-tier tribunal for a rent repayment order where a landlord operates an unlicensed HMO. The Council will advise tenants of their rights and provide evidence to support an appeal. If the rent is paid as housing benefit the council will usually make the application for the rent repayment order.

17. Refusal to Grant a Licence and Rights of Appeal

- 17.1 An applicant may appeal to the First-tier Tribunal if the council:

- Decides to refuse a licence
- Grants a licence with additional specific conditions
- Revokes a licence
- Varies a licence, or
- Refuses to vary a licence.

The appeal to the [First-tier Tribunal](#), must be made within 28 days of receiving the notification from the council.

18. Requesting Information

- 18.1 The Council may exercise its power to request documentation in relation to the property for any purpose connected with the exercise of the authorities function under the following legislation;

Section 235 of the Housing Act 2004

Section 16 of the Local Government (Miscellaneous Provisions) Act 1976

- 18.2 The council may give notice to the person(s) to provide documentation in his custody or under his control and to produce them at a time and place as specified. Failure to do so is an offence.

19. Varying a Licence

- 19.1 The council may vary a HMO licence if there has been a change in circumstances since the time when the licence was granted. This may be with the agreement of the licence holder, or if we discover new information through inspection/visits or other legitimate sources. There is a right of appeal against any decision to vary a licence.
- 19.2 New information requiring a licence variation includes;
- The number of households or persons appropriate as the maximum number authorised to occupy the HMO to which the licence relates, or
 - the standards applicable to occupation by a particular number of households or persons.
- 19.3 A change in licence holder is not a variation.

20. Revoking a licence

- 20.1 The council may revoke a licence in the following circumstances:
- The licensed HMO ceases to be an HMO to which mandatory or additional licensing applies.
 - With the agreement of the licence holder.
 - Where there is a serious breach of a licence condition, or repeated breaches of licence conditions
 - Where the licence holder and/or manager is no longer considered to be a fit and proper person.
 - The property is sold or disposed of by the current licence holder
- 20.2 In cases where we revoke a licence and the property remains a licensable HMO, an Interim Management Order may be served unless suitable alternative responsible persons can be found or other arrangements made. There is a right of appeal against any decision to revoke a licence.

21. Civil Penalties (CP)

- 21.1 Civil Penalties were introduced under the Housing and Planning Act 2016 from 6th April 2017 as an alternative to prosecution for the following offences under the Housing Act 2004:
- Section 30 (failure to comply with an Improvement Notice)
 - Section 72 (offences in relation to licensing of HMOs)
 - Section 95 (offences in relation to licensing of houses under Part 3 of the Act)
 - Section 139 (7) (failure to comply with an overcrowding notice)Section 234 (breach of Management Regulations in respect of a HMO)

- 21.2 For the Council's Policy on Civil Penalties please refer to the Private Sector Housing Enforcement Policy 2019 but in summary the level of CP takes into account the following:
- Seriousness of the Offence
 - Culpability and track record of the offender
 - Harm caused to the tenant
 - Punishment of the offender for the offence
 - Deterrent value to prevent the offender from repeating the offence and to prevent others from committing the offence
 - Removing of any financial benefit obtained from committing the offence

22. Governance, monitoring & review

- 22.1 Officers are only authorised to enforce regulations in accordance with the council's Scheme of Delegation.
- 22.2 Officers must be competent by appropriate training, qualification and/or experience & will be authorised to take enforcement action relevant to that training, qualification and/or experience. Officers will also have sufficient training and understanding of this enforcement policy to ensure a consistent approach to their duties.
- 22.3 Appeals in relation to enforcement action should be via the statutory process outlined in the relevant legislation.
- 22.4 Complaints about the conduct of officers should be made via the council's corporate complaints procedure.
- 22.5 The impact of the policy on the number, management and condition of HMOs in Southampton will be monitored. The Policy will be reviewed when there is any significant change in legislation or other circumstances that affect its effectiveness and validity.
- 22.6 Any minor amendments to this policy due to regulatory or legislative changes will be approved by Director of Transactions & Universal Services in consultation with the portfolio holder for Homes & Culture.

Equality and Safety Impact Assessment

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

Name or Brief Description of Proposal	Houses in Multiple Occupation (HMO) Licensing Policy
Brief Service Profile (including number of customers)	
<p>The draft Southampton City Council Houses in Multiple Occupation (HMO) Licensing Policy aims to support the HMO licensing in the City. The council currently runs the HMO mandatory scheme and has two areas designated as additional licensing scheme.</p> <p>The new policy will cover these schemes and any future schemes as well as takes into account new legislation, case law and in particular dealing with banning orders, civil penalties and HMO licence fees.</p> <p>The HMO Licensing team administers the licensing of Houses in Multiple Occupation in Southampton. Properties are licensed in accordance with standards on Fire Safety, amenities and health and safety. This currently includes the Mandatory licensing of approximately 2000 HMOs, and additional licensing of approximately 2500 smaller HMOs. The team consists of 7.5 FTE staff.</p>	
Summary of Impact and Issues	
<p>The HMO licensing Policy sets out how the council will administer HMO licensing in Southampton in accordance with the provisions of the Housing Act 2004. The Policy publishes specific information regarding refunds, fit and proper persons assessments and length of licences which fall outside the scope of the statutory framework within which HMO licensing is currently administered.</p> <p>The Policy includes a detailed section on fit and proper person assessments which</p>	

are necessary to ensure that licence holders are fit & proper. The Policy allows the council to strengthen the statutory requirements and provide the framework for decision making and appeals with regards to the process.

The Policy sets out the councils refund policy. The refund policy has been published on the HMO web pages since 2013 but not published in any policy. This is now published so that it is clear to all applicants, officers and members of the public.

The published policy provides guidance on all aspects of the licensing regime and will ensure that the council operates in a consistent manner in relation to the administration of HMO licensing.

If the Council does not publish a policy there is a risk that it could be challenged on the administration, in particular with regards refunding of HMO licence fees and refusing licence applications following fit and proper person assessments.

Potential Positive Impacts

Whilst it is not a statutory requirement to publish a policy on HMO licencing, a published policy allows the council to provide a guidance and advice to applicants and members of the public and to make specific local rules in regards to the administration.

Having a policy on HMO licensing means that the councils position is clear and transparent on HMO licensing as without the policy the council would limit the discretion it has.

The HMO licensing Policy supports the Southampton City Council Housing Strategy 2016-2025 priorities and outcomes;

- People in Southampton live safe, healthy, independent lives

The HMO licensing Policy is supported by the Private Sector Enforcement Policy 2019.

The standards and most importantly the safety of the HMOs in Southampton will be improved, reducing the likelihood of issues for the occupiers and those living nearby. The management of the HMOs will be improved reducing the impact of the HMOs on the local environment. The provision of the HMO wardens as part of the existing scheme will ensure complaints and issues arising from HMOs will be dealt with promptly and effectively.

Responsible Service Manager	Steven Hayes-Arter, Service Manager for HMO licensing & Adaptations
Date	
Approved by Senior Manager	Rosie Zambra – Service Lead - Environment, Street Scene & Health
Date	

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	The majority of HMO tenants are aged between 18-34 of which this age group makes up about 50% of the population in these wards <i>(Source: Hampshire County Environment Department's 2017 based Small Area Population Forecasts)</i>	The policy will have a positive impact as HMO Licensing will ensure properties are safe to live in for all age groups. By having the policy it encourages best practice by ensuring transparency and a consistent approach in all circumstances, as tenants will know what to expect in terms of property conditions, safety and how to report issues.
Disability	From 2011 census data the four wards currently covered by the proposed policy, Bevois, Bargate, Portswood and Swaythling in Southampton had around 11-14% of the population living with some form of disability.	The policy places no restrictions on tenancy types that would impact persons with disabilities. The positive impact is that it will improve the safety of HMOs thus tenants with disabilities would benefit from safer properties.
Gender Reassignment	N/A	N/A
Marriage and Civil Partnership	N/A	N/A
Pregnancy and Maternity		The policy places no restrictions on tenancy types that would impact pregnant women or those with young babies. The positive impact of the policy will mean that safety is improved in HMOs.
Race	Census data from 2011 indicates that the majority of residents in the four wards currently covered by the proposed policy, Bevois, Bargate,	The policy places no restrictions on tenancy types that would impact on persons from certain ethnic

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>Portswood and Swaythling in Southampton are White British, with Portswood & Swaythling over 70% White British. The number is lower in Bevois at 44.6% with a large number of Asian British at 28%.</p>	<p>groups.</p>
Religion or Belief	N/A	N/A
Sex	N/A	N/A
Sexual Orientation	N/A	N/A
Community Safety	<p>If properties are not let out they risk becoming empty. Long term empty properties can have negative impact on local community e.g. eyesore risk, squatters and generally unsafe.</p>	<p>The council has legal powers to deal with empty properties and will work proactively to reduce the number and impact of empty homes. The Private Rented Sector Enforcement Policy details the council's powers.</p> <p>The HMO Licensing policy will have a positive impact as the powers given in the policy allow for action to be taken against HMO landlords with anti-social tenants and make HMOs safer.</p>
Poverty	<p>Introduction and enforcement of the policy, especially license fees may lead to less HMOs being available, which could lead to rent increases which could impact those on low income.</p>	
Health & Wellbeing		
Other Significant Impacts		

Data Protection Impact Assessment

What is a Data Protection Impact Assessment?

A Data Protection Impact Assessment (“DPIA”) is a process that assists organisations in identifying and minimising the privacy risks of new projects or policies. Projects of all sizes could impact on personal data.

The DPIA will help to ensure that potential problems are identified at an early stage, when addressing them will often be simpler and less costly.

Conducting a DPIA should benefit the Council by producing better policies and systems, and improving the relationship with individuals.

Why should I carry out a DPIA?

Carrying out an effective DPIA should benefit the people affected by a project and also the organisation carrying out the project.

Not only is it a legal requirement in some cases, it is often the most effective way to demonstrate to the Information Commissioner’s Officer how personal data processing complies with data protection legislation.

A project which has been subject to a DPIA should be less privacy intrusive and therefore less likely to affect individuals in a negative way.

A DPIA should improve transparency and make it easier for individuals to understand how and why their information is being used.

When should I carry out a DPIA?

The core principles of DPIA can be applied to any project that involves the use of personal data, or to any other activity that could have an impact on the privacy of individuals.

Answering the screening questions in Step 1 of this document should help you identify the need for a DPIA at an early stage of your project, which can then be built into your project management or other business process.

Who should carry out a DPIA?

Responsibility for conducting a DPIA should be placed at senior manager level. A DPIA has strategic significance and direct responsibility for the DPIA must, therefore, be assumed by a senior manager.

The senior manager should ensure effective management of the privacy impacts arising from the project, and avoid expensive re-work and retro-fitting of features by discovering issues early.

A senior manager can delegate responsibilities for conducting a DPIA to three alternatives:

- a) An appointment within the overall project team;
- b) Someone who is outside the project; or
- c) An external consultant.

Each of these alternatives has its own advantages and disadvantages, and careful consideration should be given on each project as to who would be best-placed for carrying out the DPIA.

How do I carry out a DPIA?

Working through each section of this document will guide you through the DPIA process.

The requirement for a DPIA will be identified by answering the questions in Step 1. If a requirement has been identified, you should complete all the remaining sections in order.

After Step 5, the Information Lawyer (Data Protection Officer) will review the DPIA within 14 days of receipt, and complete the rest of the assessment within 28 days. The DPO will identify any privacy risks, and proposed measures to address them.

These measures must then be agreed by the project lead, Information Asset Owner or Administrator, and, in some cases, the Senior Information Risk Owner.

Advice can be found at the beginning of each section, but if further information or assistance is required, please contact the Information Lawyer (Data Protection Officer) on 023 8083 2676 or at information@southampton.gov.uk.

Data Protection Impact Assessment Template			
Version	3.1	Approved by	Data Protection Officer
Date last amended	2 nd November 2018	Approval date	2 nd November 2018
Lead officer	Chris Thornton, Information Lawyer (Data Protection Officer)	Review date	2 nd November 2019
Contact	information@southampton.gov.uk	Effective date	2 nd November 2019

Project Details

Name of Project
Licensing of Houses in Multiple Occupation Policy
Brief Summary of Project
Asking cabinet to approve a published policy on HMO licensing
Estimated Completion Date
August 2019
Name of Project Lead
Steven Hayes-Arter

Details of Person Conducting DPIA

Name
As above
Position
Service Manager HMO Licensing & Adaptations
Contact Email Address
Steven.hayes-arter@southampton.gov.uk

Step 1: Identify the need for a DPIA

Does your project involve... (tick all that apply)

- The collection of new information about individuals
- Compelling individuals to provide information about themselves
- The disclosure of information about individuals to organisations or people who have not previously had routine access to the information
- The use of existing information about individuals for a purpose it is not currently used for, or in a way it is not currently used
- Contacting individuals in ways which they may find intrusive
- Making changes to the way personal information is obtained, recorded, transmitted, deleted, or held
- The use of profiling, automated decision-making, or special category data¹ to make significant decisions about people (e.g. their access to a service, opportunity, or benefit).
- The processing of special category data¹ or criminal offence data on a large scale.
- Systematically monitoring a publicly accessible place on a large scale.
- The use of new technologies.
- Carrying out profiling on a large scale.
- Processing biometric or genetic data.
- Combining, comparing, or matching data from multiple sources.
- Processing personal data without providing a privacy notice directly to the individual.
- Processing personal data in a way which involves tracking individuals' online or offline location or behaviour.
- Processing children's personal data for profiling or automated decision-making or for marketing purposes, or offer online services directly to them.
- Processing personal data which could result in a risk of physical harm in the event of a security breach.

¹ personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation

If you answered “yes” to any of these, please proceed to Step 2.

If none of these apply, please tick the below box, and return the form to the Information Lawyer (Data Protection Officer) at information@southampton.gov.uk

None of the screening statements in Step 1 of this document apply to the project, and I have determined that it is not necessary to conduct a Data Protection Impact Assessment

Step 2: Describe the processing

The nature of the processing

How will you collect data?

How will you use the data?

How will you store the data?

How will you delete the data?

What is the source of the data?

Will you be sharing data with anyone?

INFO: If yes, please provide details

Describe the scope of the processing

What is the nature of the data?

INFO: Detail the type of personal data being processed. List any fields that will be processed (e.g. name, address, data of birth, NHS number, video images)

Does it include special category or criminal offence data? Please provide details.

INFO: "Special category" data includes personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

How much data will you be collecting and using?
How often will the data be collected and used?
How long will you keep it?
How many individuals are affected?
What geographical area does it cover?

Describe the context of the processing
What is the nature of your relationship with the individuals?
INFO: Detail who the data subjects will be (e.g. residents, carers, pupils, staff, professionals)
How much control will they have over their data?
Would they reasonably expect the Council to use their data in this way?
INFO: Please provide details to support your answer
Do they include children or other vulnerable groups?
INFO: If yes, please provide details
Are you aware of any prior concerns over this type of processing or security flaws?
INFO: If yes, please provide details

Is the processing novel in any way?
INFO: If yes, please provide details
What is the current state of technology in this area?
Are there any current issues of public concern that should be considered?
INFO: If yes, please provide details

Describe the purposes of the processing
What do you want to achieve?
What is the intended effect on individuals?
What are the benefits of the processing – for the Council, and more broadly?

Step 3: Consultation process

Consider how to consult with relevant stakeholders
Describe when and how you will seek individuals' views – or justify why it's not appropriate to do so
Who else do you need to involve, or have you already involved within the Council?
INFO: e.g. IT services, records management
Do you need to ask your processors to assist?
INFO: Processors are third parties who will process the personal data on our behalf

Do you plan to consult information security experts, or any other experts?

INFO: Please provide details to support your answer

Step 4: Assess necessity and proportionality

Describe compliance and proportionality measures

What is your lawful basis for processing? Please choose one of the following...

INFO: There should generally only be one legal basis for processing.

- The data subject has given consent
- The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract
- The processing is necessary for compliance with a legal obligation to which the Council is subject
- The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council
- The processing is necessary for the purposes of the legitimate interests pursued by the Council or by a third party

Does the processing actually achieve your purpose?

INFO: Please provide details to support your answer

Is there another way to achieve the same outcome?

INFO: Please details to support your answer

How will you prevent function creep?

INFO: Function creep is where data collected for one purpose is used for another purpose over time.

How will you ensure data quality and data minimisation?

INFO: We should only use the minimum amount of personal data possible to achieve the purpose of the processing.

What information will you give individuals about the processing?
How will you help to support their rights?
INFO: Data subject's rights include the right to access, rectify, erase, port, and restrict their data.
What measures do you take to ensure processors comply with the GDPR, and assist the Council in supporting individuals in exercising their rights?
INFO: E.g. will there be a contract in place with the processor that contains data protection obligations?
How do you safeguard any international transfers of personal data?
INFO: If there are no international transfers involved, please state this

Step 5: Send DPIA Form to the Data Protection Officer

After completing this part of the form, please send the document to the Information Lawyer (Data Protection Officer) at information@southampton.gov.uk

The DPO will review the information provided, and identify and assess the privacy risks.

Step 6: Identify and assess risks (DPO to complete)

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm	Severity of harm	Overall risk
1.	Remote Possible Probable	Minimal Significant Severe	Low Medium High
2.	Remote Possible Probable	Minimal Significant Severe	Low Medium High
3.	Remote Possible Probable	Minimal Significant Severe	Low Medium High
4.	Remote Possible Probable	Minimal Significant Severe	Low Medium High
5.	Remote Possible Probable	Minimal Significant Severe	Low Medium High
6.	Remote Possible Probable	Minimal Significant Severe	Low Medium High

Step 7: Identify measures to reduce risk (DPO to complete)

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5

Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk
1.		Eliminated Reduced Accepted	Low Medium High
2.		Eliminated Reduced Accepted	Low Medium High
3.		Eliminated Reduced Accepted	Low Medium High
4.		Eliminated Reduced Accepted	Low Medium High
5.		Eliminated Reduced Accepted	Low Medium High
6.		Eliminated Reduced Accepted	Low Medium High

Comments from the Data Protection Officer

Comments from the Senior Records Officer

Step 8: Sign off

Item	Date	Notes
DPO reviewed DPIA and provided advice on:		DPO should advise on compliance, step 7 measures and whether processing can proceed
Senior Records Officer reviewed DPIA on:		SRO should advise on records management matters
Measures approved by Project Manager on:		Integrate actions back into project plan, with date and responsibility for completion
Comments from Project Manager:		
Residual risks approved by Information Asset Owner / Administrator on:		
Comments from IAO / IAA:		
Residual high risks approved by the Senior Information Risk Owner on:		If accepting any residual high risk, consult the ICO before going ahead
Comments from SIRO:		

Step 9: Review

Item	Date	Comments
DPO reviewed DPIA on:		
Date of next review:		

