

Landlord guidance: Disclosing tenant information

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North East Lincolnshire Council (the council) can disclose to landlords certain information about their tenant's benefit claims with their tenant's consent. The council cannot however tell you details regarding the personal circumstances of your tenant such as income, savings or household membership.

Before disclosing the benefit information agreed by your tenant with the council, the council must receive authorisation in writing from your tenant allowing the sharing of information. The council cannot accept authorisation over the telephone. The council has developed a consent form which allows tenants to confirm that they give the council their permission to share information about their benefit claim with their landlord.

Please be aware that tenants have a right of confidentiality, and therefore the right to not consent to the disclosure of their information to their landlord and they can withdraw their permission to disclose at any time and without reason.

In all cases before sharing any information the council needs to be satisfied that it is actually speaking to the landlord, and will make appropriate checks to confirm this. This could mean checking your name and address against information held on council records, asking you to verify details on a claim such as the rent charged or the tenancy start date, or phoning you back on a known number. If the council is not satisfied that the person on the end of the line is the landlord it will not release any information.

Landlord Schedule of Payments

Landlords can receive their schedule of payments electronically to their e-mail address. To set this up the council needs to be advised of the landlord's e-mail address and a chosen password which needs to be in CAPITAL LETTERS and a maximum of 16 characters long. Landlords are required to complete the "Landlords Schedule by E-mail" letter which can be downloaded from the council's website.



Where your tenant has given their permission for us to share information about their benefit claim with you, the council **can tell you**:

1. If a claim has been received;
2. If the council has written to your tenant for further information and what that information is in broad terms (i.e. proof of rent, proof of income);
3. If the customer has responded to a request for information, and the claim is awaiting assessment;
4. That a claim has been assessed or refused;
5. The dates the claim started and if appropriate ended;
6. That the entitlement has changed and confirm the new and old amount of Housing Benefit; only in relation to the address that you are responsible for;
7. That the claim is suspended and the reasons why in broad terms (i.e. information requested from the claimant, information not provided by the claimant, change of circumstance reported to us by the claimant etc.);
8. That entitlement has ended because of a change of address or change in circumstance;
9. That there is an overpayment outstanding which is being recovered from the current address, how much is remaining on the overpayment and how much is being deducted from weekly benefit entitlement because of it;
10. About the payments that have been issued to the claimant (i.e. amount and dates that the payment covers) since the start of the claim at the address that you are responsible for only.

Where you are being paid Housing Benefit direct, even if the council has no authorisation from your tenant to share information, the council **can tell you**:

1. That a claim has been assessed;
2. The dates the claim started and if appropriate ended;
3. The weekly amount of benefit the claimant was entitled to while the landlord was being paid;
4. The amounts of benefit paid to you, the dates the payments were issued and the dates the payments cover;
5. That there is an overpayment outstanding, and how much is being deducted from weekly benefit because of it;
6. That entitlement has ended because of a change of address or change in circumstance (but no details as to what that change in circumstance is);
7. That the claim is suspended; and the reasons why in broad terms (i.e. information requested from the claimant, information not provided by the claimant, change of circumstance reported to us by the claimant etc.);
8. That an overpayment has been created which will be recoverable from the claimant's entitlement; and
9. That the Council has decided to cease payment to you and from when.



Information the council **cannot** share with landlords is:

The council **cannot tell you** any details about your tenant or their household's personal circumstances or financial circumstances.

For example

1. Details on who they work for, how much they earn, or how much savings they have or who they bank with;
2. How many people are residing in the property or what their names / gender are or what their financial circumstances are;
3. Personal details such as their date of birth or National Insurance number; or
4. A forwarding address or previous address.

For prospective tenants the council **cannot tell you** any details about:

1. Previous addresses;
2. Previous rent arrears;
3. Housing benefit overpayments; or
4. Previous housing benefit payments paid **either** to **them or** a previous landlord.

Please be aware that the unlawful obtaining or disclosing of personal information is an offence under the Data Protection Act.

A copy of the agreement on the consent form signed by your tenant:

Sharing information with your landlord

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If you are claiming Housing Benefit, sharing information with your landlord could help us deal with your claim more quickly and reduce the risk of you falling behind with your rent because of your claim being delayed.

We may need to confirm information with your landlord before we can make a decision on your claim, for example, the start date of your tenancy or the amount of your rent. In these circumstances, we can contact your landlord without your permission.

Under the Data Protection Act 1998 we need your permission to discuss anything else.

If you give us permission, we will be able to tell your landlord whether:

- you have claimed or renewed your claim for Housing Benefit, or
- we have made a decision on your claim, or
- we need more information to make a decision on your claim, and what that information may be.

We will not give your landlord any information about:

- your personal or household circumstances, or
- your financial circumstances.

You can withdraw your permission at any time.

It will not affect your claim if you do not give us permission to discuss your claim with your landlord.

If you want to give us permission to discuss your claim with your landlord, please sign below.