



LOCAL AUTHORITY SEARCHES - GUIDANCE NOTE

On 3 April, Peter Housden, Permanent Secretary at the Department for Communities and Local Government (CLG), wrote to all local authority Chief Executives in England and Wales asking for their help in ensuring the smooth introduction of Home Information Packs (HIPs) on 1 June 2007. In particular, he highlighted the need for authorities to ensure there is sufficient capacity to manage an anticipated increase in demand for searches.

HIPs reforms will require searches to be produced for all properties marketed after 1 June as well as being produced between offer and exchange for properties marketed before 1 June. In some areas this could potentially result in a doubling of demand for access to source data and official searches, coupled with competitive pressures from Personal Search Companies (PSCs). CLG research predicts at least two peaks in demand for searches - the first from 1 June to cover existing and post-HIPs implementation instructions; the second in December when all homes on the market pre-1 June which remain unsold will be required to be marketed with a HIP.

A consultation package including new draft good practice guidance for local authorities and personal search companies on the delivery of property searches was launched by CLG on 1 May. Responses to *Delivering Property Searches: Good practice guidance for Local Authorities and personal searchers* are requested by 26 June 2007.

Ahead of the launch of the consultation exercise, on Thursday 19 April LLCI, LGA, C-NLIS and CLG co-hosted a half-day seminar for local authority local land charge colleagues to discuss some of the key issues and potential solutions for managing an increase in demand for searches following the introduction of HIPs. Once agreed and implemented the good practice guidance should help improve the delivery of property searches and access to the necessary data. In addition, the seminar agreed a list of options - set out below - that could assist **local authorities** in meeting the predicted increase in demand for their services. The list includes a mix of short- and longer-term options, and is not intended to be prescriptive or exhaustive. It has been sent to local authority Chief Executives and Treasurers, and Local Land Charge Officers in England and Wales.

We welcome any further suggestions you may wish to share with colleagues.

➤ **Accessing manual or electronic records across all relevant departments**

Issue

- How and where are the public registers accessed, and can access be better managed?
- How and where are other records held, can these be accessed and if so how will this be managed/

In discussion, the following points were debated:

- If access is affected because of staffing levels and other commitments, such as maintaining the manual register, could it be better managed by introducing any or all of the following:
 - Extending or altering access hours;
 - Making extra copies of the register or records available for inspection;
 - Removing any restrictions on access;
 - For those with electronic systems, introducing more terminals;
 - Allocating temporary resources for peak periods.
- Consideration could also be given to the effect any of the above may have on costs, service and maintenance.

➤ **One stop shops or departmental access**

Issue

- Are one stop shops or the departments holding relevant information aware of forthcoming changes due with the introduction of HIPs on 1 June?

In discussion the following points were covered:

- It is essential that local land charge departments are joined up with planning, building control, environmental health, housing, legal and relevant highways departments, as well as authorities' one-stop shops to co-ordinate their roles in relation to HIPs;
- Departments need to be working together to provide common and supportive access arrangements;
- If access to some data sets cannot be granted from 1 June, a formal statement to this effect should be provided.

These may be addressed by considering any of the following:

- Conducting impact assessments for One Stop Shops and all departments holding relevant information;
- Reviewing internal access arrangements and dovetailing them with adjoining authorities;
- Introducing service level agreements with relevant local authority departments on access to, and the provision of, data;
- Appointing the local land charge department as facilitator of access to other departments.

➤ ***Appointment systems and opening hours - for all Departments holding information which needs to be accessed***

Issues

- Does an appointments system help?
- If limited opening hours apply for LLC Register searches could these be extended without compromising other essential work?

In discussion the following points were raised:

- Individual authorities' current systems are designed around local factors and staff availability, although scope may exist for greater flexibility to allow for increased access. Flexibility could be achieved by:
 - following the good practice guidance;
 - making available duplicate hard copies of the register;
 - running systems which are complimentary to neighbouring authorities' arrangements.

➤ ***Data protection***

The wider concern of data protection was raised, in terms of authorities needing to be aware of - and develop plans to manage - issues such as:

- Data security;
- Data protection;
- Re-use of data and
- Liability.

These are issues for each local authority to address as appropriate.

Next steps

Please contact us with further suggestions and ideas which you think local authority colleagues may wish to consider by emailing homeinfopacks@communities.gsi.gov.uk, marking your email 'Local authority searches'.

4 MAY 2007