

1. Our commitment

Since the introduction of Energy Assessments and the Energy Performance of Buildings Regulations (EPBR), we have advised our registered assessors that the data they collect under the EPBR is for the purpose of producing Energy Certificates and for no other purpose. Assessors and CIBSE Certification were not permitted to share, sell or otherwise disclose these data.

Since, on the 24th of June 2024 the Regulations have been updated (Regulation 29A) to allow the keeper of the Register, EPB Scheme providers or an energy assessor to disclose assessment data with specific requirements.

Disclosure of assessment data

29A – (1) The keeper of the register, an accreditation scheme or an energy assessor may disclose assessment data–

(a) in relation to a particular building, to –

(i) the owner, landlord or occupier of that building; or

(ii) a third party with the consent of a person listed in (i);

(b) in relation to an air-conditioning system to which Part 4 applies, to the relevant person.

(2) In this regulation “assessment data” means any data held that was collected during an energy assessment, whether or not that data has been entered onto a register but does not include–

(a) green deal information; or

(b) the name of an individual.

(3) “Energy assessment” has the meaning given in regulation 26.

(4) This regulation does not apply in relation to excluded buildings.”

2. Principles underlying our commitment

It is our policy that we do not and will not share any of the data that we hold regarding energy assessments of certificates and reports related to the EPBR.

Generally, we do not hold data associated with energy assessments, with the exemption of for auditing purposes in line with the SORs. We do not own or operate any EPBR software that generates certificates and reports, so we only see and lodge xml files generated by 3rd party MHCLG approved software in the Non Domestic sector and xml files that go through our Lodgement Portal to the Registers.

As a result, CIBSE Certification will not engage in any data sharing of any assessment data, with the only exemption of the MHCLG audits and auditors, as required.

However, we would like to allow our assessors to be able to share assessment data with the owner, landlord or occupier of the building or their 3rd party representative with the appropriate consent, as Regulation 29A allows them to do so. This will ensure that our assessors are not

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Revision number:	0	Signed:	
Issue date:	03/02/25	Page:	1 of 2

disadvantaged compared to other assessors registered with other Scheme providers. The process to achieve this will follow the requirements of the SORs are detailed in the next section.

3. Managing the process

CIBSE Certification registered assessors may engage in the sharing of assessment data for EPBR assessments as long as this is done in line with Regulation 29A and the requirements in the SORs.

CIBSE Certification registered assessors who decide to share assessment data must ensure that any recipient of assessment data understands that they must act in **accordance with the UK General Data Protection Regulation, EPBR, and other relevant legislation.**

For CIBSE Certification to be able to **control and overview the process** of data sharing from assessors to the relevant, allowed 3rd parties, as above, assessors will be **required to complete a data sharing declaration form** CCF 430 - Data Sharing Declaration form for EPBR Schemes, and email this to epc@cibsecertification.org for any case of data sharing for a particular building.

4. Responsibility and implementation

The CIBSE Certification Technical Manager will be the person responsible for the processes above, in line with the SORs.

5. Review and update

This policy will be reviewed and updated where appropriate in accordance with prevailing legislation, the EPBR and the SORs.

Document reference:	CCMP 017	Approval:	R Chitnavis
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Issue date:	03/02/25	Page:	2 of 2