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### *Opening Note - Kevin Curtin, Chairperson*

**Just a short Newsletter this month to update you on matters.**

Our Solicitor issued a letter to SEAI on behalf of BERAA on November 26<sup>th</sup> last requesting meaningful engagement on the following matters:

- Improving communications with BERAA & Assessors in general
- Ensuring improved compliance with New-Build BER's & DEC's
- CPD as an alternative to Exams
- Overhaul of the overly penal Assessor QADP regime
- DEAP4
  - Absence of independent testing
  - Absence review after trial period
  - Absence of GDPR guidance for Assessors
  - Dependence on availability of high-speed broadband

A reply, from the Solicitors acting for SEAI, dated Jan 10<sup>th</sup> last is summarized as follows:

- SEAI acknowledged that communications could be improved and also advised that they have made a concerted effort to improve and increase the level of communications with Assessors.
- SEAI confirmed that it is currently engaged with DHPLG on a review of enforcement mechanisms under the BER Regulations.
- SEAI confirmed that does intend to review the BER Assessor exam and its associated processes but is not in a position to confirm a timeline for completion of this exercise.
- SEAI confirmed that it does intend to carry out a review of QADP, and that this is a priority for SEAI in 2020.
- SEAI confirmed that it is currently preparing guidance for Assessors on data protection and GDPR, including the uploading of photographs. It further advises that Assessors have individual responsibilities:

However, as data controllers under the General Data Protection Regulation (“**GDPR**”) and Data Protection Acts 1988 to 2018, assessors are individually responsible for ensuring that they comply with their data protection obligations. As detailed in the current version of section 10 of the Code of Practice, these obligations include the requirement for assessors to keep confidential the identity of clients and BER records, and to limit the disclosure of information unless it is required by law or disclosure is to SEAI. They also include the responsibility to ensure that they don't capture and upload any personal data which is not required for a BER assessment. Lastly, details of how and why SEAI holds and uses personal data in connection with the BER Scheme are set out in section 10 of the Code of Practice, as well as in SEAI's BER Privacy Notice. This Privacy Notice is available on SEAI's website.

## Our Committee

Chairperson- Kevin Curtin  
kcurtin@surveyanddesign.ie

Vice Chairman – Oliver Walsh

ollie@navitus.ie

Secretary – Eoin Burns  
eoinburns@eircom.net

Assistant Secretary – Kevin McCourt

Mccourt.kevin@gmail.com

Treasurer – Joseph Kearney  
joe@bercerts.ie

### Committee:

Maurice Murphy  
Maurice@mitb.ie

John Neylon  
Neylon.ennis@gmail.com

Aongus O'Dowd  
odowdaongus@gmail.com

Liam Donohoe  
lbdeeco@gmail.com

## Contact Us

administrator@berassessors.com

www.berassessors.com

## *New Website.*

Please do check out our new site at [www.berassessors.com](http://www.berassessors.com) We intend to promote this site going forward as a marketing tool for BERAA Members, so that property-owners can locate BERAA Members in their local area, when seeking registered Assessors to carry out BER's Technical Assessments, DEC's, etc.

Please inform Eleanor [administrator@berassessors.com](mailto:administrator@berassessors.com) of your particular SEAI registrations so that she can update your details on the site.

## *New Projects, New Members.*

Over the course of the coming weeks & months, BERAA intends to embark on a number of projects which are of critical importance for Assessors.

For example, a HR Consultant is currently commencing an in-depth review of the COP & QADP regimes under which Assessors currently operate. Based on the outcomes of this exercise, we may proceed to engage legal or other experts to further inform a prospective submission to SEAI on this matter which has been the subject of so much angst among the Assessor community for too many years.

On a different note, BERAA has had informal discussions with SEAI about the potential re-branding & expansion of Assessors roles, particularly in light of the aspirations behind the Climate Action Plan. It is in every Assessors interest that professional value of their offering is fully valued & enhanced, beyond the current "narrow function: low cost" perception of energy assessments.

With this in mind, BERAA intends to commission a report into prospective ways of increasing & enhancing the breadth & depth of the Assessor offering to 2030.

However, we can only proceed with such projects if we get the moral & financial support of BER Assessors throughout the country. Thus far, the responsibility for representing Assessor interests has fallen on far too few. I am appealing to all BER Assessors to join BERAA without delay. Eleanor Hegarty, Administrator, will be in contact with you in the coming days to make this request in person.

Here's hoping that 2020 will be a profitable & fulfilling year for all BER Assessors.

*Kevin Curtin, Chair*

*28/1/20*



**BER Assessors  
Association of Ireland**