

Access Policy



Reference:	HS_POL_HOU_ACC_2.1	Author:	Assistant Director of Property
Scope:	Housing Services Asset Management	Approved by:	Board
Legislation:	The Defective Premises Act 1972 The Landlord and Tenant Act 1985 Homes (Fitness for Habitation) Act 2018 The Housing Act 1988 The Housing act 1985 Prevention of Social Housing Fraud Act 2018 Equality Act 2010 Section 121 of the Leasehold Reform, Housing and Urban Development Act 1993 Health & Safety at Work Act 1974 Protection from Eviction Act 1977 Human Rights Act 1988 Data Protection Act 2018 The Fire and Rescue Services Act 2004	Date of approval:	14 th December 2022
Regulatory/ Governance:	Regulator of Social Housing Home Standard Decent Homes Standard Gas Safety (Installation and Use) Regulations 1998 Gas Safety Guidance for Landlords (2005) Audit Commission The Health & Safety Execs Code of Practice Domestic Gas Safety 2004, The Health and Safety Executive A Guide to Landlords Duties: Gas Safety (Installation and Use) Regulations 1998 Control of Asbestos Regulations 2012 Regulatory Reform (Fire Safety) Order 2005	Date of next review:	December 2025
Related Policies:	Gas Safety Policy Repairs and Maintenance Policy Tenancy Policy Tenancy Fraud Policy Asbestos Management Policy Water Hygiene Policy Electrical Safety Policy Anti-social Behaviour and Hate Crime Policy Safeguarding policy Domestic abuse policy		

1. Policy Statement

- 1.1 This policy is aligned to our Corporate Strategy of creating Safe, Satisfied, and Sustainable homes for residents. Our strategy sets out clearly our determination to make sure residents are as safe as possible, including in terms of the quality of their home.
- 1.2 Housing Solutions aims to access all properties with consent and tenants will be contacted in line with our procedures. However, in extreme circumstances, this may not be possible, as a result this Access Policy determines our approach in those situations.
- 1.3 This policy defines our commitment, standards and approach to delivering an excellent repairs and maintenance service for our residents by clearly setting out the following:
 - Our commitment to provide safe homes for all our residents.
 - Ensuring our homes are 100% compliant with all relevant legislation.
 - Our commitment to provide safe homes and effective services and ensuring compliance with Regulatory Consumer Standards
 - Clarity about why we need access routinely and in emergencies to fulfil our commitments
 - Guidance on how we enforce access in the last resort
 - Guidance for our operatives and DLO regarding safeguarding, tenancy fraud, anti-social behaviour and domestic abuse

2. Scope

- 2.1 This policy details how Housing Solutions will manage and enforce any access that is being denied by a resident to undertake any inspections, repairs, servicing, maintenance or planned work. Including works that are legislative, contractual and/or a regulatory requirement as a social landlord.
- 2.2 It is intended to cover services provided to all homes owned by Housing Solutions, with the exception of shared owners, home owners or leaseholders, including stock managed for third parties unless otherwise stated in the management agreement.
- 2.3 This policy does not relate to obtaining access to properties as part of the repossession process, nor where a property has been abandoned.

3. Roles and Responsibilities

Role / Team	Responsibilities
Board	<ul style="list-style-type: none">• Responsible for approving and supporting this policy
Executive Team	<ul style="list-style-type: none">• To support and ensure the application of this policy.• To review the approval of the capping of a gas property, alongside either the Director of Property and Development or the Chief Executive.
Director of Property and Development or Chief Executive	<ul style="list-style-type: none">• Authorise capping of a property for non gas compliance
Assistant Director of Property	<ul style="list-style-type: none">• To implement this policy, be accountable for colleague training, engage with resident forums, and manage continuous improvement.• To have delegated authority from the Executive Team to authorise forced entry in an emergency situation

Fire, Health and Safety Manager	<ul style="list-style-type: none"> The Senior Named Person responsible for compliance with health and safety legislation.
Compliance Manager	<ul style="list-style-type: none"> Responsible for planning and delivering the programme of works for compliance-based maintenance. Working with residents as necessary for access. To highlight issues to the Housing Officers for pursuit with residents.
Surveying Services Manager	<ul style="list-style-type: none"> Responsible for the planned programme of works delivery and ensuring compliance with Decent Homes Standards.
Works Planning Team	<ul style="list-style-type: none"> Ensure works are planned effectively for access to properties, taking into account the anniversary date of such compliance works.
Compliance coordinators	<ul style="list-style-type: none"> Coordinate the work for compliance based works, ensuring written communication to residents for access. Liaising with residents for access.
Resident Contact Centre	<ul style="list-style-type: none"> To be the first point of contact to incoming calls to all residents, ensuring clear and concise appointments are provided to our residents in line with our agreed appointment time frames.
Housing Officers	<ul style="list-style-type: none"> Ensuring a full history of the resident and property is provided to Asset Management in order to assist with access to the property. Providing information on tenancies and assisting with access including action for breaches of tenancy agreements, including the contact of next of kin where necessary Ensuring that residents understand the importance of allowing access into their homes where necessary. Review tenancy of any properties due to be capped. To ensure the document for capping the gas is filled out and passed for approval. Where the gas has been capped, ensuring the resident is signposted to services as required and the restore of the supply is carried out.
DLO and contractors	<ul style="list-style-type: none"> To work with both the resident and the works planning team for access.
Duty Supervisor (out of hours)	<ul style="list-style-type: none"> Decision to call the Assistant Director of Property or a member of the Executive Team for approval to enter a property and change the locks in an emergency situation.
Residents	<ul style="list-style-type: none"> Responsible for complying with the terms of their tenancy agreement, including to allow access for emergency and non-emergency inspections and repairs

4. Definitions

4.1 **Vulnerable residents:** Our approach to vulnerability is set out in detail in our Vulnerable Residents Policy. We include in our description of vulnerability, young people under 18; people in need of community care and support services and anyone who experiences difficulties with everyday living or needs additional support to meet their obligations. In shaping and delivering services to vulnerable people we will use a partnership approach building strong relationships with support agencies, developing service level agreements where appropriate, to ensure an effective response to the needs of vulnerable residents.

4.2 **Scrutiny & Improvement Team (SIT):** the team is comprised of mainly residents, to ensure our services have a resident voice, to scrutinise performance and hold

Housing Solutions to account, to review services to ensure cost effectiveness and to improve them for all residents, to review new and existing policies.

- 4.3 **Duty supervisor:** A member of Housing Solutions on call, out of normal working hours, to support both the DLO in delivery of their work and resolve escalated issues for both residents and staff out of hours.
- 4.4 **DLO:** Direct Labour Organisation. Directly employed operatives of Housing Solutions to deliver repairs and maintenance to properties.

5. Legislation

- 5.1 Housing Solutions will ensure that we remain compliant with the legislation and guidance set out on page 1 of this policy. We will also ensure that we remain up-to-date with any changes in legislation, guidance and best practice.
- 5.2 Housing Solutions is required to comply with its obligations under the Gas Safety (Installation and Use) Regulations Act 1998, to undertake a gas safety check of all domestic gas appliances on an annual basis and achieve 100% compliance.
- 5.3 Housing Solutions is required to comply with its obligations under the Health & Safety at Work Act 1974 and the Control of Asbestos Regulations 2012.
- 5.4 Housing Solutions is required to comply with its obligations under the Regulatory Reform (Fire Safety) Order 2005.
- 5.5 Housing Solutions is required to comply with its obligations under the Homes (Fitness for Habitation) Act 2018, to ensure homes are safe, secure, warm and dry.
- 5.6 Should a resident refuse to allow access after being notified of the requirement, they will be in breach of a specific clause in the tenancy agreement or one implied by s11 of the Landlord and Tenant Act 1985. When considering what enforcement action Housing Solutions will take in the event of no access, then the relevant legislation within this Policy will be considered.
- 5.7 Where a resident allows access but on the basis they will not be present, then at least two Officers (be that repairs or other) will be present.

6. Access

6.1 Emergency Access

- 6.1.1 In an emergency situation, Housing Solutions will only enter your home, without your permission in exceptional circumstances, the following list identifies reasons for emergency access and the identified route for obtaining this:
 - Suspected gas leak: Housing Solutions, if notified, will call the National Gas Emergency Service on 0800 111 999 and will support entry as required.
 - Death or ill health of an occupant in the property: Housing Solutions, if notified, will call the police and will support entry as required.
 - An escape of water affecting the structure of the property: based on the severity of the issue, all contact channels will be exhausted, including talking to neighbours and next of kin (if details are held), however, if completely necessary, access will be obtained and locks changed, including a note posted on the door to contact Housing Solutions.
- 6.1.2 Where there is a significant risk to life or property and the resident cannot be contacted, authorisation will be obtained from the Assistant Director of

Property or a member of the Executive Team. This will apply, both during and out of hours.

6.2 Non-emergency access enforcement action

- 6.2.1 In the event of a resident denying access to undertake inspections, compliance checks or necessary repairs work all measures will be undertaken by the relevant departments to obtain access. This will include sending letters, attempts to contact by telephone, text message and visiting the property. The two latter actions may be undertaken outside normal working hours.
- 6.2.2 Housing Solutions treats all reports of damp and mould seriously, and adopts a zero tolerance approach to refusal of access to allow inspection or works to be carried out. Where access has been unreasonably refused, Housing Solutions will seek proactively to gain access through court proceedings, and reserves the right to recharge the reasonable costs of doing so to the resident withholding access.
- 6.2.3 If it is suspected that the reason for non-access is that tenancy fraud is being committed, then housing management will undertake all necessary enquiries to establish the facts. Appropriate possession action will be taken in accordance with our Tenancy Fraud Policy.
- 6.2.4 If Housing Solutions considers that access is not being granted because of the vulnerability of a resident, anti-social behaviour or domestic abuse, housing management will undertake all necessary enquiries in respect of that.
- 6.2.5 In all cases, if access has still not been obtained, appropriate legal action will be taken, this may include serving a Notice of Seeking Possession (NOSP) under Ground 12 (breach of tenancy), or an application to court for an injunction to secure access.
- 6.2.6 If the resident is on a starter tenancy, the probationary period will be extended where access has been refused, unless it is decided to serve a s21 (Notice Requiring Possession) to bring the tenancy to an end. Other potential breaches in tenancy will be taken into account before this decision is made.

6.3 Gas safety

- 6.3.1 Detailed guidance can be found in our Gas Safety Policy.
- 6.3.2 It is the responsibility of Housing Solutions to make all reasonable efforts to ensure that 100% of properties have a valid in-date LGSR. The potential implications of not having an up to date LGSR includes carbon monoxide poisoning or a leak which could lead to an explosion.
- 6.3.3 In the event of no access being obtained to undertake the gas safety check the access procedure under section 6.2 will be followed.
- 6.3.4 In the event of no access being obtained despite Housing Solutions' best efforts, Housing Solutions may consider capping the gas supply to the property, particularly if this is situated in a block. All capping of meters will be signed off by the Director of Property and Development or the Chief Executive, supported by another member of the Executive Team (2 approval process).
- 6.3.5 Housing Management will risk assess each case prior to any such action being approved and this will be documented in the Capping of the Gas form.

6.3.6 Where possible, the resident will be notified of any decision to cap the gas supply prior to this being actioned. This will provide one more opportunity for the resident to book the necessary appointment and provide access.

6.3.7 Housing Solutions will make every effort to work with the resident, where the gas has remained capped for more than 3 days to ensure that the resident is accessing support as required and the supply is restored.

6.3.8A service interval device may be fitted to the gas supply of any household, including that of vulnerable residents; this device supports the need for a gas safety to be completed.

7. Resident Service Commitment

7.1 We will:

- Offer a high quality and efficient service;
- Keep you informed and involved, and help you have your say;
- Provide value for money housing and services;
- Treat you with respect and offer a courteous and helpful service;
- Make sure our services are easily accessible and understandable;
- Communicate with you in the most appropriate way to meet your needs
- Make every effort to give you advance warning and tell you the reason if we are unable to keep an appointment

7.2 When we visit your home we will:

- Always show our identification
- Book an appointment at a reasonable time of the day unless we have agreed a specific appointment with you
- Give you the opportunity to request to see another member of staff if you prefer
- Keep you informed if further works are required and book these with you from site

7.3 When we get things wrong we will:

- Aim to put the situation right as soon as possible
- Keep you informed at all times
- Apologise
- Through our Complaints Policy aim to learn from our mistakes, to improve the services we provide

8. Vulnerable residents

8.1 Housing Solutions will provide a fair and equitable service to all residents and within the guidelines set out within the Equality, Diversity & Inclusion policy. Our Vulnerable Person Policy does however define those who may require additional support in accessing our services. We will make all reasonable adjustments for these individuals in the delivery of our service and endeavour to accommodate their specific needs and those of their support network throughout the process of completing any repairs.

8.2 The Housing Management Team will review any vulnerabilities held on the tenancy before proceeding with gas capping and will balance the risks associated with this

decision, including but not limited to contacting other agencies for support or leaving with other means of heating, as required.

9. Consumer standards

- 9.1 This policy meets the requirements of the Regulator of Social Housing Standards, in particular the Governance and Financial Viability standard regarding compliance with relevant legislation, regulatory requirements and accountability.

10. Equality & Diversity

- 10.1 Housing Solutions recognises the needs of a diverse population and always acts within the scope of its own Equality, Diversity & Inclusion Policy, and the Equalities Act 2010. Housing Solutions works closely with its partners to ensure it has a clear understanding of its resident community with clear regularly updated service user profiles. Housing Solutions will record, analyse and monitor information on ethnicity, vulnerability and disability in line with our Equality, Diversity and Inclusion Policy.

11. Confidentiality

- 11.1 Under the Data Protection Act 2018 and the UK General Data Protection Regulation (UKGDPR) 2021, all personal and sensitive organisational information, however received, is treated as confidential. This includes:

- anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or board member
- sensitive organisational information.

- 11.2 Housing Solutions employees will ensure that they only involve other agencies and share information where there is a legal basis for processing the information.

12. Review

- 12.1 This policy will be reviewed on a 3 yearly basis or more frequently in response to changes in legislation, regulatory guidance, good practice or changes in other relevant Housing Solutions' policy.

- 12.2 All items in this policy will be subject to Housing Solutions Resident Engagement Strategy. All significant repair matters affecting residents' homes or their neighbourhood will go before the resident Scrutiny & Improvement Team . The information collected from resident feedback is investigated and analysed to see if this could be done differently or more effectively.

- 12.3 Housing Solutions uses Key Performance Indicators (KPIs) to monitor and benchmark its services and performance against set criteria and standards. KPIs are reviewed annually in line with performance with an assumption that performance will continually improve. Our current KPIs include:

- Percentage of properties with a valid gas certificate (LGSR)
- Percentage of properties with a valid electrical certificate (EICR)

- 12.4 Housing Solutions reports on KPIs on a monthly basis to Senior Managers and the Executive Team. Performance is reported regularly to Board and made available to residents.



EMERGENCY FORCED ENTRY AUTHORISATION

Property & Resident detail

Address	
Name/s of resident/s (if joint):	

Reason for requiring access

Urgent access needed: Give full details of repair or situation	
--	--

Date of incident	
Did the resident fail to give access?	Details:

Actions

Phoned resident on:					
Property visited on:					
Neighbours contacted on:					
Next of kin contacted on:					
Is any legal action being taken by Housing Solutions in relation to this resident or property detailed above?					
Please describe any vulnerability of the resident or other occupier of the property.					
Vulnerability – I confirm that records held by the housing management team indicate there to be no vulnerability issues in relation to the resident detailed above or other occupiers of the property.	<table border="1"> <tr> <td>Name:</td> <td>Signature:</td> </tr> <tr> <td>Date:</td> <td></td> </tr> </table>	Name:	Signature:	Date:	
Name:	Signature:				
Date:					

Head of Asset Management Review

As per the Access Policy, the Assistant Director of Property can approve all emergency forced entries, in their absence approval is required by an Executive Team Member

Based on the evidence does the Assistant Director of Property agree forced entry should be used?	Yes/No	
What are the risks associated with forced entry based on the facts of this case?		
Upon review I consider it to be appropriate for Housing Solutions to conduct forced entry in this case.	Name:	
	Signature:	
	Date:	

Form to be filled in retrospectively in extreme circumstances and sent to Director for notification



CAPPING GAS AUTHORISATION FORM

Property & Resident detail

Address	
Last Gas Safety Inspection conducted:	/ /
Name/s of resident/s (if joint):	
Tenancy start date:	/ /

Reason for capping the gas:

Give full details of situation	
--------------------------------	--

Date of injunction	
Did the resident fail to give access to the property in line with the injunction?	Details:
Does the injunction allow us to force entry if there is a breach?	Yes/No

Actions

Phoned resident on:	
Emailed resident on:	
Text resident on:	
Property visited on:	
Neighbours contacted on:	
Next of kin contacted on:	

Has a Letter Before Legal Action been sent to the resident? If No then why not? Has the resident or any other occupier responded?		
Is there an external meter to cap the gas?		
Is any legal action being taken by Housing Solutions in relation to this resident or property detailed above?		
Please describe any vulnerability of the resident or other occupier of the property.		
Vulnerability – I confirm that records held by the housing management team indicate there to be no vulnerability issues in relation to the resident detailed above or other occupiers of the property.	Name: Date:	Signature:

Director of Property and Development or Chief Executive authorisation

Based on the evidence does the Director agree to capping the gas?	Yes/No	
What are the risks associated with capping the gas on this case?		
Does the Director authorise capping the gas?	Yes/No	
Upon review I consider appropriate for Housing Solutions to cap the gas in this case.	Director / Chief Executive:	
	Signature:	
	Date:	

Director review

To be authorised by another member of the Executive Team, in addition to the Chief Executive or Director of Property and Development

Upon review, I consider it appropriate for Housing Solutions to cap the gas	Director:	
	Signature:	
	Date:	