

Access to Homes Policy

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| 1.0 | SCOPE |
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| | Purpose |
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| 1.1. | <p>This document sets out whg's approach to obtaining access to a customer's home for repairs, in emergency situations, when conducting a legally required compliance check or inspection of the home.</p> <p>This policy applies to all customers of whg who hold a Tenancy Agreement with us.</p> |
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| | Legal and regulatory framework |
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| 1.2. | <p>Section 11 (6) of the Landlord and Tenant Act 1985 states " the lessor or any person authorised in writing may at reasonable times of the day and on giving 24 hours' notice in writing to the occupier, enter the premises comprised in the lease for the purpose of viewing their condition and state of repair". Section 16 of the Housing Act 1988 also states "It shall be an implied term of every assured tenancy that the tenant shall afford to the landlord access to the dwelling house let on the tenancy and all reasonable facilities for executing therein any repairs which the landlord is entitled to execute."</p> |
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| 1.3. | <p>The Regulator of Social Housing's Consumer Standards set out the expectations on Registered Providers of Social Housing in relation to their housing provision.</p> <p>Related to this Policy, the Safety and Quality Standard states:</p> <p>1.1 Stock quality 1.1.1 Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.</p> <p>1.2 Decency 1.2.1 Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.</p> <p>1.3 Health and safety 1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.</p> |

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| | <p>1.4 Repairs, maintenance and planned improvements</p> <p>1.4.1 Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.</p> |
| 2.0 | POLICY STATEMENT |
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| | Our approach |
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| 2.1. | The right to quiet enjoyment is implied, if not explicitly stated within each tenancy agreement or lease. It means that the tenant or leaseholder has a right to the undisturbed use and peaceful occupation and enjoyment of their home. We respect this and a customer's right not to be disturbed unnecessarily or at inconvenient times, however, in some circumstances, it may be necessary for us to gain entry to a property. |
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| 2.2 | When whg (or one of our appointed contractors) need to gain access to a customer's home, we will endeavour seek to give appropriate notice and will be respectful and mindful of the customers individual circumstances. |
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| 2.3 | whg will adopt a reasonable approach in non-emergency situations, to gain access to homes through multiple attempts of contact with the customer to secure access by agreement. |
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| 2.4 | whg's approach to gaining access will be consistent across all services and whg will support colleagues in the application of up-to-date processes and protocols. |
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| | Types of access: Planned access |
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| 2.5 | <p>In most circumstances, access will be needed because of planned activity. This activity will include (but is not limited to):</p> <ul style="list-style-type: none"> • Gas, electrical and fire safety checks • Completing essential repairs to the home • Renewing key components in the home, such as boilers, heating systems and electrical wiring • Renewing kitchens and bathrooms • Making improvements to the home, such as improving energy efficiency • To inspect the condition of the home, including for damp and mould • Visits to enable us to deliver an effective housing management service. |
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| 2.6 | <p>Where the access is planned, we will always seek to give customers as much notice as possible to let them know that we need to gain access. We will contact customers through a variety of methods, including:</p> <ul style="list-style-type: none"> • By letter • By phone |

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| | <ul style="list-style-type: none"> • By text message • By email • Via our Customer Portal |
| 2.7 | We will take a reasonable and pragmatic approach where a customer needs to rearrange an appointment for us to access their home and will offer a range of appointment times to reduce impact on a customer's working hours and/or caring commitments. |
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| | Types of access: Emergency access |
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| 2.8 | Occasionally, we will need to gain access to a home in an emergency situation. These situations will include (but are not limited to): <ul style="list-style-type: none"> • Where there is a threat to the health and safety of people living in the home and around it, for example, as a result of a gas escape • Where there is a risk of significant damage to the home, or homes around it, for example, as a result of fire or flood. |
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| 2.9 | Where we need to gain access to a home in an emergency situation (such as a flood or fire) and find that the property is insecure, usually because a door has been left open; we will gain access to the home, complete any necessary checks or emergency repair work and secure the home. |
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| 2.10 | Where we need to gain access in an emergency, we will attempt to contact the customer for permission to enter the home. As these situations are time critical, if attempts to contact the customer fail, we will gain access to the home to deal with the emergency. |
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| 2.11 | Where permission to enter the home is not given or contact with the customer is not possible, the decision to gain access to the home will be taken by a whg colleague with sufficient reason and authority ie. Manager or above. |
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| | Legal action for lack of access |
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| 2.12 | Legal action will always be our last resort, and we will always seek to gain access to a home by agreement with the customer before seeking for the matter to be resolved in court or access gained in an emergency. |
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| 2.13 | Sometimes, despite our best efforts, we will not be successful in gaining access to a home. In these circumstances, we will consider the facts of each individual case before deciding upon legal action as a next step. |
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| 2.14 | The factors which may influence our decision to seek legal action are: <ul style="list-style-type: none"> • The likely impact on the customer and those that live around them if we were not able to gain access to the home • The impact on whg's ability to fulfil its legal obligations if we do not gain access |

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| | <ul style="list-style-type: none"> • The previous pattern with regard to access and frequency of previous difficulties gaining access • A customer's vulnerabilities or factors that may limit their ability to give us access to their home • Whether the customer is occupying the home • Any other tenancy breaches that have occurred within the tenancy. |
| 2.15 | <p>The legal action that we take will always be appropriate to the circumstances and we will seek alternatives to gaining possession of the home wherever possible. The legal action that we may take includes (but is not limited to):</p> <ul style="list-style-type: none"> • Injunctions & Undertakings • Working with Local Authority partners to seek warrants for access on the basis of completing gas safety checks • Suspended possession orders • Outright possession orders • Warrants of eviction |
| 3.0 | PERFORMANCE MEASURES |
| 3.1 | <p>We will monitor and report on:</p> <ul style="list-style-type: none"> • Rates of 'no access' cases across all of our repairs, compliance and asset management activities. • Number of legal actions taken as a result of 'no access' cases. |
| 4.0 | EQUALITY AND DIVERSITY |
| 4.1 | <p>whg is aware that sometimes customers do not give access to their home because of a vulnerability. Where this vulnerability is known to whg, we will seek to work with the customer and/or their support network to ensure that access is gained and that any negative impact on the customer is minimised. These reasonable adjustments may include (but are not limited to):</p> <ul style="list-style-type: none"> • Providing a named point of contact for the customer who will work with them to ensure access is gained in the most appropriate way • Working with next of kin or advocates where we have permission to do so • Providing information in different formats and languages • Giving the customer more time to provide access <p>Our approach will be in line with that stated within whg's Vulnerability Policy.</p> |
| 4.2 | <p>whg will report on no access cases, broken down by the diversity characteristics of customers (where known). This will enable us to monitor for any potential adverse impacts of this policy.</p> |
| 5.0 | TRAINING AND DISSEMINATION |

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| 5.1 | <p>Customer facing colleagues will be trained on this Policy and associated procedures through team meetings and Trades Cascade sessions.</p> <p>Customers will be advised of the Policy through communication channels such as:</p> <ul style="list-style-type: none"> • Customer e-newsletter • whg website • Social media |
| 6.0 | MONITOR AND REVIEW |
| 6.1 | <p>This Policy will be monitored by the Director of Housing & Customer Service and reviewed every three years by Customer and Operations Panel and approved by the Customer Service Oversight Committee.</p> |
| 7.0 | ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES |
| 7.1 | <p>Documents, policies and procedures associated with this Policy are:</p> <ul style="list-style-type: none"> • Customer Tenancy Agreements • Tenancy Management Policy • Abandoned Homes Policy • Repairs Policy • Electrical Safety Policy • Gas Safety Policy • Vulnerability Policy • Asset Management Strategy |

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| Document author | Director of Housing and Customer Service |
| Document owner | Director of Housing and Customer Service |
| Legal advice | Housing Litigation Manager |
| Consultation | Customer Consultation via workshop |
| Approved by | Customer Service Oversight Committee – July 2025 |
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| Our 2030 Plan aim | <ul style="list-style-type: none">• Forward Thinking Services• Data Driven Decisions |
| Equality Assessment | 01/04/25 |
| Key changes made | New Policy |