

Accessing Your Property Policy

1.0 Policy statement

- 1.1 Stonewater recognises the need to ensure our homes are safe and compliant. We aim to provide a robust and reasonable approach to accessing our homes to complete essential health and safety checks, maintenance activities and housing management related tasks. We will do this whilst considering customer and household vulnerabilities.

2.0 Policy scope and objectives

- 2.1 This policy relates to all homes managed by Stonewater, whereby a stipulation in the tenancy agreement or lease advises access should be provided within a reasonable timescale unless on an emergency basis, or where we have a legal right to access customers' homes for reasons of health and safety. The policy may also be used when managing required works in a property when the customer has been decanted.
- 2.2 The policy will consider customer vulnerabilities and reasonable adjustments required to enable access; the Equality, Diversity & Inclusion Policy should be considered in conjunction with this policy.
- 2.3 The policy will explain the legal implications of compliance and the requirement for access to be provided to Stonewater to undertake essential health and safety checks, maintenance of our homes and tenancy related matters. The policy should be considered in conjunction with individual relevant procedures including but not limited to; the Maintenance of Heating Appliances and Systems Procedure, the Access Process for Electrical Testing and the Repairs Policy. The policy should be considered in conjunction with the individual tenancy agreement for the customer and with the relevant contractual expectations with our external contractors. The policy will set out expectations for colleagues when considering what action is reasonable and proportionate when obtaining access.

3.0 Regulatory and legal considerations (list is not exhaustive)

- Health & Safety at Work etc Act 1974
- The Gas Safety (installation and Use) Regulations 1998
- The Fire Safety (England) Regulations 2022
- The Smoke and Carbon Monoxide (England) Regulations 2015
- The Regulatory Reform (Fire Safety) Order 2005
- The Building Safety Act 2022
- Electricity at Work Regulations 1989
- Control of Substances Hazardous to Health Regulations 2002
- Lifting Operations and Lifting Equipment Regulations 1998
- Provision and Use of Work Equipment Regulations 1998
- Landlord and Tenant Act 1985
- Management of Health and Safety at Work Regulations 1999
- Occupiers Liability Act 1984
- Fitness for Human Habitation 2018

- Housing Health and Safety Rating System – as part of the Housing Act 2004
- Environmental Protection Act 1990
- Social Housing (Regulation) Act 2023
- Housing Act 1988
- Housing Act 1985
- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010
- Regulator of Social Housing, Consumer Standards

4.0 Policy details

4.1 Communication

- 4.1.1 It is important to ensure clear communication with the customer when attempting access into their home.
- 4.1.2 Appointments are to be agreed with the customer and written confirmation of the appointment is to be sent by letter, SMS or email. Where emergency repairs are raised, appointments will not be agreed with the customer due to availability.
- 4.1.3 Regular communication attempts should continue, and appointments made to complete the work. Support should be sought from colleagues throughout Stonewater to attempt visits and engagement with relevant agencies where required with all attempted communications logged on Stonewater's centralised system. Attempts by contractors should be recorded on their system and shared with Stonewater when requested.
- 4.1.4 In the event access is not provided due to safeguarding issues, tenancy management concerns or a possible abandonment of the property, the Customer Experience directorate will provide additional support.
- 4.1.5 There may be an occasion that access is required on an emergency basis due to health and safety implications on the property or neighbouring property. All forms of communication (including phone, text, visit, letter and email) will be attempted with the customer however if this is not successful, forced access may be required. We will check the relevant tenancy agreement prior to actioning this to ensure we are doing this correctly. We will ensure access information for the customer is stored centrally on our system so colleagues can easily provide this information when the customer requires it.

4.2 Vulnerabilities

- 4.2.1 It is essential that individual vulnerabilities and any requests for reasonable adjustments are considered when attempting access into the customer's home. Different communication methods may need to be considered with consideration being given to the Equality Act 2010 and Public Sector Equality Duty.
- 4.2.2 Where a customer is engaging with alternative support agencies, we will look to work with them to provide further support for the customer. This may include social care, mental health services, advocates etc.

- 4.2.3 Should enforcement action be required, a proportionality assessment may be completed to determine what is known about the mental capacity of the customer and whether action is reasonable and proportionate.
- 4.2.4 Stonewater have a number of policies that ensure we are considering the specific needs of our customers, including but not limited to our Vulnerable Person's Policy and our Equality, Diversity & Inclusion Policy. These should be considered alongside this policy, where relevant and applicable.

4.3 Procedure

- 4.3.1 The access procedures set out the expected process steps relevant to each contract and/or legal requirements. This explains the expectation for communication. We will take photographic evidence of attempts to access homes and record this; we will also initiate the relevant non access procedure dependant on the reason for access.

4.4 Enforcement action

- 4.4.1 Where the access procedure has been exhausted and we have not been able to make an arrangement with the customer, enforcement action may be considered to ensure we can keep the household and community safe. This may include warning letters, joint visits to a customer's home, a civil injunction or a notice of seeking possession. Our aim is to work with our customers to ensure we can safely access their home without the need to commence legal action. All methods will be considered to resolve the issue before taking enforcement action with the aim to keep customers in their homes.
- 4.4.2 Legal representation and court fees may be required when instructing enforcement action in a civil court. Any associated costs may be recharged to the customer.
- 4.4.3 Where a customer has been decanted and access is required to their home, the customer will be required to enable access to the property unless instructed by Stonewater to remain away. If this requirement to give access is delayed by the customer, enforcement action may be considered and costs for delays may be recharged to the customer.

5.0 Service standards

- 5.1 Access cases managed by the Damp, Mould & Disrepair team and the Homes Operational team will be tracked through Case Processing, with diary notes and relevant documents saved centrally to ensure complete case management. Landlord compliance cases are recorded and monitored through a portal to ensure full transparency for access is available.
- 5.2 Access cases will be reviewed monthly by the Homes Operational Leadership Team.

6.0 Equality, diversity and inclusion

- 6.1 The Equality Act 2010 will be considered when communicating with customers, paying particular attention to those with protected characteristics. Information will be obtained throughout the access case in relation to any known vulnerabilities and systems updated accordingly.

- 6.2 While we do not necessarily recognise all customers with a protected characteristic as 'vulnerable', for the purposes of this policy we will give due consideration to any protected characteristics in deciding any enforcement action to avoid any inadvertent discrimination.

Last issued: 14.5.2025

Next review date: 14.5.2028