

## NO ACCESS POLICY

<b>Lead Manager:</b>	Senior Building Safety Manager
<b>Responsible Senior Manager:</b>	Head of Compliance & Sustainability
<b>Approved By:</b>	EMT, CSS and Board
<b>Date Approved:</b>	12 <sup>th</sup> January 2026
<b>Date for Review:</b>	January 2027
<b>Replaces Previous Version:</b>	N/A
<b>Version Number:</b>	1
<b>Reason for Having a Policy:</b>	Good Practice
<b>Shared Publicly on STAR's Website:</b>	No
<b>Linked Policies:</b>	Asbestos Policy, Central Heating & Servicing Policy, Damp & Mould Policy, Electrical Safety Policy, Fire Safety Policy, Gas & Heating Policy, Repairs & Maintenance Policy, Tenancy Policy, Water Safety Policy
<b>Linked Procedures:</b>	-

# CONTENTS

1. INTRODUCTION.....	3
2. LEGAL AND SAFETY OBLIGATIONS .....	3
3. ACCESS PROCEDURE .....	4
4. ESCALATION PROCESS FOR HOUSING COLLEAGUES .....	5
5. EXCEPTIONS AND CONSIDERATIONS.....	5
6. EQUALITY AND DIVERSITY .....	6
7. REVIEW.....	6
8. VERSION CONTROL .....	6

## **1. INTRODUCTION**

- 1.1 To ensure tenant safety and legal compliance, this policy outlines the approach taken when access is not granted for essential safety inspections including, but not limited to, inspections related to gas safety, fire safety, electrical safety, asbestos, legionella, lifting equipment, damp and mould, and testing or remedial works.
- 1.2 This applies to all properties managed by Shropshire Towns and Rural Housing (STAR) where safety checks are required under current housing and safety regulations.

## **2. LEGAL AND SAFETY OBLIGATIONS**

- 2.1 STAR is legally required to ensure building safety in the following areas:

### **Gas Safety**

- Regulation: Gas Safety (Installation and Use) Regulations 1998
- Requirement: annual gas safety checks by Gas Safe registered engineers
- Landlord duty: maintain safe gas appliances, flues, and pipework; provide tenants with a copy of the gas safety certificate.

### **Electrical Safety**

- Regulation: Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020; reinforced by the Social Housing (Regulation) Act 2023
- Requirement: electrical Installation Condition Reports (EICRs) every 5 years
- Landlord duty: ensure electrical systems are safe and compliant; remedial works must be completed within specified timeframes.

### **Fire Safety**

- Regulation: Regulatory Reform (Fire Safety) Order 2005; Fire Safety Act 2021
- Requirement: fire risk assessments and appropriate fire safety measures
- Landlord duty: ensure fire doors, alarms, and escape routes are maintained; comply with building safety regulations.

### **Lift Safety**

- Regulation: Lifting Operations and Lifting Equipment Regulations (LOLER) 1998
- Requirement: thorough examination of lifts every 6 months (passenger lifts)
- Landlord duty: maintain safe operation and servicing of lifts; keep records of inspections.

### **Asbestos Management**

- Regulation: Control of Asbestos Regulations 2012
- Requirement: identify, assess, and manage asbestos risks

- Landlord duty: maintain an asbestos register; ensure safe removal or containment where necessary.

### **Legionella Control**

- Regulation: Health and Safety at Work Act 1974; Control of Substances Hazardous to Health (COSHH) Regulations 2002
- Requirement: risk assessments and water system monitoring
- Landlord duty: prevent legionella growth in water systems; flush systems and maintain appropriate temperatures.

### **Mould and Damp (Awaab's Law)**

- Regulation: Social Housing (Regulation) Act 2023
- Requirement: investigate and resolve serious hazards like damp and mould within a fixed timeframe
- Landlord duty: act promptly on tenant reports; rehouse tenants if the home cannot be made safe.

These compliance areas are enforced under the Regulator of Social Housing's Consumer Standards, which came into effect on 1 April 2024. The standards include:

- Safety and Quality Standard
- Tenancy Standard
- Neighbourhood and Community Standard
- Transparency, Influence and Accountability Standard

## **3. ACCESS PROCEDURE**

### **3.1 First attempt:**

- A formal appointment either by telephone, letter or preferred means is sent to the tenant with at least 48 hours' notice.
- This explains the importance of the inspection and the need for access.
- A record of this correspondence is added to the tenant's record on the CRM system.

### **3.2 Second attempt:**

- If we are unable to gain access at the first attempt, a second appointment is arranged for one week's time.
- This includes a reminder letter being issued, reiterating the legal requirement and potential consequences of non-compliance.
- A record of this correspondence is added to the tenant's record on the CRM system.

### 3.3 Third attempt:

- If we are unable to gain access at the second attempt, a final appointment is scheduled for one week's time and a letter is hand delivered.
- This letter states that failure to provide access may result in escalation, including legal action.
- A record of this correspondence is added to the tenant's record on the CRM system.

The one-week extensions between access attempts are designed to afford tenants time to acknowledge the correspondence and make appropriate arrangements for access if required, while also managing the risk of STAR not gaining access to conduct necessary works.

## 4. ESCALATION PROCESS FOR HOUSING COLLEAGUES

### 4.1 If access is still not granted after three attempts:

#### **Step one: internal review**

- A Housing Officer reviews the case and contacts the tenant directly to understand any barriers to access. Vulnerability or safeguarding concerns are assessed.

#### **Step two: support intervention**

- If appropriate, referrals are made to support services (e.g., tenancy sustainment, social care). Flexible arrangements may be offered (e.g., out-of-hours appointments).

#### **Step three: legal action**

- If no resolution is reached, the case is escalated to the Compliance and Legal Team. STAR may seek an injunction or warrant to gain access. Costs incurred may be recharged to the tenant, subject to tenancy terms.

## 5. EXCEPTIONS AND CONSIDERATIONS

### 5.1 STAR is committed to working with tenants to ensure safety and compliance. Support may include:

- Translation services
- Liaison with carers or support workers
- Alternative appointment times

## **6. EQUALITY AND DIVERSITY**

- 6.1 STAR is committed to applying this policy fairly and consistently to all customers. Discrimination—whether direct or indirect—on the grounds of race, religion, age, gender, marital status, sexual orientation, disability, or any other protected characteristic outlined in our Equality and Diversity Policy will not be tolerated.
- 6.2 In implementing this policy, STAR will act with sensitivity to the diverse needs of individuals and communities.
- 6.3 Where appropriate, STAR will take positive action to help reduce discrimination and harassment within local communities.

## **7. REVIEW**

- 7.2 This policy will be reviewed on an annual basis or in line with changes in law or guidance from the Housing Ombudsman and/or Regulator of Social Housing.

## **8. VERSION CONTROL**

<b>Renewal Date</b>	<b>Version</b>	<b>Approved By</b>	<b>Comments</b>
01 2026	1	TBC	First version of policy