



No Access Policy

1.0 Purpose and Scope

We respect the privacy of our residents and their 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.

This policy outlines our approach to obtaining access to a resident's property for repairs, in emergency situations and when conducting a legally required compliance check. This policy does not relate to obtaining access to properties as part of the repossession process or temporary housing visits.

Individual occupancy agreements will detail a resident's rights and responsibilities in relation to providing access to the property.

2.0 Situations where we require access

2.1 Repairs

Legislation allows us to enter and inspect tenanted properties to carry out works, provided 24 hours' notice is given.

2.2 Emergencies

In emergency situations we reserve the right to enter a property without prior consent where we are not able to obtain this. We only consider entering a property without prior consent as a last resort and where we have reviewed and satisfied the occupancy agreement conditions. We always consider if the issue can be resolved without having to enter the property itself, for example by turning off the water supply when a leak has been reported.

We consider an emergency to be a situation where access is not granted and waiting for an injunction or for the resident to be able to grant access would result in a significant risk of harm to people or property:

We force access to a property where there is:

- A water leak that cannot be contained and/or has compromised electrics
- A gas leak
- A carbon monoxide leak

We contact the police to request they force access where we:

- Have a genuine and immediate concern for a resident's wellbeing

- Suspect that a violent or criminal incident is taking place

2.3 Compliance checks

Legally required compliance checks include gas safety checks, electrical installation condition report (EICR) checks, fire alarm servicing, and any future access requirements that may be deemed necessary for the landlord to meet regulatory requirements set out in the Building Safety Act 2022, the Fire Safety Act 2021 and any associated secondary legislation.

We only consider capping the gas in limited circumstances and where this has been approved by the relevant Operational Lead. Where gas has been capped, we continue with efforts to gain access, and meanwhile, we either seek an injunction or follow our policy on abandonment. If there is a child or adult with care and support needs within the household, we follow our relevant safeguarding policies and procedures and work closely with relevant agencies to have the gas reinstalled as swiftly as is safely possible.

3.0 Gaining entry

3.1 Repairs

We always strive to arrange an appointment for a repair that is suitable for the resident, in line with our Repairs policy. Where access to carry out a repair is denied, we will seek an injunction to carry out the work and consider taking action against the tenancy for breach of the agreement.

3.2 Emergencies

Where a decision has been made to enter a property without prior consent, we will use various types of contact, such as speaking to neighbours or a next of kin, to establish the resident's whereabouts.

Where available, we use a master key to gain access. Where we do not hold a master key, or it is not immediately available we can (or authorise another agency to) force entry to the property. We will try and limit any damage as far as possible. We will make safe and repair any part of the property damaged in the process of forced entry.

If we are concerned for the safety or wellbeing of someone inside the property, we inform the police and invite them to attend when forcing access to a property. We take into account any health issues the resident has disclosed to us, including mental health issues, when forcing access in an emergency.

3.3 Compliance checks

Where the occupancy agreement provides a condition for entry to carry out a compliance check, we carry out three planned visits and make every effort to contact the resident, including by writing to them. Where these have been unsuccessful and the compliance certificate is about to expire, we seek an injunction to carry out the check, requiring the resident to facilitate access by law.

4.0 Our approach

As access for compliance is prescribed by law, a diversity and inclusion assessment has not been completed for this policy.

5.0 Reference

- Section 1(3) Protection From Eviction Act 1977
 - Section 11 (6) of the Landlord and Tenant Act 1985
 - Housing Act 1988
 - Regulation 39 of the Gas Safety (Installation and Use) Regulations 1998
 - Homes (Fitness for Human Habitation) Act 2019
 - Fire Safety Act 2021
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Document control

Author	Iona McHugh, Policy Officer
Approval date	
Effective date	
Approved by	Policy Group
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Accountable Director	

Version Control

Date	Amendment	Version
10/01/2019	New NHG policy	1.0
29/10/2020	Covid-19 statement added	1.1
18/03/2022	Covid-19 statement removed	1.2
14/03/2023	Clarified circumstances where we would ask the police to force access; added a statement on forcing access for repairs; added point around speaking to neighbours; add that we write to residents as a way of making contact	1.3