NO ACCESS POLICY

2025 - 2026

LHP No Access Policy

Adopted / Date Reviewed:	June 2026
Review Period: **Next Review**	Annually from date of adoption June 2026
Contact Officer:	Corporate Head of Asset Management
Policy Version:	Third version of policy
Version Reviewed by: **Version Reviewed by:** **Version Approved by:**	Compliance, Neighborhoods and Customer Managers: March 2025 Customer Scrutiny Panel: 07 May 2025 Leadership: 27June 2025
Policy Links:	Health & Safety Policy Landlords Building Safety Compliance Policy

Brief Policy Summary:

This policy sets out LHP's approach to gaining access to properties for Building Health & Safety and Compliance inspections and works, reactive repairs and tenancy related visits when access has been refused.

Contents

Section 1 - Compliance 4
Purpose 4
Objectives 4
Scope 4
No Access 5
Legal Action for other reasons 7
Management of Capped Gas Supplies 7
Record Keeping 8
Performance Reporting 8
Review 9
Section 2 – Reactive Repairs No Access 9
Purpose 9
No Access for Reactive Repairs Appointments 9
Record Keeping 9
Section 3 – Disrepair Claims No Access 12
Purpose 12
No Access for disrepair claims 12
Record Keeping 13
Performance Reporting 13
Section 4 – Housing Related No Access 15
Purpose 15
No Access for housing related visits 15
Record Keeping 15
Performance Reporting 15
Appendix 1 - Checklist Prior to Undertaking Legal Action for No Access 16
Appendix 2 - Approval of Gas Capping Risk Assessment 17
Lincolnshire Housing Partnership (LHP) Equality and Quality Impact Assessment (EQIA) 18
Scope and Purpose 18
Data Collection and Evidence 18
RAG Impact Assessment on Protected Characteristics 18
Mitigating Negative Impact 19
Consultation and Engagement 20
Decision Making 20
Monitoring and Review 20

Section 1 - Compliance

Purpose

1. The purpose of this policy is to provide clarity on the measures which LHP will undertake to ensure that it complies with the HSE (Health & Safety Executive) requirement to be able to demonstrate it has undertaken appropriate measures to gain access to a property to meet its statutory or policy obligations in relation to building health and safety.

Objectives

2. The objectives of this policy are to give clarity on:

- When legal action will be undertaken to gain access.
- Circumstances where it would not be appropriate to take legal action relating to health and safety-related requirements.
- The way in which records are kept thereby ensuring that LHP can demonstrate that it has complied with HSE and other regulatory guidance in relation to accessing properties to achieve statutory health and safety compliance.

Scope

3. This policy covers but is not limited to:

- The Landlords and Customers Act 1985
- Building Safety Act 2022
- Awaabs Law 2025
- Defective Premises Act 1972
- Health and Safety at Work etc. Act 1974
- The Housing Act 2004 which introduced the Housing Health and Safety Rating System (HHSRS) and the Housing Health and Safety Rating System Regulations 2005.
- Regulatory Reform Order (Fire Safety) 2005
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022

- Gas Safety (Installation & Use) Regulations 1998 (as amended)
- Control of Asbestos Regulations 2012
- Provision & Use of Work Equipment Regulations 1998
- Lifting Operation & Lifting Equipment Regulations 1998
- Electricity at Work Regulations 1989

No Access

4. For each area of statutory compliance there will be an access procedure in place, which sets out the reasons for which access would be required and the timescales and means for informing customers or leaseholders that action is required.
5. Common Parts: Where LHP does not hold keys to a common part or part thereof, LHP will write to all occupiers of the building who have access to that common part with an appointment date and time, for access to be granted.
6. Where access is not given to a common part of a building to carry out the inspection and LHP does not hold keys, LHP reserves the right to undertake a lock change with 24 hours' notice to all households in the block to enable the inspection to be completed and will issue a key if appropriate to any household which is required to access the common parts.
7. If it is found that locks to common parts, or parts thereof, where LHP is a keyholder are changed without consent, then LHP will undertake a lock change and recharge the apportioned cost of the lock change to all residents.
8. Where LHP requires access to a domestic rented property to carry out an inspection or health and safety-related work, including remedial works relating to any aspect of health and safety compliance, such as gas, electrical safety, fire safety and damp and mold, the organisation will follow the process outlined in the individual procedures.

   Where access is not gained through writing to the customer or by other means including visits and calls, then legal action may need to be considered.
9. In determining whether legal action, or what type of legal action is appropriate, there is a need to ensure that the requirements of the checklist, attached at **Appendix 1 -, Checklist Prior to Undertaking Legal Action for No Access** have been undertaken prior to any recommendations being made.
10. Legal routes available for no access: -

    - If the property appears to be abandoned a Notice to Quit will be served and the Court applied to, to give possession of the property.
    - Where the property appears, or is known, to be occupied an injunction will be sought to gain access to the property. Once this has been granted an appointment will be made and the property will be attended.

- If the customers refuse access at this point, there are three legal options available:
    - Serve a Notice of Seeking Possession and apply to the court for possession due to breach of tenancy
    - Apply to the court using the injunction for committal due to contempt of court.
    - Apply to the Local Authority to use their powers under the Environmental Protection Act 1990 to force access.

11. In line with the Gas & Fossil Fuel Safety Process, there is the option to cap off a gas fired system that has gone beyond its service date to ensure safety. This only applies where access to the gas meter shall not involve entering any internal parts of the property or forcing entry into any other areas.
    Should this route be taken, then the following will apply in line with Appendix 2 – Gas Capping Risk Assessment and the following considerations:
    - There is no vulnerability indicators assigned to customers within the property that may be adversely affected as a direct impact from the system being capped.
    - Evidence of 3 missed appointments, with letters sent to the customer for each appointment, or documented evidence held in our housing management system if appointment(s) booked via phone call or other means, and where appropriate, a visit by the Neighbourhood Officer.
    - Confirmation from the Servicing Team that the meter is accessible and by capping the system it would not be to the detriment of the installed heating system.
    - Confirmation from the Compliance Team that the correct process has been followed as per the Gas & Fossil Fuel Safety Process up to this point.
    - Approval of Gas Capping Risk Assessment Completed
    - Approval of gas capping via an Executive Director.
12. Should all of the above points be met, then the Compliance Manager (or their nominated representative) shall make a formal request to an Executive Director, for permission for the system to be capped. Only when formal confirmation has been received can the system be capped off. Once a system has been capped off, then the process outlined in the Gas & Fossil Fuel Safety Process for managing capped supplies is to be followed.
13. Leaseholders:
    - Under the terms of an LHP lease, leaseholders are responsible for repairs and maintenance of the property. There are, therefore, a limited number of circumstances in which no access to a leasehold property would result in LHP being unable to fulfil its obligations under statutory health & safety compliance. The key area would be fire doors from a leaseholder’s flats onto communal corridors.
    - Legal options which are open are to work with the local fire authority where they are willing to directly serve a notice on the leaseholder or take legal action for breach of

their lease through the First Tier Tribunal (FTT) or if the lease enables it to seek an injunction to get the leaseholder to comply with their lease.

14. Circumstances where legal action is not appropriate:

- Vulnerable Customers - where customers are vulnerable, especially due to mental capacity issues, legal action cannot be taken. In cases like these LHP will demonstrably work closely with family members and support agencies to gain access.
- Hoarders – hoarding is a recognised mental health illness. While many will allow access, the access may not be safe for the member of staff that needs to carry out the inspection. A customer identified as a hoarder will be flagged on the housing management system and a longer timescale will be given under the procedures to gain access to these properties and where appropriate a safeguarding referral shall be made to the relevant Local authority. This should be done through joint visits with the Neighbourhood and Allocations Team and appropriate agencies. An action plan to complete the inspection in a safe manner needs to be agreed with the customer and its implementation appropriately supported.
- LHP recognises that fuel poverty is a genuine issue for some of our customers. For occupied properties where the inspection has not been able to be completed due to no credit on the meter on the final visit the Engineer will put a £5 credit on the meter to enable the safety check to be completed. A referral will then be made to the Money Support Team to see if there is help which can be given to the customer.
- Damp and Mould – Should LHP require access to a property to carry out an inspection or remedial works following an inspection, or repairs raised by the customer relating to Damp and / or Mould, or any of the HHSRS items which will be governed by Awaabs Law 2025, the same procedure as for Statutory compliance inspections will be followed. 3 attempts for access on appointments made by letter or phone call/other means of communication (evidence of this must be added to QL) to the customer will be attempted, prior to legal options being considered.

Legal Action for other reasons

15. Prior to any action being taken regarding possession of a property, the team which is leading on the legal action needs to check if there are any health and safety checks overdue or coming up within a 2-month period; if this is the case, they need to be included in the legal action which is being undertaken.

    If access is gained these can be removed prior to going to court.

Management of Capped Gas Supplies

16. For a variety of reasons some of our properties may have the gas supply capped. This can be on the grounds of safety, at the request of a customer, if they have identified that they do not plan to use any gas fired appliances, or where there is a gas supply pipe to a cooker point which is not in use. In specific instances, a supply can be capped if it is going beyond its service due date where a gas capping risk assessment has been completed and authorised by the ELT prior to this action being undertaken.
17. To ensure that the capped gas supply continues to remain in a safe condition, the capped element of the meter will be inspected by a heating engineer on a regular basis, the frequency of which will be determined using the following risk-based approach:
    - Capped due to no access on gas service – quarterly
    - Capped due to customer request – annual
    - Capped due to no current gas appliance in property – annual
18. A register of capped supplies shall be formed within the asset register which will allow LHP to demonstrate which of its supplies are currently capped. This register will be maintained by the Service Co-Ordinator, with the Compliance Co-Ordinator reviewing the information.
19. The gas capped register will be circulated amongst colleagues so that they are aware of any specific vulnerable customers who may require further assistance, such as welfare visits and/or referrals to support agencies.
20. LHP will carry out an annual check to all properties which, according to our records, do not have a gas supply/meter within their home.
21. This will be programmed by the Compliance Team, with feedback populating the appliance register held in QL.

Record Keeping

22. It is critical for all safety-related inspections that detailed records are kept on core systems detailing any communication and visits undertaken to the property, especially when the normal access process has failed.
23. This will mean that should an incident occur, LHP will be able to demonstrate to the HSE and other enforcing authorities that we have followed our policy and taken all reasonable steps to gain access.

Performance Reporting

24. KPI reporting will be used to monitor performance in respect of gas access to properties and capped properties. Gas capping KPIs are under development as part of the further embedment of the gas capped risk assessment-based inspection programme. This

process also applies to all safety inspection works, including but not limited to: Fire, Asbestos, Electrical, Water hygiene and LOLER.

Review

25. The policy should be reviewed annually by the Leadership Team.

Section 2 – Reactive Repairs No Access

Purpose

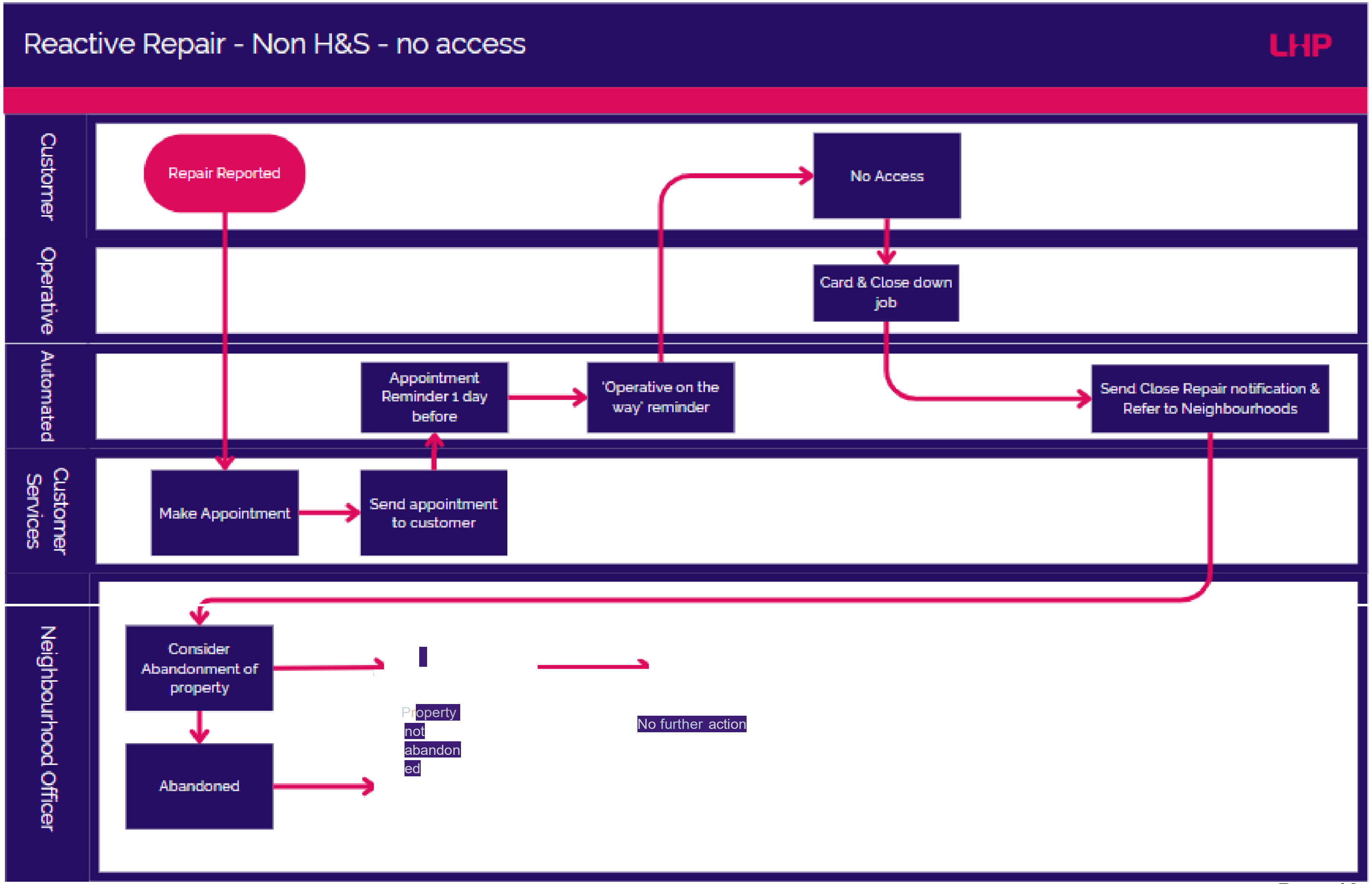
26. The purpose of this section of the policy is to provide clarity on how LHP will deal with no access to properties where reactive repairs have been reported.

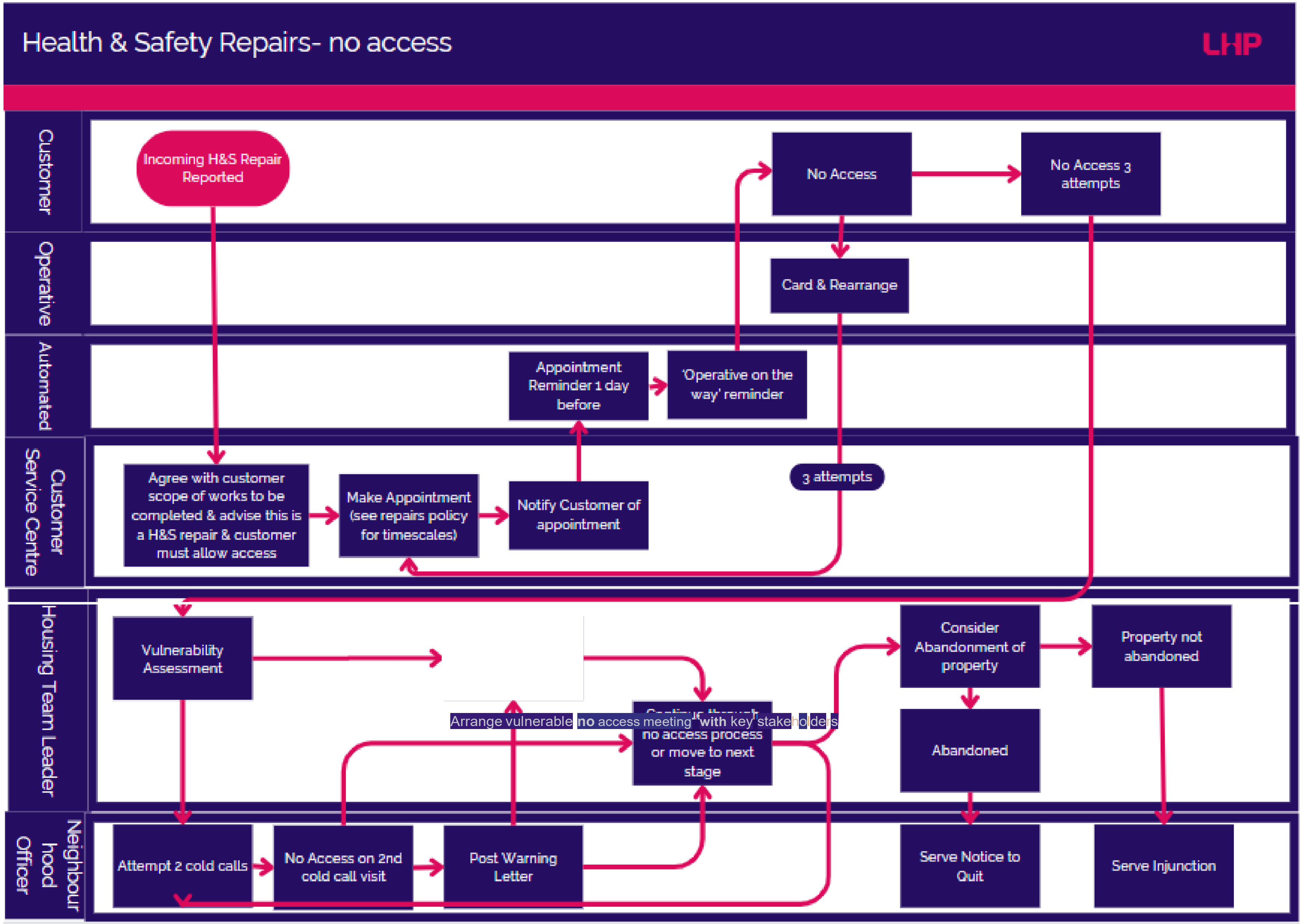
No Access for Reactive Repairs Appointments

27. The Repairs Team will need to access customers' homes to complete repairs and keep the property in good repair.
28. This includes but is not restricted to, repairs reported by the customer, and officers on home visits.
29. Issues with no access could be indicative of underlying issues such as hoarding or breach of tenancy related activities relating to the condition of a home and also where the property may have been abandoned.
30. If there is no access granted by the customer for LHP to complete the repair, this will trigger one of the two processes, depending on if the repair is considered to be a Health & Safety risk.
31. Health & Safety risks are categorised within the Repairs & Maintenance Policy.

Record Keeping

32. All no access attempts for repairs will be recorded and monitored on QL housing management system to allow oversight.


Reactive Repair - Non H&S - no access
LHP
Customer
Operative
Automated
Customer Services
Neighbourhood Officer
Repair Reported
No Access
Card & Close down job
Appointment Reminder 1 day before
'Operative on the way' reminder
Send Close Repair notification & Refer to Neighbourhoods
Make Appointment
Send appointment to customer
Consider Abandonment of property
Abandoned
Property not abandoned
No further action


Health & Safety Repairs- no access
LHP
Customer
Operative
Automated
Customer Service Centre
Housing Team Leader
Neighbourhood Officer
Incoming H&S Repair Reported
No Access
No Access 3 attempts
Card & Rearrange
Appointment Reminder 1 day before
'Operative on the way' reminder
Agree with customer scope of works to be completed & advise this is a H&S repair & customer must allow access
Make Appointment (see repairs policy for timescales)
Notify Customer of appointment
3 attempts
Vulnerability Assessment
Arrange vulnerable no access meeting with key stakeholders
no access process or move to next stage
Consider Abandonment of property
Property not abandoned
Abandoned
Attempt 2 cold calls
No Access on 2nd cold call visit
Post Warning Letter
Serve Notice to Quit
Serve Injunction

Section 3 – Disrepair Claims No Access

Purpose

33. The purpose of this section of the policy is to provide clarity on how LHP will deal with no access to properties where a known repair is required as identified as part of a disrepair claim.

No Access for disrepair claims

34. When a disrepair claim has been received, LHP will agree with the claimant on the scope of works to be completed, the duration for which these will be completed, and arrange post inspection of these works to sign off the claim.

35. Where customers do not allow reasonable access to complete the necessary repairs, this can impact on the timescales of the claim.

36. Customers will be contacted directly by LHP in relation to the repair's timeline following agreed work specifications. This information will also be shared via legal teams as per the claim process.

37. If there is no access granted by the customer for LHP to complete the repairs, this will trigger the following process:

38. Customer vulnerability will be assessed in each case of no access to ensure that any reasonable adjustments can be made to meet the customer's needs, or to seek support and engagement from third party agencies where required.

39. Legal routes available for no access: -

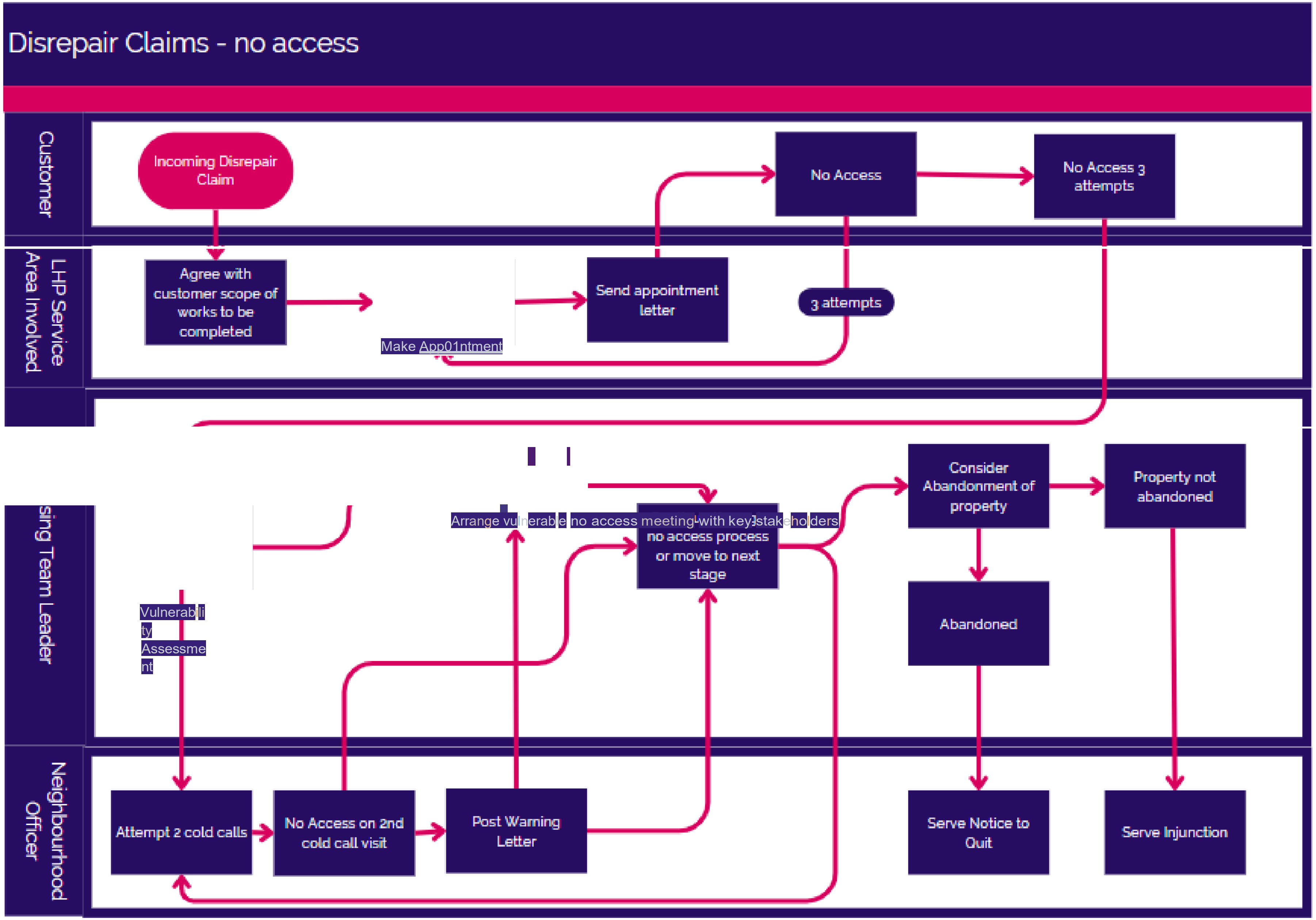
- If the property appears abandoned a Notice to Quit will be served and the Court applied to, to give possession of the property.
- Where the property appears or is known to be occupied an injunction will be sought to gain access to the property. Once this has been granted an appointment will be made and the property will be attended. If the customers refuse access at this point, there are three legal options available:
- Serve a Notice of Seeking Possession and apply to the court for possession due to breach of tenancy
- Apply to the court using the injunction for committal due to contempt of court.

Record Keeping

40. All ‘no access’ cases for disrepair claims will be recorded and monitored on SharePoint and via case management on the QL housing management system to allow oversight of cases.

Performance Reporting

41. Performance on disrepair claims, including those with no access cases will be reported in line with KPI’s on a monthly and quarterly basis to Leadership and the Board.


Disrepair Claims - no access
Customer
LHP Service Area Involved
sing Team Leader
Neighbourhood Officer
Incoming Disrepair Claim
No Access
No Access 3 attempts
Agree with customer scope of works to be completed
Make App01ntment
Send appointment letter
3 attempts
Consider Abandonment of property
Property not abandoned
Arrange vulnerable no access meeting with key stakeholders
no access process or move to next stage
Abandoned
Vulnerability Assessment
Attempt 2 cold calls
No Access on 2nd cold call visit
Post Warning Letter
Serve Notice to Quit
Serve Injunction

Section 4 – Housing Related No Access

Purpose

42. The purpose of this section of the policy is to provide clarity on how LHP will deal with no access to properties where essential tenancy-related visits are required.

No Access for housing related visits

43. LHP Neighborhoods and Allocations Team will need to make essential visits to customers' homes to ensure the sustainment of a tenancy

44. This include but are not restricted to Starter Tenancy Visits and Customer Home Visits.

45. Issues with no access could be indicative of underlying issues such as hoarding or breach of tenancy related activities relating to the condition of a home and also where the property may have been abandoned.

46. If there is no access granted by the customer for LHP to complete a visit this will trigger the below process:

47. *NB: three access attempts prior to a vulnerability assessment is a guide, and officers should use their professional judgment to escalate to management at the appropriate time. On some occasions this may be prior to three non-access attempts and on other occasions, three or more non-access attempts may not be a cause for concern depending on the surrounding circumstances.

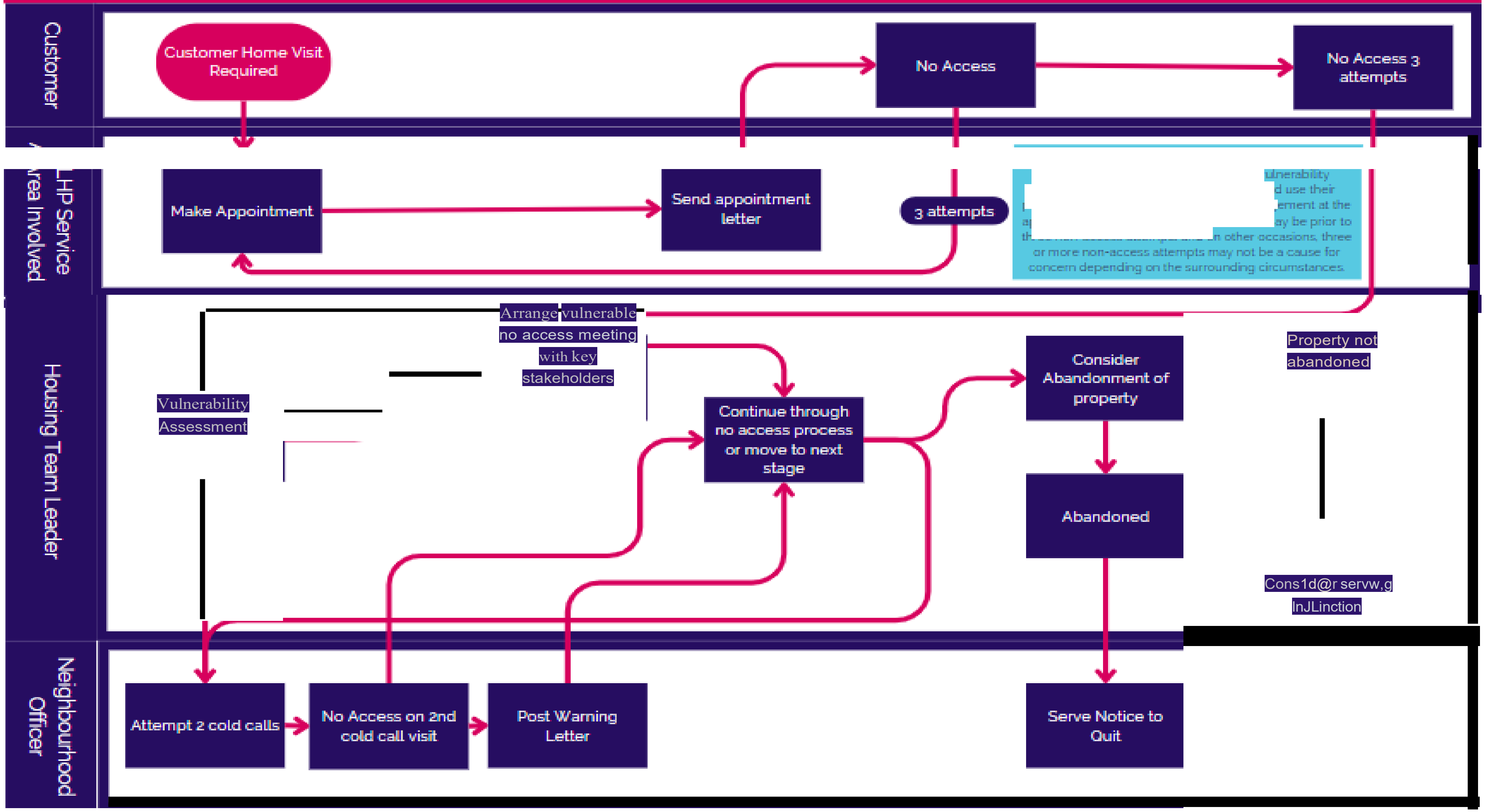
Record Keeping

48. All no access cases for housing visits will be recorded and monitored on QL housing management system to allow oversight of cases.

Performance Reporting

49. Performance on no access for home visits including those with no access cases will be reported in line with KPI's on a monthly and quarterly basis to Leadership and the Board.

Housing Visit - no access



Appendix 1 - Checklist Prior to Undertaking Legal Action for No Access

Activity	Response	Comments
Is there a known reason (e.g. mental capacity or hospitalisation) why legal action would not be appropriate?	Yes/No	
Has the property been visited during working hours and out of working hours, including weekends?	Yes/No	
Was the customer in?	Yes/No	
Are there any vulnerable indicators on the system that need to be considered?	Yes/No	
Has all means of contact been taken to secure access, e.g., telephone, messaging etc.? List all dates of contacts	Yes/No	
Have the neighbours seen the customer recently?	Yes/No	
Outcome of property visit? (Include evidence which might support action route e.g. photos)		
From visiting the property do we believe it could be abandoned.	Yes/No	
Has the next of kin been contacted, if not why?	Yes/No	
Details of dates and times of visits to the property:	Customer	
	Repairs	
Is there anything else which should be considered prior to starting legal proceedings?		
Recommended Action:		
Submitted by: Position: Date:		

Appendix 2 - Approval of Gas Capping Risk Assessment

Activity	Response	Comments
Family Composition		
Are there any vulnerable indicators on the system that need to be considered and give reason why gas capping would not be appropriate?	Yes/No	
Has the property been visited during working hours and out of working hours including weekends?	Yes/No	
Outcome of property visit? (Include evidence which might support action e.g. photos)	Yes/No	
Has all means of contact been taken to secure access, e.g., telephone, messaging etc? List all contacts	Yes/No	
Have the neighbours seen the customer recently?	Yes/No	
From visiting the property do we believe it could be abandoned.	Yes/No	
Has the next of kin been contacted, if not why?	Yes/No	
Details of dates and times of visits to the property as part of this process	Customer	
Is there anything else which should be considered prior to gas capping	Repairs	
Recommended Action		
Submitted by: Position: Date:		
Approved by: Position: Date:		

Lincolnshire Housing Partnership (LHP) Equality and Quality Impact Assessment (EQIA)

Title of Policy/Event/Decision: LHP No Access Policy
Lead Officer(s): Matthew Fell
Date of EQIA: 07/05/2025

Scope and Purpose	
Briefly describe the policy/event/decision being assessed:	This policy sets LHP's approach to gaining access to properties for Building Health & Safety & Compliance inspections and works when access has been refused
What is the aim or purpose of this policy/decision?	To provide policy guidance on actions to take in the event of LHP's customer not allowing access to the property for repairs, inspections or for other reasonable access requirements.
Which departments or groups will be affected by this policy/event/decision?	All departments within LHP and all customers of LHP.
Data Collection and Evidence	
What data or evidence have you used to identify how different groups may be affected? (e.g., customer demographic data, service usage statistics, consultation feedback)	EDI data analysis from all collected EDI customer data. However, there are no adverse effects on any of the protected characteristics. Please see below table showing enhancement actions for those who may need it.
What does this data tell you about the potential impacts on different equality groups?	The Data viewed gives an overview of customer needs. However, for the purpose of this policy, we will follow the mitigations/enhancement actions as below.

RAG Impact Assessment on Protected Characteristics

Use the RAG system to assess the level of potential impact for each protected characteristic:
Red **(High Risk):** Significant potential for negative impact requiring immediate action to mitigate.
Amber **(Medium Risk):** Some potential for negative impact, which can be mitigated with changes.
Green **(Low or No Risk):** Little to no negative impact identified.
Ensure that you state reasons (the why) for your justifications.

Protected Characteristic	Impact (Positive, Negative, Neutral)	RAG Rating	Description of Potential Impact	Mitigation/Enhancement Actions	Responsible Officer

Age	Neutral	Green	For elderly customers, details of appointment times may be confusing or may take time to answer the door.	Wait a reasonable amount of time between knocking on the door and leaving site. Ensure that appointments are sent via letter or phone call and ‘en route’ notifications are sent as per process. These mitigations are already standard practice.	All LHP staff
Disability	Neutral	Green	May take longer to answer door, may not hear the door knock (hearing difficulties)	Wait a reasonable amount of time between knocking on the door and leaving site. Ensure that appointments are sent via letter or phone call and ‘en route’ notifications are sent as per process. Knock loudly on door. These mitigations are already standard practice.	All LHP staff
Gender Reassignment	Neutral	Green	No impact	None required	All LHP staff
Marriage and Civil Partnership	Neutral	Green	No impact	None required	All LHP staff
Pregnancy and maternity	Neutral	Green	May take longer to answer door.	Wait a reasonable amount of time between knocking on the door and leaving site. Ensure that appointments are sent via letter or phone call and ‘en route’ notifications are sent as per process. These mitigations are already standard practice.	All LHP staff
Race	Neutral	Green	No impact	None required	All LHP staff
Religion or Belief	Neutral	Green	No impact	None required	All LHP staff
Sex	Neutral	Green	No impact	None required	All LHP staff
Sexual Orientation	Neutral	Green	No impact	None required	All LHP staff

Mitigating Negative Impact

What actions will you take to reduce or mitigate any identified negative impacts? Provide specific mitigation measures for each characteristic where a negative impact (Red or Amber rating) was identified.	No negative impacts expected. Of the mitigations / enhancement actions noted above, this will be communicated via toolbox talks with all operatives, and communicated to all other customer facing teams, such as Neighbourhoods and ASB teams to ensure negative impacts on customers are avoided.
Who is responsible for implementing these actions?	Compliance Manager – For compliance, gas/electrical servicing, and major repairs. Minor repairs manager – For minor repairs operatives. Neighbourhoods Manager – For Neighbourhoods and ASB teams.
Consultation and Engagement	
Have you consulted any stakeholders or equality groups? If so, who and how?	This document and policy were reviewed at a customer scrutiny panel on 7th May 2025.
What feedback have you received, and how has this influenced your assessment?	Feedback was positive, with no alterations requested. Feedback noted the policy was fair and clear, and customers who viewed the policy understood the need for such a policy.
Decision Making	
How has this EQIA informed or influenced the final decision?	This policy was already in place prior to this EQIA being carried out. Mitigations noted above where not noted on previous EQIA document for this policy, however they are a standard practice when LHP are aware of the vulnerabilities noted in the above impact assessment.
Were any changes made to the policy/decision as a result of the EQIA?	No changes made. However, we will continue to follow through on mitigations noted in the above table.
Monitoring and Review	
How will you monitor the actual impact of the policy/decision once it is implemented?	Policy will be reviewed annually. No access for Compliance related actions is monitored via the Compliance department and is reported on weekly. By monitoring the actions raised under this policy, we can ensure mitigations are in place and being used. We will review mitigations annually or as required if made aware of failures.
When will the policy/decision be reviewed?	Annually
Sign-Off **EQIA Completed By:** *Lead Officer(s) Name(s):* *Date:*	Danny Wyer 12 May 2025
Approved By: *Approval Name:* *Date:*	Abigail Iyaho 12 May 2025