Social Tenant Access to Information Requirements (STAIRs) Policy

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Confidentiality	C1
Distribution list	HSH Operational Staff, HSH Board of Trustees, HSH Tenants
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1. Overview

This policy sets out how Hawes Street Housing will provide its social housing tenants with access to information related to the management of social housing that it owns and manages, including where this is managed through an agent or third party.

The policy sets out the requirements that HSH will adhere to in relation to the publishing of information, the processing of information requests, the disclosure of relevant information and the circumstances in which information may be withheld.

HSH must publish certain information about its activities and provide relevant information in response to requests from tenants unless it is reasonable to withhold the information from disclosure. This demonstrates HSH's commitment to transparency, accountability and tenant involvement.

2. Policy Scope

This policy applies to all residents in HSH accommodation including residents on tenancies and license agreements, and accommodation that may be managed on behalf of HSH through an agent or third party.

The policy covers information requested from HSH residents or a designated representative making an information request on their behalf.

The STAIRs requirements relate specifically to information requests relating to the management of social housing, this policy does not cover Subject Access Requests which relate to individual's personal data.

3. Regulatory and Legal Framework

This policy complies with HSH's duties under the following legislation:

- Social Housing Regulation Act 2023
- Regulator of Social Housing Standards
    - Transparency, Influence & Accountability Standard – requires registered providers to ensure tenants can access information needed to hold landlords to accounts.
    - Consumer Standards Code of Practice 2024
- Social Tenant Access to Information Requirements: Policy Statement

- UK GDPR & Data Protection Act 2018
- Freedom of Information Act 2000
- Equality Act 2010

4. Principles

HSH is committed to transparency and accountability. This includes the publishing of a range of relevant information to tenants to allow for influence and scrutiny of HSH's activities as a registered provider of social housing.

HSH aims to ensure that all information produced and published is accessible for tenants, and is committed to making reasonable adjustments to ensure all tenants can participate in holding HSH to account for the quality of housing and services provided.

5. Publication Scheme

HSH will proactively publish the information which they hold, and which falls within one or more of the classes set out in the public information scheme. This can be found in **Appendix 1**.

HSH will also:

- identify the information it holds, and falls within the designated information classes
- make tenants aware of the publication scheme so that information can be easily identified and accessed by tenants
- review the information made available in accordance with the requirements and update on a regular basis

6. Information Requests

This policy covers relevant information held by HSH or by a managing agent or third party responsible for the management of social housing on its behalf.

Relevant information is information related to the management of social housing. This may include details of policies, plans and actions carried out in the management of social housing, and information captured and retained to support these activities.

Information about the management of property that is not related to HSH's social housing functions that can be accessed under any statutory provision, or that was created after the receipt of an information request would not be classed as relevant information.

Information requests can be made by a HSH resident, or by a designated representative nominated by the resident to communicate with HSH on their behalf. Any designated representative must be identified to HSH by the resident.

An information request will be deemed to be valid where the applicant is identifiable, and the request is made in writing. A resident, or designated representative, does not have to mention STAIRs for the requirements under STAIRs to apply. Staff will receive relevant training and guidance to ensure STAIRs requests can be appropriately identified and actioned.

HSH will make reasonable efforts to inform residents of this policy and how to request information and provide assistance for residents or designated representatives to make clear and valid requests. HSH will do this by:

- specific communication about STAIRs to tenants
- regular updates through tenant communications and newsletters
- specific STAIRs information made available on the HSH website

7. Processing Requests

Residents of HSH accommodation, or representatives acting on their behalf, can request information relating to the management of its social housing. HSH is committed to helping residents and designated representatives ensure requests are clear and valid, making residents aware of their rights under STAIRs and disclosing the requested relevant information unless there is a reasonable basis for withholding it.

Where the relevant information is held by a managing agent or third party responsible for the management of HSH's social housing on its behalf, HSH will use all reasonable endeavours to obtain the information and fulfil the resident's request for relevant information.

HSH will not create new records to comply with an information request in any circumstances. HSH will not destroy, manipulate or alter information that is requested with intent to prevent disclosure.

HSH may refuse an information request where:

- the identity of the applicant cannot be established
- the meaning of the request is not clear
- the information requested is not relevant information (in line with the classes of information set out in Appendix 1)
- the work involved in responding to the information request would exceed 18 hours of staff time
- the request is repeated, including where HSH receives repeated requests from multiple applicants acting in co-ordination
- the request is offensive or communicated in an abusive manner
- a decision to withhold is taken in line with the 'Refusal of Information Requests' section below

Receipt of information requests will be acknowledged promptly and will be responded to no later than 30 calendar days from receipt. Further time is permitted in exceptional circumstances, including:

- where HSH needs to consider whether it is reasonable to withhold the requested information
- where HSH needs to arrange access to relevant information that is held by a managing agent or third part managing HSH accommodation on its behalf

Where HSH takes further time to respond, it will respond in a timeframe that is reasonable. The reason for the delay and the anticipated timeframe will be communicated to the applicant.

Where information requests are refused or information is redacted, an explanation will be provided to the applicant. This will be in line with the policy on refusing information requests set out below.

HSH will make reasonable efforts to ensure information is disclosed in a format that is accessible to applicants and will guide applicants to other information resources relevant to the information requests as appropriate.

8. Refusal of Information Requests

The basic grounds for the withholding of information requested under STAIRs is outlined below. Any decision made about the disclosure of withholding of information by HSH should:

- consider each request on its individual merits
- presume in favour of information disclosure wherever possible

- make decisions to withhold information fairly, consistently and objectively
- apply relevant legal protections where appropriate
- balance transparency & accountability against any genuine risk of harm from disclosure
- record the reasons for decisions to withhold information and communicate these with the applicant.

HSH will not refuse an information request because of:

- the identify of the applicant (unless it cannot be verified or they are not a resident or an identified designated representative)
- the reasons why the information has been requested
- the intended use of the information after the disclosure
- the potential to cause embarrassment, expose mistakes or poor performance, lead to criticism or create reputational risk for HSH (concerns about reputation are not, in themselves, a valid reason for withholding information)

In determining whether it is reasonable to withhold information, HSH will undertake an exercise considering the following factors:

- the importance of transparency & accountability
- the applicant's ability to understand & scrutinise HSH's service quality and performance
- the public interest in openness and trust
- the benefits of tenant influence and scrutiny
- the presumption that information should be shared unless there is a compelling reason not to do so

HSH may consider withholding information where disclosure is likely to:

- breach data protection legislation
- disclose personal information relating to another individual without lawful basis
- endanger the health, safety or security of individuals
- prejudice an ongoing investigation, legal proceedings or regulatory process
- reveal commercially sensitive information where disclosure would cause significant and identifiable harm.

HSH will only withhold information where the identified harm is real, evidenced and proportionate.
Where the information requested was provided by, or relates to, a managing agent or a third party, HSH will:

- consider whether disclosure may affect that third party
- seek and take account of the views of the third party where appropriate and practical
- assess any representations regarding potential harm arising from disclosure

The views of a third party will inform the decision-making process but HSH retains the responsibility for the final decision about information disclosure.

Where only part of the requested information is considered suitable for withholding, HSH will:

- disclose the remainder of the information
- redact only those parts that it is reasonable to withhold
- explain, wherever possible, the basis for any redactions

9. Complaints

Where the applicant is dissatisfied with the handling or outcome of their information request, they should first complain to HSH. Details of how to make a complaint under STAIRs will be clearly communicated to tenants.

Following a complaint, HSH will undertake a review within 30 calendar days of receipt. This review will be shared with the applicant alongside details of their right to access the Housing Ombudsman Scheme. If the applicant is dissatisfied with HSH's response to the complaint, they will be able to directly escalate this to the Housing Ombudsman under the terms of the Housing Ombudsman scheme.

10. Review and Monitoring

Information requests relating to this policy will be reviewed on an annual basis, including information disclosed in response to requests and any complaints received relating to HSH's response to information requests.

This policy will be reviewed at least every three years, or sooner if there are changes in legislation or regulatory requirements.

The Publication Scheme will be reviewed every three months, with relevant actions and updates reported to the HSH Board as appropriate.

11. Responsibilities

- The Company Secretary is responsible for the monitoring and review of this policy.
- The Hawes Street Housing Operations Manager is responsible for ensuring the implementation of this policy.
- The HSH Housing Officer are responsible for the communication of this policy to HSH tenants.