

Purpose & Scope

The Social Tenant Access to Information Requirements (STAIRs) will enable tenants of Private Registered Providers (PRPs) and their representatives to access information about the management of their housing held by their landlord or by other bodies responsible for the management of their housing on behalf of the PRP. STAIRs will also require PRPs to proactively publish certain information about their activities through a publication scheme.

The aim of STAIRs is to address the shortfall between the right to make a Freedom of Information request, which currently only council tenants enjoy, and the Subject Access Request right, which residents of housing associations are limited to relying on at the present time.

STAIRs will be tailored to meet the needs of Adullam Homes and our tenants, residents, and service users. This will ensure ease-of-use and accessibility.

1. Introduction

1.1. The Social Tenant Access to Information Requirements (STAIRs) is a Policy Statement introduced by the UK Government, under the leadership of the Ministry of Housing, Communities and Local Government (MHCLG). In 2024, it was put forward for public consultation as a foundation for a proposed new regulation aimed at benefiting tenants of private sector social housing providers in England and Wales.

1.2. This was published under the 2022 to 2024 Conservative Government. Private registered providers (“registered providers”) must provide their social housing tenants with access to information related to the management of social housing that they hold or is held by other bodies responsible for the management of social housing on behalf of the registered provider.

This policy sets out the requirements that Adullam Homes must meet relating to the sharing of information, as well as the circumstances in which they may withhold information.

1.3. The primary objectives of the requirements are to ensure that registered providers are open with their tenants, that tenants can access the information they need about their housing, and that tenants are empowered to hold their landlords to account for the quality of housing and services they provide.

1.4. Registered providers will not be required to disclose information were doing so would bring them into conflict with any statutory provisions.

1.5. STAIRs will be incorporated into the Regulator’s existing regulatory framework, and the Regulator will assess whether PRP landlords are delivering the outcomes of this standard as part of its regulation of the sector. The Regulator’s focus will be on assessing whether the requirements of the scheme are being delivered at the landlord level.

Where the Regulator finds there are significant failures in landlords which are material to the delivery of the outcomes of the standard, the Regulator will hold them to account.

The Ombudsman will act as the dispute's resolution body for STAIRs. Social housing tenants who are unhappy with their landlord's response following an internal STAIRs review should escalate this to the Ombudsman under the terms of the Housing Ombudsman Scheme.

The Ombudsman will handle individual disputes by tenants about requests made for relevant information. The Ombudsman will also have a role in handling individual complaints by tenants who believe their landlord has not published information that they hold, and which falls within the scope of the publication scheme.

1.6. The Ombudsman can refer matters to the Regulator, including where a provider is failing to fulfil the obligations of the publication scheme.

1.7. Difference between an SAR and a STAIRs Request

The Subject Access Request (SAR) is a request made by or on behalf of an individual for information they are entitled to ask for under Article 15 of the UK GDPR. It does not have formal requirements and can be made verbally or in writing. The Social Tenant Access to Information Requirements (STAIRs) request is a request made by a social housing tenant or their designated representative for information related to the management of their social housing. STAIRs requests must be made in writing and are subject to specific requirements set out in the STAIRs Policy Statement.

1.8. Publication Scheme

The Social Tenant Access to Information Requirements (STAIRs) establish a publication scheme which sets out the classes of information Adullam Homes must make available proactively, or otherwise make available as a matter of routine, where it is information which they hold.

1.9. Adullam Homes must:

- specify the information, which is held and falls within the classifications.
- proactively publish or otherwise make available as a matter of routine, information, which is held and falls within the classifications.
- make tenants aware of the publication scheme so that information can be easily identified and accessed by tenants.
- review and update on a regular basis, the information Adullam Homes makes available under the Social Housing Publication Scheme.

Classifications

Governance and Decision Making

- Senior staff names and roles, organisational structure and governance arrangements.
- Decision making processes and policies, prioritisation of complaints, information on tenant consultations (including methodology), tenant meeting minutes and agendas.

Spending

- Spending
- Grants
- Use of service charge revenue

Housing Stock Management

- Plans
- Maintenance work
- Progress towards net zero
- Stock transfers

Performance

- Inspections outcomes
- Ratings
- Performance reviews
- Evaluation reports
- Tenant Satisfaction Measures
- Media releases
- Complaint metrics
- Information request data
- Information request responses
- Health and safety performance and assessments
- Maintenance work
- Number of evictions

Housing Services

- Description of services
- Advice and guidance for tenants

Lists and Registers

- Information held in registers required by law and other lists and registers relating to the management of social housing.

Social Housing Management

- Policies relating to the management of social housing.

2. Information Requests - What Information is Covered

2.1. The information covered by this policy is relevant information which is held by the tenant's landlord or by a body/person responsible for the management of the tenant's housing on behalf of the landlord.

2.2. Relevant information is information related to the management of a registered provider's 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. Examples of relevant information may include, but are not limited to:

- The handling of property moves.
- Rent collection.
- Rent rates.
- Service charges for shared owners.
- Occupancy rights.
- Estate management, management of communal areas and boundary issues.
- Property conditions, repairs, and improvements to property.

- Anti-Social Behaviour.
- Staffing and training.
- Complaints handling, procedures, and performance.
- Compensation and redress.
- Communication and customer service.
- Health and Safety.
- Data handling and privacy.
- Security.
- Housing stock transfers and mergers.
- Housing stock profile.
- Environmental and energy efficiency information.

3. Information, which is not relevant information includes, but is not limited to:

- Matters determined by local councils, including their allocations policies and homelessness.
- Information about the management of property that is not related to the provider's social housing functions.
- Information is not "relevant information" if there is a right of access to that information by or under any statutory provision.

4. Who can make Requests?

- 4.1. Information requests can be made by a current social housing tenant (not past/previous tenants) of Adullam Homes, or a tenant may nominate a designated representative to communicate with their provider on their behalf. Tenants must identify their representative to their provider.
- 4.2. For a request to be valid, the applicant must be identifiable, and the request must be made in writing. A tenant or their designated representative does not have to mention STAIRs in order for the requirements under STAIRs to apply. Adullam Homes must make reasonable effort to assist applicants to make a clear and valid request.
- 4.3. Adullam Homes will inform tenants of this policy and how to request information, through tools such as the tenant handbook and our website.

5. Processing Requests

- 5.1. Adullam Homes must, unless it is reasonable to withhold the information from disclosure, fulfil requests for relevant information.
- 5.2. Adullam Homes may withhold information that a tenant or designated representative requests where it is not reasonable in the circumstances to disclose the information based on the protections.
- 5.3. If the relevant information is held by a body/person responsible for the management of the tenant's housing on behalf of Adullam Homes, as the registered provider we must use all reasonable endeavours to obtain the information and fulfil the tenant's request for relevant information.

- 5.4. Adullam Homes are not required to create new records to comply with the information request.
- 5.5. Adullam Homes must not destroy, manipulate or alter the information that is requested with intent to prevent disclosure.
- 5.6. Adullam Homes are not required to share information if it may be accessed through a statutory regime. In these circumstances, as the registered provider we should make reasonable efforts to direct the tenant to the appropriate route for accessing the information.

6. Refusing Information Requests

- 6.1. Adullam Homes may refuse an information request where:
 - It is reasonable to withhold the information from disclosure.
 - The identity of the applicant cannot be established.
 - The meaning of the request is not clear.
 - The information requested is not relevant information.
 - The work involved with responding to the information request would exceed 18 hours of staff time.
 - The request is repeated, including where registered providers receive repeated requests from multiple applicants acting in coordination - Consider repeat/vexatious policy and the number of requests made.
 - The request is offensive or communicated in an abusive manner.
- 6.2. In deciding whether or not it is reasonable to withhold information, providers must have due regard to the protections afforded to certain classes of information (and to how those classes of information are defined) in the Freedom of Information Act 2000 and Data Protection Act, and any other relevant statutes.
- 6.3. In assessing whether or not it is reasonable to withhold information, Adullam Homes should not refuse a request on the basis of:
 - the applicant's identity or reasons for the request, beyond ensuring they are a tenant or a representative acting on their behalf; or
 - how the information is to be used following disclosure.
- 6.4. In assessing whether it is reasonable to withhold information from disclosure, providers should balance factors favouring disclosure against the likelihood of any harm arising from disclosure. Where the relevant information was provided by or relates to a third party, Adullam Homes must take into account the views of that third party regarding the likelihood of any harm.

7. Responding to Information Requests

- 7.1. Adullam Homes must respond to an information request promptly, and no later than 30 calendar days from receipt. Further time is permissible in exceptional circumstances:
 - to consider whether it is reasonable to withhold the requested information; and/or
 - to arrange access to relevant information held by a contractor or by another body on the provider's behalf.

- 7.2. In circumstances where Adullam Homes is taking further time to respond to the request, they must respond in a timeframe that is reasonable.
- 7.3. Adullam Homes must notify applicants if their request is refused or will be delayed ensuring the reason is provided, including details of when they can expect to receive a response.
- 7.4. Adullam Homes may redact documents where appropriate.
- 7.5. Adullam Homes must make a reasonable effort to ensure information is disclosed in a format that is accessible to applicants.
- 7.6. Adullam Homes should guide applicants to other information resources relevant to their request, where they are aware of them.
- 7.7. Where the communication is identifiable as an information request, but the information requested is unclear, Adullam Homes should make reasonable effort to assist applicants to make a clear and valid request.

On receipt of a request - the staff member who has received it must refer to the STAIRs REQUEST FORM on Policy Hub and follow the guidance stated. All requests will be dealt with by the Data Protection Officer. In the absence of the DPO a member of SLT must coordinate the response.

8. Complaints

- 8.1. Where the applicant is dissatisfied with the handling or outcome of their information request, they should first complain to the provider.
- 8.2. The provider must then carry out a review. This should normally be carried out within 30 calendar days of receipt; however additional time may be required in certain circumstances.
- 8.3. If the applicant is dissatisfied with the provider's response to the review, they will be able to directly escalate this to the Housing Ombudsman under the terms of the Housing Ombudsman Scheme. Responses to review requests should inform tenants of their right to access the Housing Ombudsman Scheme.
- 8.4. The Housing Ombudsman will not be able to consider a complaint where the tenant has an alternative source of redress in relation to data protection legislation.
- 8.5. The Regulator of Social Housing sets standards which set the outcomes that all registered providers must deliver. This includes the Social Tenant Access to Information Requirements for private registered providers. The Regulator has a statutory duty to carry out its functions in a way that minimises interference and so far, as is possible is proportionate, consistent, transparent and accountable. Further information on the Regulator's approach to regulation can be found on the 'Regulating the Standards' section of its website.
- 8.6. While the Housing Ombudsman Service's role is to respond to individual complaints in respect of the Social Tenant Access to Information Requirements, the Regulator's role lies

in holding registered providers to account for delivering the outcomes of its standards, which includes the requirements of this policy statement.

9. Implementation, Access and Training

This policy will be published on Policy Hub.

Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under Adullam Homes Housing Association's Disciplinary Procedure.

10. Review, Monitoring And Compliance

The effectiveness of this policy will be monitored by the reviewing Committee or Lead Director.

This policy will be reviewed annually or sooner if:

- significant changes to legislation or regulation.
- there are found to be deficiencies or failures in this policy, as a result of complaints or findings from any independent organisations.
- at the request of either staff or management; and
- as and when statutory changes are required.

At which point the Lead Officer will initiate an immediate review. In any event this policy will be reviewed no later than three years from the effective date of this version.

11. Reference Documents *(both legal and practical, also good practice sources)*

- [ICO guide to Data Protection/Website/GDPR updated newsletters](#)
- Data Protection Policy
- Confidentiality Policy
- Disciplinary Policy
- Whistleblowing Policy
- Safeguarding Policy (safeguarding adults and child protection)
- Data Retention Policy and Document Retention List
- Privacy Policy - Employees/Workers/Residents
- Vexatious Complaints Policy
- Cyber Security Policy
- Data Protection Complaints Policy and Guidance