community gateway

ACCESS TO INFORMATION POLICY

REVIEW DATE:
SEPTEMBER 2029

Access to Information Policy

Introduction

1. Community Gateway Association (CGA) is committed to openness, transparency and accountability in the way it manages its homes and services. This Policy reflects the Regulator of Social Housing's updated Transparency, Influence and Accountability Consumer Standard, which now incorporates the Social Tenant Access to Information Requirements (STAIRs). The purpose of this Policy is to ensure that CGA proactively publishes relevant information through its Publication Scheme and responds to requests for information fairly, consistently and in accordance with STAIRs and applicable timescales.

2. In delivering this Policy, CGA will have regard to the Equality Act 2010 and will take reasonable steps to ensure that tenants are not disadvantaged in accessing information because of disability, language barriers, digital exclusion, or other additional support needs.

3. CGA will apply this Policy in a way that supports openness, transparency, accessibility, lawful and proportionate disclosure, accountability, consistency of decision-making and continuous improvement.

4. CGA will balance its commitment to openness with its duties to protect personal data, confidential information, commercial interests, health and safety, safeguarding, legal privilege and other legitimate interests where disclosure could cause harm.

Scope

5. This Policy applies to information held by CGA, or held by another body on CGA's behalf, that relates to the management of CGA's social housing. It does not automatically apply to all information held by CGA. Where a request falls outside STAIRs, CGA will explain the appropriate route where one is available, for example data protection, complaints, service request, or business-as-usual arrangements.

6. For the avoidance of doubt, CGA is not required to create new information for proactive publication or in response to a request. When deciding whether information should be published or disclosed, CGA will apply the reasonableness test set out in STAIRs, including balancing factors favouring disclosure against the likelihood of harm arising from disclosure.

Publication Scheme

7. CGA will maintain a Publication Scheme setting out the classes of information it routinely makes available about the management of its social housing. The Scheme will be reviewed and updated regularly and will normally be available free of charge through CGA's website or by other accessible means.

8. Where information is not easily accessible online or a tenant requires it in another format, CGA will take reasonable steps to make the information available in a way that is meaningful and accessible to them.

9. The Publication Scheme will identify the categories of information CGA will make available as a matter of routine, including information about:

    a. governance and decision-making,
    b. spending,
    c. housing stock management,
    d. performance,
    e. housing services,
    f. relevant lists and registers,
    g. wider social housing management information where this is held and suitable for publication.

10. CGA will publish information in a clear, accessible and easy-to-navigate format. The Publication Scheme will be kept under regular review to ensure that published information remains accurate, current and useful to tenants. Where information is updated, superseded or removed, CGA will retain appropriate records to support transparency, auditability and assurance.

11. CGA will publicise the Publication Scheme and how tenants can access routinely available information.

12. Where information is suitable for publication but contains personal data, confidential material or other protected information, CGA may publish a redacted version where it is reasonable and lawful to do so. Decisions to redact, withhold or not publish information will be proportionate, documented and capable of being reviewed if challenged.

13. CGA will use learning from requests and review requests to identify where information should be added to, clarified within, or more prominently signposted through the Publication Scheme.

Making and Receiving Requests

Receipt of Requests

14. With effect from April 2027, when the right for tenants to make requests for information comes into force, CGA will accept requests in writing, including by letter, email, text message, web form, social media or other written channels where the requester can be identified. If a request is made via social media the request will be taken offline and responded to in accordance with this Policy.

15. CGA will acknowledge receipt promptly and will do so within two working days. Where a tenant is unable to make a request in writing without support, CGA will take reasonable steps to assist them to do so, for example by helping to record the request in writing or by supporting access through an advocate, representative or other appropriate support.

16. CGA reserves the right to request evidence of identity and where relevant, authority to act on behalf of a tenant where a request has been submitted by a tenant's designated representative. Where such evidence is required, the timescale for responding will not begin until the necessary information has been received.

17. CGA will accept requests from a tenant's designated representative where CGA is satisfied that the representative has authority to act on the tenant's behalf. This may include written authority from the tenant, evidence of legal authority or another appropriate confirmation depending on the circumstances. CGA will only disclose information to a representative where doing so is lawful, proportionate and consistent with data protection, confidentiality and safeguarding requirements.

18. Where there is uncertainty about a representative's authority, the scope of that authority, or whether disclosure to the representative may create a risk of harm or breach confidentiality, CGA may seek further evidence, contact the tenant directly where appropriate, limit the information disclosed, or refuse to deal with the representative until CGA is satisfied that their authority is confirmed. The response timescale will be paused until such time that the representative's authority has been confirmed.

19. Where a request is unclear, CGA will ask for clarification and will pause the response timescale until clarification is provided. If no clarification is received within a reasonable period, normally one calendar month, the request will be treated as closed. The requester will be informed in writing of CGA's decision to close the request and informed of their right to submit a STAIRs review request.

Responding to Requests

20. CGA will maintain a central log of all access to information requests and outcomes for monitoring, assurance and learning purposes. Decisions to disclose, redact, withhold, extend timescales, treat a request as out of scope, close a request or apply an alternative route will be recorded to support monitoring and handling of any subsequent review requests.

21. CGA will respond to access to information requests within 30 calendar days, unless exceptional circumstances require an extension to be applied. Where an extension is required, the requester will be informed as early as possible and provided with an explanation.

22. Some requests may include elements that fall under STAIRs, data protection legislation, review request handling or business-as-usual service delivery. CGA will identify the appropriate route, explain this clearly to the requester and, where necessary, manage different elements of the same correspondence under the relevant processes.

23. Where relevant information is held by contractors, managing agents or other third parties acting on CGA's behalf in relation to the management of CGA's social housing, CGA will take reasonable steps to obtain that information so it can be considered for publication or disclosure. CGA will consider access to information obligations when entering into, reviewing or varying relevant contracts and information sharing arrangements.

24. Wherever possible, CGA will provide information in the format requested, provided that CGA considers the request is reasonable and does not compromise security or confidentiality. CGA will make reasonable adjustments and provide accessible alternative formats or communication support in accordance with its Accessible Communications Procedure.

25. When responding to a request, CGA will take appropriate steps to ensure that personal data, confidential material and other protected information are not disclosed unlawfully. Where a request includes the requester's own personal data or otherwise amounts in whole or in part to a subject access request, CGA will process that element in accordance with data protection legislation and advise the requester accordingly.

26. Where information is withheld or redacted, CGA will explain the decision unless doing so would itself cause harm or it is appropriate to neither confirm nor deny whether information is held.

27. CGA may refuse all or part of a request where the information is out of scope of STAIRs, where it is reasonable to withhold the information, where the work involved would exceed the permitted time limit of 18 hours, where the request is repeated, offensive or abusive, or where identity or authority cannot be established.

28. CGA will not delete, alter or conceal information for the purpose of avoiding publication or disclosure. Relevant records will be managed in accordance with CGA's Records Retention and Disposal Policy, legal obligations and normal business requirements.

Charging for Requests

29. CGA will not normally charge for information made available through the Publication Scheme or provided in response to a request. If any charge is permitted or necessary, CGA will explain the basis of the charge in advance and will ensure that any approach to charging is reasonable, transparent and does not create unnecessary barriers to access.

Creation of New Information

30. For the avoidance of doubt, CGA is not required to create new information for proactive publication or in response to a request. When deciding whether information should be published or disclosed, CGA will apply the reasonableness test set out in STAIRs, including balancing factors favouring disclosure against the likelihood of harm arising from disclosure.

STAIRs Review Requests

31. If a tenant or their representative is dissatisfied with information published through CGA's Publication Scheme, how information has been made available or signposted, how a STAIRs request has been handled, or the information disclosed in response to a request, CGA will treat this as a STAIRs review request.

32. STAIRs review requests will be considered by the Business Assurance Team and the Service Improvement Team, with input from relevant service areas where required.

33. Where the same correspondence includes both a request for information and dissatisfaction about a STAIRs matter, CGA will identify the appropriate route for each element and explain this clearly to the requester.

34. Where a tenant remains dissatisfied with the response to their STAIRs review request, CGA will explain how the matter may be referred to the Housing Ombudsman in accordance with the Ombudsman's arrangements for handling review requests in relation to STAIRs.

Responsibilities

35. The Business Assurance Team is responsible for leading and co-ordinating the Access to Information Procedure, maintaining the Publication Scheme, supporting STAIRs request-handling and considering STAIRs review requests alongside the Service Improvement Team.

36. Service areas are responsible for identifying information suitable for proactive publication, conducting timely searches, identifying relevant records, explaining context, and highlighting any concerns relevant to publication or disclosure.

37. Customer-facing teams must recognise potential requests and STAIRs-related review requests and pass them to the appropriate team without delay. Managers are responsible for ensuring that staff understand this Procedure and the associated Policy.

38. The Service Improvement Team is responsible for considering STAIRs review requests alongside the Business Assurance Team, particularly where the review request relates to tenant dissatisfaction, request handling, or the information provided in response to a request.

Data Protection

39. In administering this Policy and the supporting Access to Information Procedure, CGA will process personal data in accordance with the UK GDPR, the Data Protection Act 2018, other relevant legislation and CGA's Data Protection Policy.

40. Personal data will only be processed where there is a lawful basis for doing so, including where processing is necessary to comply with a legal obligation, to perform a task carried out in the public interest, to pursue CGA's legitimate interests, or to respond to a tenant's request or review request.

41. CGA will ensure that personal data is processed fairly, lawfully and transparently; limited to what is necessary; protected against unauthorised disclosure; and retained only for as long as required under CGA's Records Retention and Disposal Policy.

42. Where a request includes personal data, third-party information, special category data or information about criminal offences, CGA will consider the relevant data protection requirements before disclosure and will redact or apply exemptions where required.

Monitoring and Reviewing

43. This Policy will be reviewed every three years or sooner following changes to legislation, regulation, guidance or organisational requirements.

44. The Business Assurance Team will monitor compliance with this Policy, including Publication Scheme updates, request volumes, timeliness, outcomes, refusals, redactions, representative requests, review requests and learning. Monitoring information will be used to strengthen proactive publication, improve accessibility, identify staff guidance or training needs and provide assurance through CGA's Audit and Risk Committee.

END

community gateway