Access for Safety

# Safety can't wait outside

## Fixing the system for safety checks in social housing

White paper prepared by:

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# Foreword

**The safety of residents should sit at the heart of social housing.**

A safety system is only as strong as its ability to reach the homes it exists to protect. In recent years, the direction of travel in social housing has been the right one. Standards have risen, accountability has strengthened and expectations have sharpened across gas safety, electrical safety, fire-related risk, damp and mould, and wider resident protection. That progress matters, and it must continue. The safety of residents should sit at the heart of social housing, and I support that direction completely.

But a serious safety framework cannot stop at the front door. Where access is not available, checks cannot be completed, risks cannot be properly assessed and essential works cannot be carried out. At that point, a legal duty still exists, but the practical route to deliver it becomes uncertain. That is a weakness at the heart of the system.

Access has long been a challenge in social housing, but the significance has grown. A problem once treated largely as a matter of missed appointments now sits at the heart of delivering safer homes. The consequences of delay are greater, the operational burden is heavier and the cost of uncertainty is far higher.

For too long, this gap has been managed through persistence: more letters, more visits, more chasing, more delay and, in some cases, more legal wrangling. That is a costly workaround for a task now operating at scale.

The answer is to complete the wider safety regime while preserving residents' rights.

That is why The ASCP is taking a clear position: we are calling on government to change the law so that access for clearly defined safety checks and works is guaranteed, subject to proper safeguards, clear notice requirements and a consistent process. This is a narrow but vital reform. If the law requires these checks and works to be carried out, it must also provide a clear route by which they can be completed.

In my view, this is now one of the clearest tests of whether we are prepared to match our ambition on housing safety with the legal clarity needed to deliver it.

Because safety matters, therefore access for safety must matter too.

**Matt Sharp**
Chief Executive
The ASCP

# Executive Summary

Access to homes has long been one of the most persistent practical challenges in social housing safety.

What has changed in recent years is the scale of the issue and the number of safety regimes that now depend on reliable access to the home. What was once seen mainly through the lens of gas safety now sits within a much broader legislative and operational framework, including electrical inspections, fire-related activity within dwellings, damp and mould investigations and other forms of essential in-home safety work, all designed to keep residents safe.

The ASCP argues that the present system is no longer fit for purpose in meeting that burden.

The problem is that the current framework relies too heavily on repeated recovery effort, repeated contractor attendance, repeated administrative intervention and, in a smaller but still important number of cases, eventual legal escalation. This has now become too normal a part of the system. What should be a clear and dependable route to completing essential safety work too often becomes a prolonged, uncertain and expensive process.

**The ASCP's research from a member survey estimates that nearly 1 million properties require at least two visits to secure access.**

The evidence presented in this report demonstrates that safety risks within the home remain both real and significant. In-person inspections carried out by CORGI indicate that, although standards have improved, serious defects continue to persist across the sector.

**When extrapolated nationally, CORGI's data indicates more than 200,000 homes with At Risk or Immediately Dangerous gas installations and more than 90,000 homes with a C1 electrical danger.**

**1 million**

properties need at least two visits to secure access

**200,000+**

homes with 'At Risk' or 'Immediately Dangerous' gas installations

**90,000+**

homes with a C1 electrical danger


These are real risks that exist today with potentially serious consequences for residents, neighbouring households and wider buildings.

The operational and financial cost is also now too large to ignore.

The ASCP estimates that repeated access attempts cost the UK social housing sector more than **£175 million** each year in direct operational terms alone. Once legal escalation is included, the overall annual cost is likely to be between **£200 million and £245 million**.

In practical terms, the sector is spending hundreds of millions of pounds repeatedly trying to gain access in order to carry out work that the law already requires to be done. The current approach is structurally wasteful.

The report also shows that the present framework is inconsistent and often unclear. Landlords carry serious legal duties, yet the route by which those duties can be fulfilled where access is withheld remains uncertain, fragmented and overly dependent on persistence, local practice and, in some cases, judicial discretion. Residents, equally, are left within a system in which the consequences of repeated non-access remain unclear and can vary too much depending on geography, landlord type and legal pathway - this is poor for landlords, residents and for the credibility of the wider safety regime.

The human reality behind non-access is varied and any credible response must reflect that. Some cases arise from vulnerability, poor health, anxiety, poverty, trauma, communication barriers or wider support needs. Others involve persistent non-cooperation, abandoned properties, suspected criminality or circumstances in which something more serious may lie behind repeated refusal of access. A serious policy response must recognise that range, and must do so honestly and fairly.

Against that background, this report reaches a clear conclusion. The law has fallen behind the safety framework it has created. Social landlords are required to carry out prescribed safety checks and works inside occupied homes, yet the law still lacks a sufficiently clear, consistent and workable route for discharging their legal duties where access is withheld. That gap is no longer sustainable.

**£175 million**

estimated annual cost of repeat access attempts

The ASCP is therefore **calling for legal reform**. Access for clearly defined safety checks and works should be guaranteed in law, subject to proper safeguards, clear notice requirements and a consistent process.

This is not a call for a general expansion of landlord power, nor an attempt to weaken the protections that residents rightly enjoy within their homes. It is a call for legal clarity in a narrow but vital area where the current framework is no longer adequate to the duties it already imposes.

Any reform should be tightly defined. It should apply only to prescribed safety purposes and should be accompanied by notice requirements, reasonable engagement, proportionality and proper regard to vulnerability and safeguarding concerns. It should also reduce the current dependence on repeated contractor attendance, repeated administrative recovery and eventual legal wrangling as the default route to keep residents safe.

A clearer statutory framework would be better for safety because it would reduce the risk of serious hazards remaining hidden or unresolved behind a closed door. It would be better for residents because it would provide a more intelligible and consistent process.

This is not a case for weakening residents' rights or creating broad landlord powers of entry. It is a case for ensuring that clearly defined safety duties can still be fulfilled where serious risks may otherwise remain unresolved

It would be better for landlords because it would align legal duties with a clearer legal route to discharge them. And it would be better for the wider system because it would reduce waste, variation and delay. Most importantly of all, it would improve safety outcomes for over 11.5 million residents.

The issue before government is now a simple one. If the law requires prescribed safety checks and works to be carried out, it must also provide a clear route by which they can be completed.

That is the change this report seeks to advance.

**Because where access is required to keep people safe, Safety can't wait outside.**

# 1. Introduction

**Electrical safety, fire-related activity within dwellings, damp and mould, and wider regulatory expectations have all increased the frequency, urgency and consequence of access failure.**

Safety in social housing depends, at the most basic level, on the ability to get through the front door. That has always been true. Gas safety checks, electrical inspections, fire-related interventions, damp and mould investigations and other forms of in-home safety work can only be completed if the landlord, its contractor or its appointed professional can gain access to the home. Where that access is not available, the inspection cannot take place, the work cannot be completed and the risk may remain in people's homes and wider communities. This risk is further magnified in the case of houses of multiple occupation (HMO) or in blocks of flats.

The sector has managed this reality through persistence. Appointments are rearranged, letters are issued, staff intervene and contractors return, often several times, in order to recover access and complete the work. In the most difficult cases, the matter may then progress into formal legal action. That approach has become so familiar that there is a risk of treating it as a normal and acceptable feature of the system.

It is not an acceptable feature of the system.

What has changed is the scale of the issue and the range of safety regimes that now depend upon reliable access to the home. A long-standing challenge has become more acute as the safety legislation has expanded. Electrical safety, fire-related activity within dwellings, damp and mould, and wider regulatory expectations have all increased the frequency, urgency and consequence of access failure.

Access now raises wider questions about safety, cost, fairness, consistency and legal clarity. Too much time and money is spent on multiple attempts, relying heavily on persistence, local practice and eventual legal escalation. Too much variation remains in a system that should be clearer and more predictable for both landlords and residents.

The risks involved are real. Unsafe gas appliances, electrical defects and fire-related issues can have serious consequences for the occupants of one home, for adjoining properties, for shared structures and, in some cases, for wider communities. The inability to gain access is therefore the point at which legal duty, public safety and practical delivery collide and, in the wake of tragedies such as Grenfell, this risk can no longer be ignored.

This report examines that collision in detail. It begins by setting out the scale of the access problem and the financial and operational burden it now creates across the sector. It then considers the human realities behind non-access, recognising that these cases arise from a wide range of circumstances and cannot be reduced to a single explanation. From there, it turns to the legal framework itself, including the specialist legal advice obtained by The ASCP from King's Counsel, and the uncertainty and inconsistency that continue to characterise the present position.

The conclusion reached is straightforward. The current system is no longer adequate to the safety burden placed upon it. A framework that requires essential safety checks and works to be completed, but leaves too much uncertainty around how access is secured when cooperation breaks down, is no longer sufficient.

The ASCP therefore calls for legal reform. Access for clearly defined safety checks and works should be guaranteed in law, subject to proper safeguards, clear notice requirements and a consistent process. That is the change this paper seeks to advance.

# 2. Defining the problem: access as a safety risk

## 2.1 Access now sits at the heart of housing safety

Access to homes remains one of the most important practical constraints on delivering safety in social housing.

This issue sits close to the centre of the modern safety framework. Gas servicing, electrical inspections, fire safety interventions within dwellings, water hygiene activity, asbestos-related surveys and investigations into damp and mould all depend on the same simple condition being met: the people responsible for identifying and managing risk must be able to get into the home. Their role is to help protect some of the more vulnerable people in society from a wide range of hazards. Put simply, they cannot do that without access. Together we must address this problem.

In many cases, access is secured without difficulty. Residents understand why checks are needed, and housing providers work hard to ensure inspections and remedial works can take place. Yet many properties prove harder to access. Appointments are missed, communication breaks down, practical barriers arise and, in some cases, access is actively refused or repeatedly avoided.

The consequence is increasingly clear. A safety framework built around legal duties, inspection cycles and statutory timescales can only function if access is reliably deliverable in practice. Where it is not, everything downstream becomes harder. Programmes slip, repeat visits increase, risks remain unresolved and the system begins to rely more on persistence than on clarity. Too often, the focus shifts away from resolving the safety issue itself and towards the repeated effort of trying to get through the door.

**That is why access cannot be treated as a routine operational irritation. It remains one of the defining safety challenges facing the sector.**

## 2.2 This is not simply an access issue. It is a safety issue.

It is easy to describe non-access as though the central problem were inconvenience, inefficiency or missed appointments. The issue runs deeper than that.

The deeper issue is that access sits directly between the existence of a legal duty and the ability to fulfil it. If a landlord cannot get into the property, the inspection cannot be completed, the risk cannot be properly assessed and critical, sometimes urgent, remedial work is delayed.

The Safety and Compliance Barometer 2025 helps to illustrate why this matters. Across hundreds of thousands of documents reviewed through CORGI auditing and TCW system-based analysis, the average likelihood of any given compliance document being entirely correct is still only around 50 per cent. That points to a persistent and well-documented gap between perceived and actual compliance quality at sector level.

CORGI's in-person work inspections tell a similar story. Around 5.4 per cent of all gas work audited is classified as At Risk or Immediately Dangerous, while 1.7% of all electrical installations audited include a C1 defect. Scaled to national social housing stock, there is substantial hidden risk across the sector today.

**More than 90,000 social homes with a C1 electrical danger present, and more than 200,000 homes with At Risk or Immediately Dangerous gas installations.**

These figures matter because they show that safety risk inside the home is real and, in too many cases, hidden from routine reporting alone. That is precisely why access matters so much. If the sector cannot get into homes in a timely and reliable way, it cannot be confident that risk is being identified and resolved as quickly as it should be.

**Visit theascp.co.uk to read our safety and compliance barometer**

## 2.3 The scale of the issue is still underestimated

Those working directly in housing safety understand very well how disruptive non-access can be.

What may begin as a missed appointment can quickly become a prolonged and resource-intensive process, with visits rearranged, compliance teams tracking the case, housing officers stepping in and the matter sometimes remaining unresolved for weeks or months before the inspection can finally be completed.

Outside the sector, however, the scale of the problem is still too often underestimated.

The ASCP Safety and Compliance Barometer has consistently shown that access remains one of the most frequently cited barriers to completing safety work on time. It affects gas servicing, electrical inspections, damp and mould investigations and follow-on remedial works. Just as importantly, it rarely occurs in isolation. Properties that are difficult to access for one purpose are often difficult to access for several.

Recent survey evidence from ASCP members reinforces the same picture. Nearly 92% of respondents either agreed or strongly agreed that gaining access for safety checks is the biggest barrier their organisation faces in delivering safe homes for residents. Notably, two thirds strongly agreed, indicating broad recognition of the issue and a high level of conviction about its significance.

The survey also suggests that access difficulties extend across multiple compliance areas. Responses were drawn principally from professionals working across several compliance disciplines, pointing to a challenge that cuts across the wider safety framework rather than sitting within a single programme. This is significant because the access burden extends well beyond annual gas visits. It now sits across a broader set of in-home safety duties, each of which depends on the same basic condition being met: the ability to get into the home.

The access-rate responses reinforce the same conclusion. On average, respondents reported first-attempt access at less than 73%. In practical terms,

that means more than one in four homes is not accessed on the first visit. The most common response bands sat between 66% and 75%, suggesting that repeat attendance has become embedded in normal delivery rather than arising only in a small number of exceptional cases.

**In practical terms, that means around one in four homes cannot be accessed at the first attempt. Across approximately 5.5 million social rented homes, that translates into well over one million repeat visits each year for gas servicing alone.**

This is especially important because the number of reasons landlords now need to enter the home has expanded significantly. What may once have been experienced mainly as an annual gas access issue now sits alongside five-year electrical inspection cycles, alarm testing, damp and mould investigations, fire-related interventions and other forms of safety activity within dwellings. In other words, the access burden has grown, multiplying an already extraordinary number of failed access attempts, while the route for resolving difficult cases has not evolved at the same pace.

Non-access now operates as a widespread and recurring constraint on the delivery of housing safety, one whose scale is too easily hidden by eventual compliance outcomes and too often underestimated by those not dealing with it directly.

**1 in 4**

homes cannot be accessed at the first attempt

**1 million**

repeat visits per year, across 5.5 million homes, for gas services alone

## 2.4 Headline compliance can hide the strain underneath

Headline compliance figures can create a misleading sense of reassurance if they are read without context.

At first glance, safety performance across the sector can appear strong. Yet those final compliance figures reflect the end of a long process and the effort required to secure access. They are often the product of repeated visits, persistent chasing, early programme starts, manual intervention and, in some cases, legal escalation. What appears in reporting as a successful compliance outcome may, in practice, have been secured only after considerable effort and cost.

Seen in that light, strong final compliance is evidence of how much effort the sector is having to expend to prevent access problems from becoming outright compliance failures.

Electrical safety presents an equally serious challenge. Although inspections are less frequent, available evidence suggests that first-time access rates are materially lower than for gas. That means a substantial number of additional visits are required simply to complete ordinary inspection cycles and associated remedial work. That matters because electricity in the home is inherently dangerous and remains a significant cause of domestic fires.

The wider implication is clear. Compliance is too often being achieved through persistence, administrative effort and cost, rather than through a clear and reliable access framework.

## 2.5 The cost of repeated failure is now too large to ignore

The ASCP previously estimated that non-access for gas safety inspections alone cost the sector around £50 million each year.

That estimate reflected the assumptions and contractor cost levels used at the time, together with the additional operational cost created when annual gas servicing could not be completed at the first appointment and repeat visits were needed to secure entry.

Since that work was first published, inflation, higher labour rates, contractor cost increases and skills shortages have all increased the cost of repeated access attempts. At the same time, the access burden has expanded well beyond gas safety alone. What was once a substantial cost associated primarily with annual gas servicing now sits within a broader pattern of repeated access activity across electrical safety, damp and mould and other forms of in-home safety work.

To reflect that change, The ASCP has developed a refreshed estimate of the direct operational cost created by repeat visits across the wider safety system. This updated model uses current stock assumptions, current access-rate assumptions and revised unit costs for repeat attendance across the main areas of activity.

On that basis, the direct operational cost of repeated access attempts across the wider safety system is now estimated to exceed £175 million every year across the UK social housing sector.

This figure captures the immediate operational cost created when an inspection or safety visit cannot be completed at the first attempt and the property must be revisited. It includes additional contractor attendance, administrative rescheduling and the immediate inefficiencies created when planned programmes must repeatedly return to homes that were initially inaccessible.

It excludes the wider cost of non-access across the housing system, including portfolio-level disruption, management oversight, delayed follow-on works and the consequences of risks remaining unresolved for longer than they should.

When legal escalation is added, using cautious assumptions about the relatively small proportion of cases that proceed to injunctions or comparable legal action, **the overall annual cost of managing non-access is likely to fall between £200 million and £245 million**.

Even on a conservative basis, therefore, the financial cost of non-access is now very substantial. The sector is spending hundreds of millions of pounds repeatedly trying to gain access in order to carry out work that the law already requires.

**In just 4 years the sector wastes nearly a billion pounds which is desperately needed to address real safety issues.**


## 2.6 The consequences do not stop at the front door

It would be a mistake to treat access as though it were simply a private disagreement between landlord and resident.

Where a safety inspection cannot take place, the resident living in the home may remain exposed to a hazard that has yet to be assessed or addressed. In some circumstances, the risk extends further than that. Unsafe gas appliances, electrical defects and fire-related issues extend beyond the boundaries of one dwelling. They can affect adjoining homes, shared structures and, in some cases, entire communities.

This is a real concern. The consequences of one unsafe property can extend well beyond its own occupants, and there is no shortage of real-world examples in which injury, illness and death have followed from hazards originating next door.

There is also a broader issue of fairness and consistency. At present, what happens when a resident withholds access can depend too heavily on geography, landlord type, legal route and judicial discretion. That falls short of the transparent and reliable system everyone should be able to expect.

Residents should know clearly what the consequences are when access is refused for a prescribed safety check. Landlords should know what route is available to them. Government and regulators should be able to rely on a framework that operates with consistency rather than drift.

At present, the system falls short of that level of clarity.

## 2.7 The causes of non-access are varied and must be described honestly

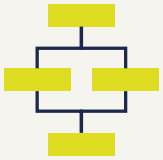
Non-access arises from a wide range of circumstances, many of them varied and deeply human.

Sometimes the explanation is straightforward. A resident may simply be out when the visit takes place, or a letter may not have been read, understood or acted upon.

In other cases, the barriers are more complex. Anxiety may be high, communication may be difficult, and wider factors such as mental health challenges, hoarding, poverty, literacy barriers, language issues or other forms of vulnerability can make engagement much harder than it first appears.

Any serious reform has to recognise those realities. A system that ignores them will struggle to work fairly and command confidence. At the same time, the full picture extends beyond vulnerability alone. Some cases involve persistent non-cooperation, while others concern properties that appear abandoned, residents who have absconded, suspected criminal activity or situations in which there is reason to believe that something more serious lies behind repeated refusal of access.

Any serious response to non-access therefore must acknowledge that full range of circumstances. It should describe the problem honestly and fairly. The central difficulty is that the current system handles that diversity poorly. Instead, it relies too heavily on repeated effort by the landlord while offering too little clarity about what should happen when that effort fails.



## 2.8 This is a system problem, not just an operational one

Housing providers can and should continue to improve how they manage access.

Better communication, stronger data, more joined-up working and more thoughtful resident engagement all matter. But the evidence now points to a wider conclusion. Operational improvement alone cannot solve the problem.

The reason is straightforward. Access difficulties arise from more than weak process or poor scheduling; they arise because a legal and policy framework that increasingly requires safety activity inside the home has yet to create a sufficiently clear and consistent route to secure that access where cooperation breaks down.

**That is why this issue now reaches beyond compliance teams and individual landlords. It is a systemic problem and, increasingly, a policy problem.**

## 2.9 The need for a clearer response

The current framework leaves too much uncertainty around what happens when access for essential safety work cannot be secured.

The issue is that the current system leaves too much unresolved for too long, at too great a cost and with too much inconsistency.

Where access cannot be secured, risks may remain hidden, statutory duties may remain unmet, and outcomes may depend too heavily on persistence, geography and legal route rather than on a clear and reliable framework.

The evidence in this section points to a simple conclusion. The current system is poorly equipped to deal with the modern safety burden placed upon it.

Before turning to the legal framework itself, it is necessary to understand the lived realities that often sit behind non-access.

# 3. The human realities behind non-access

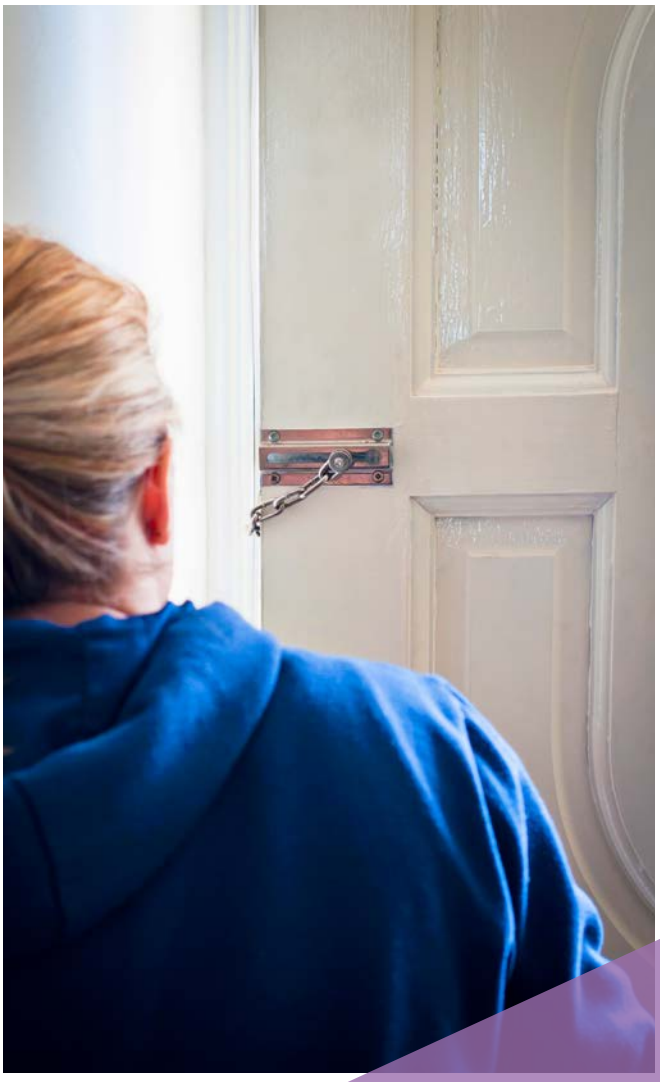
## 3.1 Access problems are rooted in lived reality

Behind every missed inspection, rearranged appointment or prolonged no-access case sits a household, and often a set of circumstances far more complex than the language of “refusal” might suggest.

That matters because it is easy, particularly in policy discussion, to treat access as a purely procedural issue. In practice, it rarely feels like that on the ground. Many access problems begin with everyday pressures, fragile routines, poor communication, fear, mistrust or circumstances that make ordinary engagement harder than it first appears.

For some residents, allowing access is straightforward. For others, it may sit alongside anxiety, financial stress, poor health, family pressures or a long-standing unease about contact with officials or contractors. In still other cases, the issue may be linked to something more serious, including abandonment, criminality or persistent deliberate non-cooperation.

Any serious understanding of non-access therefore has to begin from a simple point. It is a broad category covering very different realities, and any effective system must be capable of dealing fairly and intelligently with all of them.



## 3.2 Why access is missed

In some homes, the reason access is missed is practical and relatively ordinary. A resident may be out when the visit takes place, may have forgotten the appointment or may have only partly understood the communication that was sent. Shift work, caring responsibilities, irregular routines and the pressures of daily life can all make it difficult to keep appointments, even where reluctance to cooperate is limited or absent.

In other homes, the reasons are more personal and more difficult. Anxiety about strangers entering the property can be acute. Residents may be embarrassed about the condition of their home, fearful of being judged or worried that allowing access will trigger wider intervention. Mental health challenges can make ordinary contact difficult to manage, while hoarding, literacy barriers, language barriers, trauma or financial hardship may all sit in the background and make engagement much harder than it first appears.

There are also households in which the relationship with the landlord has deteriorated over time. The resident may no longer trust official letters, may not answer the phone or may view every contact attempt through the lens of a wider dispute or grievance. In those circumstances, an access request is received as something more than a simple administrative step. It may be experienced as another demand from an organisation with which trust is already weak.

At the same time, some difficult cases extend beyond vulnerability. Some involve repeated avoidance, persistent non-cooperation or circumstances in which there is good reason to suspect that something more serious lies behind the refusal of access. Properties may appear abandoned. Residents may have absconded. There may be criminal activity or safeguarding concerns that make the case significantly more complex.

## 3.3 Why standard process often reaches its limits

Housing providers have developed increasingly structured processes for managing access. Appointment letters, reminder texts, calling cards, follow-up calls and escalating correspondence all have their place, and in many cases they work. But in more difficult situations, standard process can quickly become repetitive and lose effectiveness.

A landlord may be able to show that it has written again, called again and visited again, yet still be no closer to understanding what is actually preventing access. In some cases, that repeated sequence simply becomes the background noise of the case. It demonstrates effort, but it does not always produce movement.

This is especially true where the issue is rooted in anxiety, vulnerability or fractured trust. A formal letter may satisfy an internal requirement while doing little to improve the chances of the door opening next time. In some circumstances, increasingly legal or procedural language may have the opposite effect, making the resident less likely to engage.

Landlords need a clear audit trail and must be able to show that reasonable efforts have been made. It does, however, mean that process alone cannot carry the whole burden. Where access becomes difficult, success often depends more on understanding what is actually happening in the life of the household concerned than on repeating the standard sequence.

**Where access becomes difficult, success often depends more on understanding what is actually happening in the life of the household concerned than on repeating the standard sequence.**

## 3.4 What better practice looks like

One of the clearest lessons from across the sector is that access improves when it is treated not as a compliance task alone, but as a relationship challenge, a communication challenge and an insight challenge.

The strongest approaches tend to share a number of features. Communication is clearer and more tailored. Housing teams and compliance teams work together earlier. Local knowledge is used to understand patterns of non-engagement. Contact is made through more than one route, and the focus extends beyond whether the resident has responded, to why they may not have done so.

In some organisations, this has meant making a clearer distinction between a resident's communication or support needs, such as reasonable adjustments linked to disability or vulnerability, and their preferences, such as the way they would ideally like to be contacted. In others, it has involved changing the tone of letters, involving tenant liaison or support staff earlier, or taking a more joined-up approach between housing, compliance and customer service teams.

These refinements reflect a wider recognition that access problems often require understanding as well as persistence.

Importantly, a more human approach can also be a stronger one. Good practice still involves strong record keeping, clear expectations and the ability to escalate where necessary. The difference is that escalation becomes more informed and more proportionate. The organisation responds to the actual circumstances of the case in front of it, rather than simply repeating effort.

## 3.5 The impact on frontline staff

The human dimension of non-access extends beyond residents. It is also felt directly by the staff and contractors responsible for delivering safety programmes.

Engineers, inspectors, planners, compliance officers and housing teams are often required to return to the same property multiple times, sometimes over long periods, in an effort to secure access. That takes time, drains morale and can create a lingering sense that the system is asking them to carry responsibility without always giving them the tools to discharge it.

For frontline workers, the challenge is rarely technical alone. They are often trying to balance two legitimate imperatives at the same time. On the one hand, they have a clear duty to protect residents and complete safety work. On the other, they may be dealing with a resident who is distressed, unwell, fearful, hostile or simply not engaging.

These situations are difficult to navigate, particularly when the case has already been open for some time and pressure is building internally to resolve it.

There is also a cumulative effect. Repeated failed visits create more than waste on a spreadsheet. They can leave staff feeling frustrated, exposed and, at times, morally conflicted. The same engineer expected to complete the check may also be the person most aware that a risk remains inside the home. The same housing officer trying to build rapport may also be the person who later must explain the consequences of continued non-engagement.

A system that relies too heavily on repeated effort without offering a clear route to resolution strains budgets and people alike.

## 3.6 The current system serves neither residents nor landlords well

Where access proves difficult, the process can become slow, repetitive and increasingly adversarial. Residents may receive multiple letters, repeated contact attempts and, in some cases, warnings of legal action, often without much clarity about what will happen next. For those who are already anxious, vulnerable or mistrustful, that can deepen disengagement rather than resolve it.

At the same time, the system handles persistent non-cooperation poorly in timely, consistent and transparent ways. Cases can drift for too long, outcomes can vary depending on local practice or legal route, and essential safety work may remain incomplete while the process unfolds.

This leaves both sides badly served. Residents face uncertainty and escalating pressure, while landlords are left carrying serious legal duties without a sufficiently clear and consistent route to discharge them. A framework that creates uncertainty for one side and frustration for the other is falling short of what it should deliver.

A better system would be clearer, fairer and easier to understand. Residents would know where they stood. Landlords would know what route is available to them. Proper safeguards would still matter. Vulnerability would still matter. The pathway from engagement to resolution would be more intelligible, more consistent and less dependent on drift, repetition and local variation. This would also benefit the judiciary system which is currently under resourced, leading to long backlogs in safety cases, which is unsatisfactory for all.

A system that takes residents seriously, recognises the realities behind non-access and still provides a clear route to complete essential safety work is fairer for everyone involved.

## 3.7 The human case for reform

The human realities set out in this section strengthen the case for reform. They show why non-access is poorly served by crude enforcement language or simplistic assumptions. They also show why the current model of repeated visits, growing frustration and eventual legal escalation is no longer good enough. Too much depends on persistence. Too much depends on local practice. Too much remains unresolved for too long.

If the safety system is to command confidence, it must be capable of responding to the real lives of the people involved while still ensuring that serious risks do not remain hidden behind a closed door. That requires better operational practice and a framework that combines humanity with clarity, safeguards with consistency, and engagement with a credible route to resolution where cooperation breaks down.

A system that responds proportionately requires the ability to distinguish vulnerability from sustained non-cooperation

That is the challenge the current system has yet to solve. It is also the reason the legal position now matters so much.

**Landlords would know what route is available to them. Proper safeguards would still matter. Vulnerability would still matter.**

# 4. The legal framework for access and safety

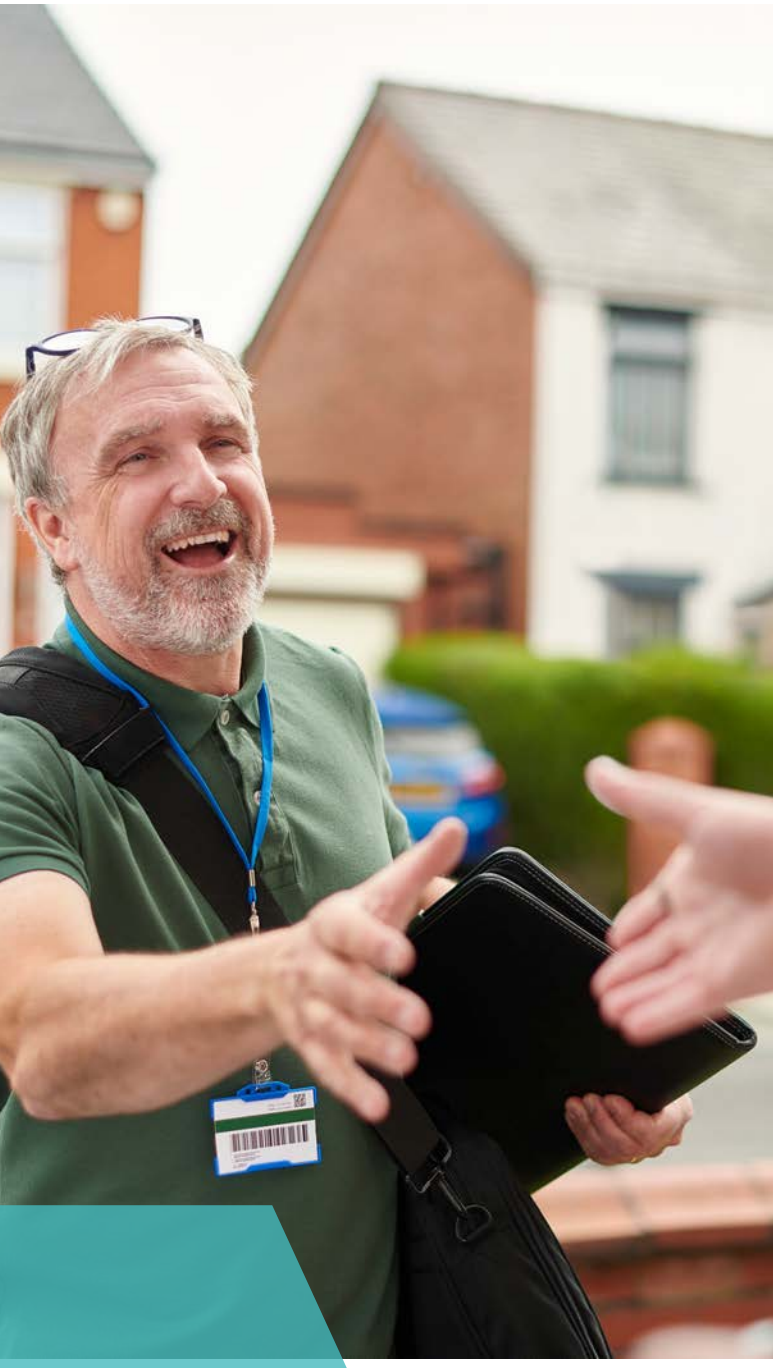
## 4.1 Why access sits in a difficult legal space

Access for safety checks in social housing sits in a particularly difficult part of the law. It is not governed by one clear statutory code or a single straightforward power of entry. Instead, it lies at the intersection of several different legal frameworks, each of which has developed for sound reasons, but not always with full regard to the others.

On one side sit the statutory duties placed on landlords to keep homes safe. On the other sit the long-established protections afforded to the home itself, together with the contractual, civil and criminal law principles that limit when and how entry may take place.

The result is a position that is neither simple nor fully settled. Landlords are expected to carry out inspections and manage risks inside occupied homes, yet the legal route by which access is ultimately secured when cooperation breaks down remains unclear, inconsistent and highly fact-sensitive.

**It was for that reason that The ASCP sought specialist legal advice, first in 2023 and again in 2026 from King's Counsel**, in order to understand how the law operates in this area, where the risks lie and what the current framework does and does not permit. Those opinions are best understood as contributing to one developing legal picture rather than as competing versions of it.



## 4.2 The statutory duties that require access

The modern safety framework places clear and serious obligations on social landlords. Those duties are not optional and, in some areas, can carry criminal, regulatory and reputational consequences where compliance fails.

The clearest example is gas safety. Under the Gas Safety (Installation and Use) Regulations 1998, landlords must ensure that relevant gas appliances and flues are maintained in a safe condition and checked at intervals of not more than twelve months. Breach of those duties is a criminal offence. The regulations provide a limited defence where a landlord can show that all reasonable steps were taken to comply, but they do not confer any statutory power of entry to carry out inspections, nor do they define what constitutes "all reasonable steps", leaving that question to be judged case by case.

Electrical safety now carries similar practical significance. The extension of electrical safety requirements to the social rented sector in England, already in place in Scotland and Wales, means that landlords must ensure that installations are inspected and tested at prescribed intervals and that remedial works are completed where defects are identified. The legislation recognises that landlords may be prevented from entering premises by tenants and makes clear that a landlord is not automatically required to bring legal proceedings in every such case in order to demonstrate that reasonable steps have been taken. That is a significant legislative signal. It acknowledges the access problem, but stops short of resolving it by providing a corresponding statutory access right.

Other safety regimes reinforce the same pattern. Smoke and carbon monoxide alarm duties, fire-related safety interventions within dwellings, and the growing body of expectations surrounding damp and mould all require landlords, at times, to gain entry into occupied homes. Awaab's Law and related reforms, in particular, make timely inspection and intervention increasingly important. Yet across these regimes, while the duty to act is often clear, the route to secure entry where cooperation is not forthcoming remains far less so.

## 4.3 The home remains strongly protected

These statutory duties do not exist in isolation. The law has long afforded strong protection to the home, and that protection remains fundamental.

In common law, tenants enjoy exclusive possession of the premises together with the covenant of quiet enjoyment. These principles are deeply embedded and reflect the importance of the home as a private space, free from arbitrary or excessive interference. They remain central to the legal relationship between landlord and tenant, including in the social housing context.

Housing legislation and tenancy law recognise only limited rights of access. Landlords may enter in certain circumstances for inspection, repair or emergency response, but those rights are conditional and generally tied to notice requirements, reasonableness and purpose. There is no general statutory principle that a landlord may force entry simply because a safety inspection is due.

That is the legal tension at the heart of this issue. The law requires landlords to keep homes safe, but it also protects the resident's home from undue interference. Neither side of that tension is illegitimate. The difficulty lies in the fact that the framework for reconciling them remains incomplete.

**That is the legal tension at the heart of this issue. The law requires landlords to keep homes safe, but it also protects the resident's home from undue interference.**

## 4.4 What the legal opinions establish

The legal opinions obtained by The ASCP help clarify how that tension should be understood in practice. Taken together, they establish a number of points with considerable consistency:

- First, there is no general statutory or common law right for social landlords to force entry in order to carry out routine safety inspections. Gas safety legislation does not create one, and neither does the wider body of safety law.

- Second, if any lawful authority for compelled entry is said to exist, it must be found elsewhere, most obviously in the terms of the tenancy agreement and in the legal interpretation of those terms within the wider statutory and common law context. That means the wording of tenancy agreements matters, but it also means that contractual wording alone cannot be treated as the complete answer. The issue remains subject to the broader legal environment in which those agreements operate.

- Third, any argument for stronger access rights must be understood as narrow, fact-sensitive and closely tied to the seriousness of the safety purpose involved. Access sought for prescribed health and safety reasons stands in a different category from ordinary management convenience. The issue arises because these inspections and works exist to prevent harm, not because landlords wish to intrude unnecessarily into residents' homes.

- Finally, the legal analysis is not simply about whether entry is possible in the abstract. It is about the interaction between serious safety duties, contractual rights, resident protections and the risks involved in acting, or failing to act, when access is not achieved.


## 4.5 Why tenancy clauses matter, but do not settle the issue

The role of tenancy agreements is often misunderstood in this debate. Clear contractual wording is important, and organisations are right to pay close attention to it. If a landlord intends to rely on rights of entry linked to health and safety, those rights should be expressed as clearly as possible and should distinguish between emergencies, routine access and situations in which previous notice has been given and access has not been provided.

However, the existence of a tenancy clause does not by itself remove legal uncertainty. A contract operates within the wider framework of housing law, common law protections and criminal law. It may provide a basis for argument, but it does not make every form of entry automatically lawful, nor does it answer every question about how such rights may be exercised in practice.

Some of the frustration in this area stems from the fact that tenancy agreements appear, on their face, to promise more clarity than the wider system is actually prepared to deliver. A resident may be told that access is required. A landlord may believe its tenancy terms support that position. Yet when the matter is tested in practice, the final legal route remains uncertain.

## 4.6 Criminal law and the limits of certainty

One of the clearest examples of that uncertainty arises from the interaction between access and criminal law.

Section 6 of the Criminal Law Act 1977 makes it an offence to use or threaten violence to secure entry to premises where there is someone present who is opposed to the entry and the person seeking entry knows that to be the case. For these purposes, force against property, including the door or lock, is capable of constituting violence. The offence does not apply where the person seeking entry has lawful authority, but the meaning of that phrase in this context is precisely where some of the uncertainty lies.

The legal position is especially sensitive where entry is sought and an occupier may be present. Where a resident is inside and objecting, the criminal law implications are immediate. Where there are reasonable grounds to believe that no one is present, the position is different, but it still requires careful judgement and a clear appreciation of the risks on both sides.

Failing to gain access, and therefore failing to complete safety work, carries its own risks, including the risk that a serious hazard remains unaddressed. Equally, contractual wording alone cannot be assumed to neutralise the legal exposure involved in compelling entry. The law requires judgement, caution and a clear appreciation of the competing risks on both sides.

## 4.7 The courts and the problem of inconsistency

Another defining feature of the current landscape is inconsistency.

In practice, where landlords seek injunctions or other court orders in order to secure access, outcomes can vary considerably. Some courts have been prepared to make orders that contemplate access being obtained in stronger terms. Others have been much more reluctant. Recent case law has reinforced the extent to which the outcome may depend on judicial approach, the precise form of the application and the facts before the court.

That inconsistency matters for more than one reason. It creates uncertainty for landlords, who are left trying to comply with serious statutory duties without a clear view of what a court will or will not support in a particular case. It also creates uncertainty for residents, because the consequences of refusing access may vary too much depending on where they live, who their landlord is and what legal route is pursued.

A system in which the outcome depends too heavily on geography, forum or judicial discretion is not serving either side well.

## 4.8 The overall legal position

Taken together, the legal duties, the tenancy framework, the common law protections and the specialist legal advice point towards one coherent conclusion.

Landlords are under serious obligations to inspect, maintain and remedy safety risks inside homes. Those duties are real and, in some areas, carry significant consequences if they are not discharged. At the same time, the home remains strongly protected in law, and there is no clear, general statutory right of entry for routine safety purposes.

The legal opinions obtained by The ASCP do not contradict one another on that point. Rather, they map the same difficult territory from within an evolving legal and practical context. They confirm that access for safety may in some circumstances be arguable or supportable where tenancy terms, purpose and process align, but they also make plain that the current framework is not one of settled certainty. It is one of legal tension, risk balancing and incomplete clarity.

The issue therefore cannot sensibly be reduced to a simple question of whether landlords should or should not act. The more fundamental difficulty is that the law imposes duties of great seriousness without providing a sufficiently clear, consistent and transparent route by which those duties can always be fulfilled where access is not voluntarily provided.

## 4.9 Why the current legal position points towards reform

The framework described here does not simply create difficulty for individual landlords. It exposes a broader structural gap.

The sector is expected to deliver a modern safety regime inside occupied homes, yet the legal architecture surrounding access has not evolved to match the seriousness, breadth and frequency of those obligations. Instead, landlords are left to navigate a patchwork of statutory duty, contractual wording, judicial inconsistency and risk balancing.

That is neither fair nor sustainable in the long term. It leaves too much unresolved for too long, creates too much variation in outcome and places too much reliance on persistence, legal interpretation and local practice.

The issue is not whether the sector should pay close attention to legal risk. It must. Nor is it whether some circumstances are more difficult than others. They plainly are. The more fundamental point is that the current legal position does not provide the level of clarity now required for a safety framework of this scale and seriousness.

That is the case for reform. Not because the existing duties are wrong, and not because resident protections should be weakened, but because the law must provide a clearer route for reconciling them where access for prescribed safety purposes cannot be obtained through consent.

# 5. The current system is not good enough

## 5.1 A system built on repeated recovery

The central weakness in the current approach extends well beyond a small number of unusual or highly contested cases. It runs through the system as a whole.

Too often, access for safety checks is secured through repeated attempts, repeated attendance and cumulative effort, rather than through a clear, reliable and proportionate framework. A first appointment is missed, so a second is arranged. If that fails, there is a third. Letters are reissued, contractors return, compliance teams track the case, housing officers become involved and the matter remains live while the organisation continues trying to bring it back on course. In the more difficult cases, that process may continue for a considerable period before the inspection is eventually completed or the matter moves into legal escalation.

This is a structural feature of the way access is currently managed, rather than an occasional flaw in an otherwise efficient model. The system depends too heavily on repeated attempts, repeat attendance and cumulative effort in order to recover work that should have been completed earlier and more cleanly. What has become normal is a prolonged process of trying to recover lost ground each time access fails, rather than a clear route to resolution.

When looked at in those terms, the weakness of the present model becomes much clearer. The problem is that repeated inefficiency has become an accepted part of the system.

## 5.2 Repetition, waste and delay are built into the model

The scale of that repetition matters. As set out earlier in this report, first-time access rates for gas safety inspections commonly mean that around one in four homes is not accessed on the first visit.

That translates into well over one million repeat visits each year for gas servicing alone. Once electrical safety, damp and mould and other forms of in-home safety activity are added, the volume of repeated access attempts becomes even greater.

This is the mechanism by which the system now functions, rather than a simple operational inconvenience. Compliance is often maintained only because organisations are prepared to absorb the cost and administrative burden of repeated attendance, repeated communication and repeated internal escalation. That is a framework held together through persistence rather than one working well.

One of the most striking features of the present model is the extent to which waste is built into it. Contractors attend properties and cannot get in. Appointments must then be rebooked, routes rescheduled and internal records updated. Staff spend time monitoring and chasing cases that remain unresolved. Subsequent visits consume further labour, further travel and further administrative handling. By the time a case has reached a fourth or fifth attempt, significant effort may have been invested before any actual safety work has been carried out at all.

The financial consequences are substantial, but the practical consequences matter just as much. Time spent repeatedly trying to gain access is time diverted away from carrying out inspections, completing remedial works and improving homes elsewhere.

**The financial consequences are substantial, but the practical consequences matter just as much.**

## 5.3 Legal escalation is the end point of a weak process, not the whole problem

By the time access issues reach the stage of injunctions, court applications or legal wrangling, a great deal of resource has usually already been consumed.

The legal process is one part of the problem and the final expression of a model that has already failed to resolve the issue earlier, more proportionately and more consistently.

That is why focusing only on the relatively small number of cases that become legally contentious is insufficient. The waste, delay and uncertainty begin much earlier. They are embedded in the repeated cycle of missed visits, repeated attempts and elongated recovery effort that precedes legal action.

In other words, the difficulty lies in a system that becomes adversarial at the end and lacks a sufficiently clear route to resolution throughout the middle. Instead, it stretches cases out through repetition, with increasing cost and diminishing certainty, until some eventually reach court. That is one of the reasons the current model is so difficult to defend. It is expensive at the point of legal action and throughout the process leading to it.

## 5.4 Inconsistency makes a weak system weaker

A system built on repeated recovery effort might still be defensible if the route to resolution were clear and consistent.

At present, it lacks that clarity and consistency. Where access continues to be withheld, outcomes can vary depending on landlord type, legal route, local practice, tenancy wording, geography and judicial approach. That means the consequences of non-access are shaped not always by the seriousness of the safety issue or the reasonableness of the steps taken, but by a wider set of contingencies that ought to matter far less than they currently do.

This deepens the weakness already built into the system. Cases are prolonged through repetition and within a framework that provides too little certainty about what happens when repetition fails.

That is poor for landlords, who need to know what route is available to them and what it is likely to achieve. It is poor for residents, who should be able to understand clearly what happens if access for prescribed safety checks is repeatedly withheld. And it is poor for the wider system, which depends too much on variation where consistency should be expected.

**Cases are prolonged through repetition and within a framework that provides too little certainty about what happens when repetition fails.**

## 5.5 The current system serves neither residents nor landlords well

The present model serves residents poorly as well as organisations.

Where access becomes difficult, the process can become slow, repetitive and increasingly formal, often without much clarity about where it is heading or what will happen next. For some residents, particularly those who are already anxious, vulnerable or mistrustful, repeated letters and escalating contact can deepen disengagement rather than resolve it. For others, the lack of a clear and consistent route simply means uncertainty continues for too long.

The present system also handles persistent non-cooperation poorly in ways that are timely, transparent and fair. Cases may drift, consequences may vary and serious issues remain unresolved while the process unfolds.

This means the current framework fails in both human and practical terms. It can be confusing and stressful for residents while still leaving landlords unable to complete work that exists to protect those same residents and, in some cases, others around them.

## 5.6 Better practice matters, but the system still needs reform

Better operational practice still matters.

Stronger communication, earlier intervention, better data, more joined-up working and a better understanding of resident circumstances all remain essential. The sector should continue to improve in all of these areas.

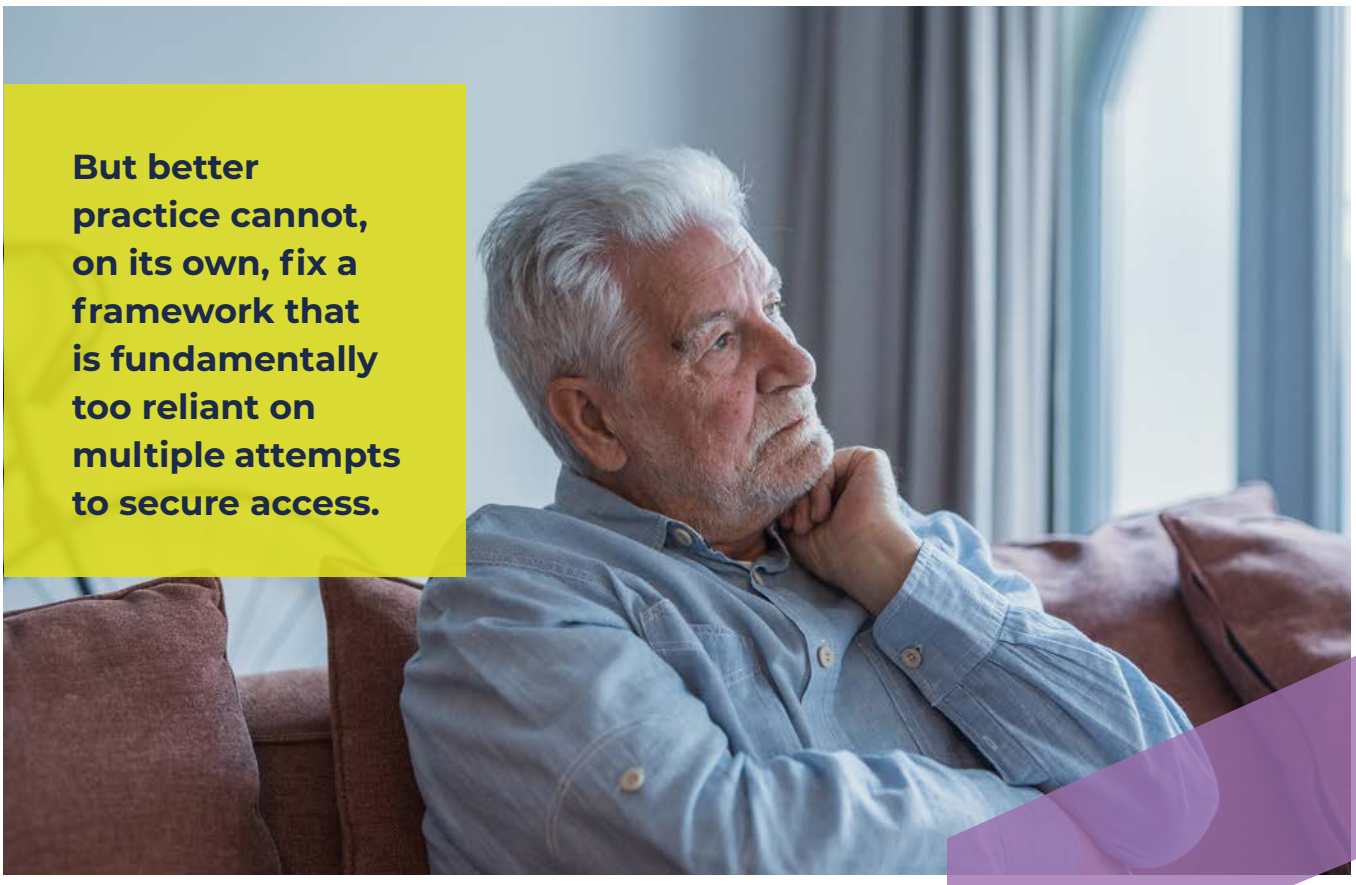
But better practice cannot, on its own, fix a framework that is fundamentally too reliant on multiple attempts to secure access. Careful scheduling and improved communication cannot eliminate the fact that the current model lacks a sufficiently clear route from failed first visit to reliable resolution. Good practice cannot make repeated attendance an efficient answer. Landlord persistence cannot substitute for legal and procedural clarity where that clarity is missing.

The question is no longer whether the sector can continue to work hard enough to keep the system functioning. It plainly can and does. The question is whether the sector should be expected to go on doing so within a model that bakes waste, uncertainty and inconsistency into the process from the outset.

The answer is increasingly clear. It should not.

A framework that requires safety checks to be completed, but leaves too much of the route to achieving them dependent on repeat attendance, repeated cost and eventual legal escalation is no longer adequate to the scale of the task. It is too wasteful, too inconsistent and too uncertain for a safety system of this seriousness.

What is required is a clearer route. The following section turns to that need directly.



# 6. What needs to change

## 6.1 The core reform

The ASCP is calling for the law to guarantee access for clearly defined safety checks and works inside occupied homes, subject to proper safeguards, clear notice requirements and a consistent process. It is a call for legal clarity in a narrow but important area where the current framework is no longer adequate to the duties it already imposes, while preserving the protections that residents rightly enjoy within their homes.

The intention of reform is to create a clear and workable route to resolution where cooperation repeatedly breaks down. In the vast majority of cases, access will continue to be achieved through cooperation and engagement. The purpose of a clearer statutory framework is to ensure that the system has a defined route to resolution that protects residents while ensuring safety duties can still be fulfilled.

Landlords are expected to deliver an increasingly demanding safety regime across gas, electrical safety, fire-related activity within dwellings, damp and mould and other prescribed areas of risk. Where access is withheld, the route from duty to delivery remains too uncertain, too expensive and too inconsistent.

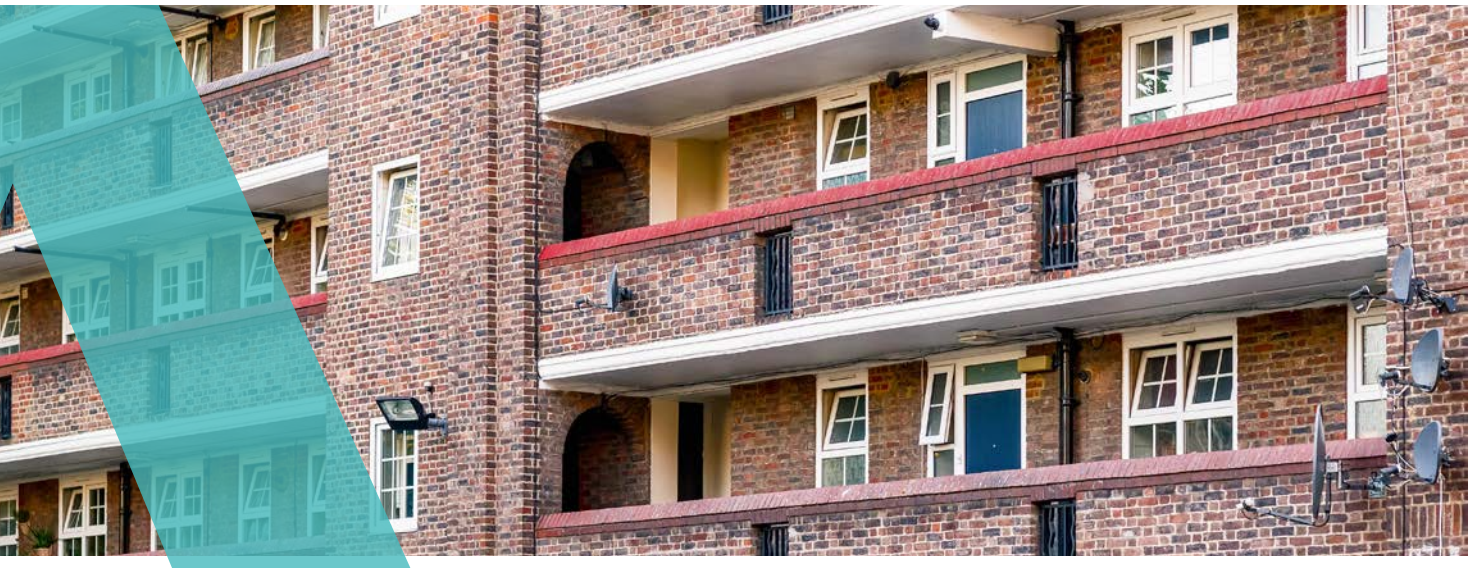
If the law requires these checks and works to be completed, it must also provide a clear route by which they can be completed.

## 6.2 What that means in practice

A clearer legal framework does not need to be broad in order to be effective. Any new statutory route should apply only to prescribed safety purposes and those purposes should include the areas in which landlords already carry clear legal or regulatory duties to inspect, test, maintain or remedy risk inside occupied homes. Gas safety is the clearest example, and it should be joined by other essential safety duties. Electrical safety, fire-related interventions within dwellings, serious damp and mould hazards and other specified safety matters, as Awaab's Law expands, should also sit within scope where the need for access is directly linked to the prevention of harm.

The framework should also make clear that access should be pursued only after prior effort and reasonable engagement. Residents should receive proper notice, clear communication and, where needed, reasonable adjustments or safeguarding consideration before the matter moves beyond ordinary engagement. The purpose of reform is to ensure that, where those steps fail, the route that follows is clear and structured rather than improvised.

This should be accompanied by a consistent legal pathway. The consequences of repeated non-access for prescribed safety checks should vary as little as possible by geography, landlord type, legal route or the discretion of the individual decision-maker involved. Residents and landlords should both be able to understand, in advance, what the framework is and how it operates.



## 6.3 The role of safeguards

### The strength of a clearer legal framework will depend on the access it permits and the safeguards it contains.

Those safeguards should be explicit. They should include proper notice, clear limits on the type of activity for which access can be required, evidence of prior reasonable engagement and proper regard to vulnerability, communication barriers and safeguarding concerns. They should also include limits on the scope of entry so that the framework remains tied to prescribed safety purposes and does not become a general management power.

There may also be a case for a supporting mechanism through which disputes can be reviewed or resolved in a more structured way before matters progress further. That could take the form of a panel, forum or other oversight route, particularly where the facts are contested or where there are significant welfare considerations. The value of such a mechanism would be as a safeguard within a clearer system and alongside legal reform itself.

The important point is that legal clarity and resident protection work together. In this context, each depends on the other. A system that is unclear, inconsistent and overly reliant on drift falls short of being humane. A system that is better defined, more transparent and properly safeguarded is likely to be fairer as well as more effective.

## 6.4 Why this would be better

A clearer legal framework would be better for safety because it would reduce the risk of serious hazards remaining unidentified or unresolved behind a closed door.

It would be better for residents because it would provide a more intelligible and more consistent process, one in which the consequences of repeated non-access for prescribed safety purposes are clearer from the outset and less dependent on prolonged uncertainty.

It would be better for landlords because it would align legal duties with a clearer legal route to discharge them, reducing the dependence on repeated attendance, repeated cost and eventual legal wrangling.

It would also be better for the wider system because it would reduce significant waste. The present model consumes very large amounts of labour, contractor time and administrative resource in repeatedly trying to recover access where the law has not provided enough certainty at the point of difficulty. A clearer route would not eliminate every failed visit or every contested case, but it would allow the system to move more quickly and more consistently from attempted engagement to defined outcome.

Most importantly, it would recognise a simple truth. Safety checks and safety works exist because harm can and does occur when risks are left unmanaged. A framework that allows those activities to be delayed indefinitely, or resolved only through repeated waste and uncertainty, is no longer good enough.

## 6.5 What now needs to happen

### What is now needed is a clearer statutory framework for access to carry out prescribed safety checks and works in social housing.

That framework should define the safety purposes to which it applies, set out the safeguards that must be met, clarify the role of prior reasonable engagement and create a more consistent legal route where access is repeatedly not provided. It should also consider the place of a supporting review or dispute mechanism where that would improve fairness and confidence in the system.

What cannot continue is the present position, in which the law imposes serious duties but leaves too much uncertainty around the means of fulfilling them. The issue has been managed operationally for many years. It has been litigated around, worked around and absorbed into day-to-day compliance effort. But a long-standing problem has now become too large, too costly and too inconsistent to be left there.

That is the purpose of the Access for Safety campaign. It is built on a simple proposition: where access is needed for clearly defined safety checks and works, the law should provide a clear route to secure it, with proper safeguards and without the waste, inconsistency and uncertainty that now characterise the system.

This is not a call for blunt powers or for the erosion of residents' rights. It is a call for the law to become more coherent, more transparent and more capable of supporting the safety duties it already imposes. In short, it is a call for a system that is more fit for purpose.

The law has strengthened the safety framework inside the home. It must now do the same for access.

The safety framework has changed. To protect all residents, the law governing access must now change with it..

**Because when access is required to keep people safe, Safety can't wait outside.**

# About the report authors

## Association of Safety and Compliance Professionals (ASCP)

The Association of Safety and Compliance Professionals exists to support the people and organisations responsible for keeping homes safe. Rooted in social housing, the ASCP brings together professionals who share a commitment to resident safety, technical excellence and continuous improvement.

We believe everyone should be able to live in a home that is safe, warm and properly maintained. That belief sits behind everything we do, from training and events to research, technical guidance, policy work and professional support.

By giving safety and compliance professionals a collective voice, a place to share knowledge, and a platform to raise standards, the ASCP helps turn individual expertise into shared progress.

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## CORGI Technical Services

CORGI Technical Services helps organisations manage safety and compliance with confidence. Building on the trusted technical heritage of the CORGI name, we provide independent expertise, practical support and clear assurance to landlords, facilities managers and organisations responsible for the safety of homes and buildings.

Through consultancy, auditing, accreditation, training and technical guidance, we help organisations understand their duties, evidence their compliance and improve how safety is managed in practice.

Our work brings technical depth to real-world challenges, helping clients make better decisions, strengthen assurance and protect the people who rely on safe, well-managed homes and buildings.

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Access for Safety

# Safety can't wait outside

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