HYELM

Responding to Information Requests

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1. Who can make requests

1.1 HYELM will respond to Information requests that are made either by a registered tenant with us, or by their designated representative. The scheme is not open to either former or prospective tenants.

1.2 HYELM will only respond to requests where it can confirm the identity of the requesting tenant and their representative (where appointed). There are no restrictions on tenants as to whom they may choose as their representative.

1.3 We will accept requests that are made in writing, including either by email, text message and social media, as long as we can identify who you are. Your request does not have to specifically mention "STAIRs" for it to be considered under the scheme, as long as the request is made in writing and we are able to identify you.

1.4 We recognise that certain tenants may require additional support to make a request and we will ensure that appropriate arrangements are in place to support all tenants to be able to exercise their rights under STAIRs.

2. How long will it take us to respond

2.1 We will provide an acknowledgement of receipt of your request within 5 working days of receipt. We will respond to your request within 30 calendar days from receipt of your request, or where the request requires clarification, 30 days from receipt of the clarification.

2.2 HYELM will take reasonable steps to assist tenants and their representatives where any request requires clarification.

2.3 In exceptional circumstances it may be necessary to extend the timeline for a response. Where this is necessary HYELM will inform you at the earliest opportunity. Every effort will be made to respond in a reasonable timeframe where any extension is required.

2.4 If there is likely to be any delay in providing a response we will ensure that we provide you with a reason for the delay together with our best estimate as to when you may be likely to receive a response.

3. Refusing to respond to information requests

We may refuse to respond to an information request where:

- It is reasonable to withhold the information from disclosure.

- Disclosure of the information may cause harm (where we have reasonably balanced the factors favouring disclosure against the likelihood of any harm arising from that disclosure).
- Your identity (or that of your representative) cannot be established.
- The meaning of the request is not clear and you have not responded to our reasonable efforts to seek clarification.
- The information requested is excluded on the basis that it is not relevant information (i.e. does not come within the scope of an information request under STAIRs).
- The work involved in responding to the request would exceed 18 hours of staff time.
- The request is excessive, in that it is repeated (including where we receive repeated requests from multiple tenants acting in coordination or seeking the same information).
- The request is offensive or communicated in an abusive manner or is clearly intended to otherwise cause disruption to our organisation.

We may also redact information where it is appropriate and reasonable to do so.

4. What does reasonable mean when responding to requests?

4.1 When considering whether it is reasonable to withhold any information in response to your request we are required to have "due regard to" freedom of information and data protection laws (and any other relevant statutes).

4.2 We are also required to balance factors favouring disclosure against the likelihood of any harm arising from the disclosure. In having "due regard" a provider must ensure that it gives proper consideration to whether the information falls within a class of information under freedom of information and data protection laws and whether releasing the relevant information could cause harm.

4.3 "Due regard" means that a provider must consider or take account of a legal principle or legislation, but it does not mean that a provider has to follow that principle automatically. Providers should be able to justify why they consider that protected class under FOIA (or other relevant laws) may apply to the request and record their reasoning. We will start from the presumption that the information should be disclosed in response to a request unless the information is such that the factors in favour of withholding (or redacting) the information outweigh the benefits of making the information available.

4.4 Factors we will take into account when considering the likelihood of harm being caused by the disclosure will include:

- Type of harm – physical, mental, financial, or operational / commercial.
- Severity – how serious could the harm be?
- Likelihood – is harm speculative, possible, or reasonably likely?
- Harm to third parties – e.g., other individuals, third party organisations, whether or not the information is in the wider public interest to disclose or withhold.

For example, there is often a public interest reason in withholding information on the basis that there is a:

- Need to ensure confidentiality around formulation of decisions and pipeline discussions or protect a negotiating position.

- Need to ensure value for money and maintain competitive position in a market.
- Need to ensure the health and safety of any individual or prevent disclosure of information which could prejudice any investigation.

4.5 We are also required to take into account that where the relevant information was provided by or relates to a third party, the registered provider must consider the views of that third party regarding the likelihood of any harm.

4.6 When assessing the risk of harm, our approach is that the reference to "third party" here means any third party or individual (i.e. not solely a body responsible for the management of social housing instructed on our behalf).

4.7 In addition, we are not obliged to disclose information under STAIRs where we already provide disclosure of relevant information pursuant to other statutory provisions (for example, we are legally required to provide to Companies House information about our corporate activities, such as the filing of our annual return).

5. What other factors will be taken into account when disclosing information

5.1 When considering whether or not to disclose relevant information we will not take into account the identity of the tenant nor any purpose to which that information may be put as relevant factors as to whether the information ought to be disclosed.

5.2 Nor will we take account of any reputational risk or negative public interest for us which may be either caused or inferred by reason of any disclosure. HYELM will ensure that information is published in the spirit of openness and transparency as laid down by the scheme.

5.3 Where we either withhold information from disclosure, or we provide information but with redactions we will explain our reasons for this as part of our response.

5.4 If it is necessary to extend the timelines for a response where we need to consider whether withholding or redacting information is required, we will let you know as soon as possible, together with our likely timeline to provide you with a response.

5.5 When disclosing information we will take all reasonable steps to ensure that information is provided in a format which is accessible to you.

Version Control

Date	Amendment	Version
01.09.2026	New Document	1