



Homeless IN EAST STAFFORDSHIRE



What is in this booklet...

Introduction

Section 1

Homelessness and Your Rights

Section 2

Approaching Trent and Dove Housing for Help if you are Homeless

Section 3

The Interview with Trent & Dove Housing

Section 4

Decisions

Section 5

Interim and Temporary Accommodation

Section 6

What we do with the information you give us

Section 7

After the Homeless decision has been made

Section 8

Other Information

Section 9

Useful Telephone Numbers

Your Views

Introduction

This booklet is intended to assist homeless people setting out in a general way, a brief description of the law and the Council's practices in relation to homelessness, and general information for anyone using our services.

On January 20th 1997, the law in relation to the Council's duties towards homeless applicants changed.

This booklet refers to the Housing Act 1996, part VII including the 2002 amendments.

From March 26th 2001 East Staffordshire Borough Council agreed that their Homeless responsibilities would be contracted to Trent & Dove Housing. This means that the Housing Agency Section at Trent & Dove Housing is responsible for carrying out the Homelessness service. This also includes advice and assistance in finding your own accommodation.

Once you have approached Trent & Dove Housing as homeless we will carry out an assessment interview and make a decision on whether to provide 'interim accommodation'.

We will investigate your homeless application and make a final decision on whether we accept a duty towards you and how we will discharge that duty.

If ESBC accepts a duty to only provide temporary accommodation for you, we will ensure that it is available to you, with storage of your furniture, and give you advice and assistance on how you can apply to the housing registers.

If we are unable to accept a duty towards you, we will explain the reasons why and provide you with advice and assistance to help you find a place to live.

If you require more detailed information on the areas covered by this booklet, please contact the Housing Agency Section.

N.B. Please note that any duties to rehouse are those of East Staffordshire Borough Council not Trent & Dove Housing, however you may be rehoused in a T&D property.

Introduction cont...

The law, which relates to homeless people, can be very complicated. We hope that the information we have set out in this booklet is clear, and answers most of your questions. If you feel that there is more information that you require or if you feel that we can improve any areas of our service we would be pleased to hear from you. You can write to us at the address on the back of this booklet, or contact us by telephone or fax.

We would like to inform you that we could be contacted by:

Telephone on 01283 528612 or 528610

Fax on 01283 528696

There is also an "Emergency Out of Hours" service provide when Trent & Dove Housing are closed. Contact by telephone only. ***Telephone on 0800 169 5538***

Homelessness Law and Your Rights

The Housing Act 1996, Part VII sets out the legal duties that all local authorities have towards people who are homeless. Under this Act the Council has a legal duty to make sure you have somewhere to live if:

- ***You are homeless; and***
- ***You are eligible; and***
- ***You have a priority need; and***
- ***You are not intentionally homeless***

HOMELESS?

Trent & Dove Housing will consider you to be homeless if:

- ***You have nowhere to live.***
- ***You have been living somewhere, but you have no legal right to stay there and have been told to leave.***
- ***You have somewhere to live, but cannot get into it.***
- ***You have somewhere to live, but someone else who lives there has been violent towards you, or is likely to be violent towards you.***
- ***Your home is a caravan, or a houseboat and you have nowhere to legally park it, or moor it.***
- ***You have somewhere to live but it is not possible for other members of your family who normally live with you to do so, due to your current accommodation.***
- ***You have been made homeless as a result of an emergency, such as fire, flood or some other disaster.***

If you are about to become homeless

You are entitled to help from Trent & Dove Housing if you are likely to become homeless within the next 28 days because, for example:


- ***You have been served a correct notice of termination by your landlord.***
- ***You have been living with friends or relatives who have told you to leave.***

Eligibility...

Eligible?

Certain categories of person are not “eligible” for assistance under the homelessness legislation, because they do not usually live in the UK or are subject to some form of immigration control. You are likely to be eligible for assistance if:

- ***You usually live in the UK and are subject to immigration control, but your right to stay here is not subject to any time limit or condition/s.***
- ***You have been given refugee status, or exceptional leave to remain here, as a result of any application for asylum.***
- ***You are an asylum seeker who applied at port of entry when you first came to the UK and have not yet received a decision on your asylum application.***
- ***You are an asylum seeker, who applied for asylum prior to 5th February 1996.***



This is a very complicated area of immigration law. If you need further advice or assistance on immigration status or matters relating to your immigration, please ask the staff in the Housing Agency Section for a list of agencies that may be able to advise you in these matters.

Please note, households who are not eligible for assistance from the Housing Agency Section, are eligible to advice, and you may also be referred to Social Services, an Immigration Solicitor, Refugee Council or NASS etc.

In Priority Need?

You may be a “Priority” homeless person or household if:

- ***You have dependent children who are under 16, or under 19 if they are in full time education, who will normally live with you.***
- ***You are at risk of violence***
- ***You have been made homeless as a result of fire, flood or some other disaster.***
- ***You are “vulnerable” because of old age, mental illness, disability, or physical illness, or other special reasons, for example:***
 - ***A young person aged 16 or 17***
 - ***Certain care-leavers or former relevant children***
 - ***Certain people leaving the armed forces or prison.***

Section 1



This is a very complicated area and each application is looked at individually by the Housing Agency Section.

Intentionally Homeless?

Trent & Dove Housing may consider you to be intentionally homeless if you have become homeless as a result of something you have deliberately done, or failed to do.

“The Local Housing Authority’s obligation towards you if you are in priority need for accommodation will depend on whether you became homeless or were threatened with homelessness intentionally. The Association will make a reasonable decision on this matter in light of the enquiries, which it carried out. Intentionally means that you have ceased to occupy accommodation either because of something that you have done positively and deliberately or that you have neglected to do and that you were aware of the possible consequence of your actions.

If the reason somebody is homeless is because it was unreasonable for them to occupy their accommodation they cannot be intentionally homeless. (Code of Guidance point 7.15).

What is a Local Connection?

Trent & Dove Housing also has to establish if you have a 'local connection' with East Staffordshire. If not, we have to establish if you have a 'local connection' with any other borough in England, Scotland or Wales.

Local authorities have agreed guidelines whether you have a local connection with their borough. You may have a local connection if:

- ***You have lived in the borough for 6 out of the last 12 months, with the exception of interim or temporary accommodation provided to you by another local authority.***
- ***You have lived in the borough for 3 out of the last 5 years, with the exception of interim or temporary accommodation provided to you by another local authority.***
- ***You have permanent employment in the borough.***
- ***You have a close relative that has lived in the borough for the last 5 years (e.g. mother, father, sister, brother, son or daughter).***

Trent & Dove Housing may refer you to another Council and ask them to assist you, if:

- ***You have no local connection with East Staffordshire, but do have a local connection with the other Council.***
- ***You made a homeless application to another borough in the last 5 years and were placed in East Staffordshire by that borough.***

Trent & Dove Housing have to make sure that the other Council has agreed to assist you before sending you there. While these arrangements are being made, we have a duty to offer you interim accommodation if this is required. (Interim accommodation is accommodation provided whilst the Housing Agency Section is carrying out their investigations).

Trent & Dove Housing will not force you to return to an area where you have experienced, or are likely to experience, violence.

If you have no connection with any area, Trent & Dove Housing will have a duty to house you or help you to obtain accommodation.

Types of Assistance Trent & Dove Housing Can Give

If you receive a negative decision on your application, you will be informed of how you can appeal against this.

For more information, please read Section 4 of this booklet.

What assistance can you give me if my application is accepted?

If the Homeless Person section accepts a duty towards you we will have to secure an offer of accommodation that is suitable and reasonable for you to live in.

If there is no suitable accommodation available we may have to consider suitable temporary accommodation or housing with a private landlord that is agreed with yourself until permanent accommodation becomes available.

Approaching Trent & Dove Housing for Help if you are Homeless...

If you are homeless or know that you are about to become homeless within the next 28 days you should contact Trent & Dove Housing at:

***Housing Agency Section, Trinity Square,
Horninglow Street, Burton upon Trent, Staffs DE14 1BL***

Trinity Square has access and facilities for the disabled.

The Housing Agency Section is open to callers:

Monday to Friday, 9am to 5pm

Telephones

Telephone duty service is available:

Monday to Friday, 9am to 5pm

Telephone: 01283 528612; 528610

Main Reception: 01283 528528

Fax: 01283 528696

Out of Hours: 0800 169 5538

Appointments

Do I need to make an appointment before going to the Unit for my first visit?

Not if it's an emergency.

We then suggest you come to the office as close to 9.00am as possible.

The Housing Agency Section will normally give you an appointment for your first visit. You can arrange a convenient time by speaking to one of our receptionists. Please inform the receptionist if you have any special needs.

What happens if I need to be interviewed in another language?

The Housing Agency Section will arrange a convenient time to interview you with an interpreter. You may wish to arrange this yourself. If you would like us to arrange this, we will be happy to do, but it may take a day or so and the full interview may need to wait until this time.

continued...

Section 2

Visits

Can I arrange for someone to interview me outside the office?

In some circumstances we can arrange an interview outside the office, for example, if you are in hospital and are unable to call into the office because of your illness. We will then arrange to interview you in hospital, or at a convenient place.

Future Visits

What happens if I need to go back to the office?

Once a Housing Agency Officer (Homelessness) has been allocated to your case, they will be the person who investigates your application and makes a decision.

If you need to come back to the office to see the Housing Agency Officer (Homelessness), please contact them to make an appointment first to ensure they are available to see you.

This will also save you time as s/he will be able to inform you what you need to bring with you, and may save you unnecessary visits.

What happens if I need to see someone in an emergency?

You can come along to the office and explain the situation to the receptionist. In the case of an emergency you will always be seen.

Out of hours service

What do I do if I'm homeless when the office is closed?

For people who become homeless when the office is closed, Trent & Dove Housing operates an 'Out of Hours' Service.

The service is for emergencies only and is not able to give general advice or assist in dealing with any problems relating to interim or temporary accommodation that has already been provided.

You can contact the 'Out of Hours' service, after 5.00 pm each weekday, or anytime at weekends and bank holidays, by telephoning 0800 169 5538. The person who answers the telephone will ask you a number of questions to make sure you are put in touch with the correct officer.

You will also be asked for a contact number where the duty officer can telephone you.

The Interview

Who will see me and what will they ask me?

The first person you will see is the receptionist. You will need to inform s/he that you have arrived for your appointment with the Housing Agency Officer (Homelessness). S/he will ask you your name and make the Housing Agency Officer (Homelessness) aware of your arrival.

Your interview will be carried out in a private room and will be strictly confidential.

Interviews are carried out at Trinity Square offices or at the Uttoxeter Area Office.

How long will the first interview take?

The first full interview will take about 1-1/2 hours. It is a long interview, but it is important that we collect as much information as possible to make a final decision on your application as quickly as possible. In some circumstances when applicants have brought along all the information and proof we require, we are able to make a decision straight away.

What happens if I'm in prison and waiting to be released?

If you are currently in prison and will be homeless on release, you should contact the Housing Agency Section.

You can do this in a number of ways:

- you can write to us setting out your circumstances and asking for an application form for the Housing Register.
- you can contact us by telephone, we can then answer your questions and give you advice.
- Your Probation Officer may be able to advise you about housing options available to you. They may in some circumstances contact us on your behalf. It is probably better to contact us via your Probation Officer if you have been serving a long sentence or have special needs.

If your Probation Officer is contacting us they should ask to speak to the Housing Agency Section.

Decisions

How long will it take to make a decision?

If you are able to provide us with all the information we require, and we are able to confirm what you have told us, we may be able to make a decision on your application in a few days.

If you are approaching us while living with friends or relatives we will need to arrange a visit to this address to confirm that you are homeless, before making a decision on your application. We may also arrange visits to other addresses you have given us. If this is the case we will have to wait for these visits to be completed before we are able to make a decision.

We will also give you advice on how to apply to the housing register and other Housing Associations as you may find this could assist you in finding permanent accommodation more quickly if your friends or relatives will let you stay with them.

How can I help speed up the decision on my application?

You can help in a number of ways. To make a decision on your case, we have to prove that your details meet the requirements set out in Section 1 of this booklet.

To do this we have to see documentation and make enquiries of all the relevant people.

Who make the decisions on Homelessness applications?

It is the Housing Agency Officer (Homelessness) who makes the decision, which will be based on the information collected and investigations undertaken.

How will I know what the decision is?

When a decision is made on your application, we will write and tell you what our decision is.

If the decision is not to accept any duty towards you, or to refer you to another Council, the letter will set out the reasons for this.

Appeals against the decision

What if I am unhappy with the Housing Agency Officer's (Homelessness) Decision?

If you are unhappy with the decision you may request a review of it.

When you receive your decision you will also receive information on how to do this. You may request a review of our decision within 21 days of the decision.

How will this be dealt with?

Your review will be dealt with by East Staffordshire Borough Council (the Local Authority who has the duty towards Homelessness).

Once the Policy and Resource Officer at East Staffordshire Borough Council has carried out the review of your case, s/he will write to you setting out their decision, giving reasons.

If you are still unhappy with this decision, East Staffordshire Borough Council will give you details on how to appeal against their decision.

If you send in additional information you would like to be considered, it may not be treated as an appeal.

The Housing Agency Officer (Homelessness) may consider this new information and inform you whether it would enable us to accept a duty towards you.

Do they ever change the decision?

Yes, decisions have been changed following a request for a review and further consideration all the information.

In some cases the officer dealing with the review has asked the Housing Agency Officer (Homelessness) to make further investigations.

Section 4

Medical assessment

Will a medical assessment delay my decision?

This depends on the reason for the medical assessment. In some cases the medical assessment will determine whether you are priority homeless, and in such cases we will need to wait until this is complete, before we are able to make a decision on your application.

How is a medical assessment carried out?

Your doctor and/or support worker would be asked to complete a questionnaire. They are asked to return the form to us as soon as possible.

Single people who are homeless

Where can I get information on what is available to single homeless people?

If you believe you are not in a 'Priority' group listed above, in Section 1 of this booklet, the Housing Agency Section would be able to offer you advice and information on what is available to you.

If you believe you are a 'Priority' group the Housing Agency Officer (Homelessness) may have a duty to secure suitable accommodation for you.

Interim and Temporary Accommodation

What help will you give me with somewhere to stay whilst you are making your decision? (This is the interim duty).

If Trent & Dove Housing believes that you are homeless, eligible and in priority need, we have a legal obligation to arrange interim accommodation for you, until a decision is reached on your application.

What help will you give me if Trent & Dove Housing approves my application? (This is the temporary duty).

If the decision we make is to accept a duty to house you in temporary accommodation, this will be made available until our duty has been discharged, or ceases.

Our duty can be discharged by:

- Assisting you with advice on securing accommodation with a private landlord agreed with yourself.
- Referring you to another Council for assistance.
- Making an offer of reasonable and suitable accommodation with a Housing Association or Council.
- ***Our duty may cease for a number of reasons, the most common ones are:***
 - You or the person giving you priority stops being eligible, e.g. their asylum application being rejected by the home office
 - You find alternative accommodation
 - You receive an offer of other suitable accommodation
 - You become homeless from temporary accommodation intentionally



Section5

What sorts of temporary accommodation do you have?

We use a number of different types of temporary accommodation. They are as follows:

Bed & Breakfast Hotels

Trent & Dove Housing is committed to avoiding the use of Bed & Breakfast accommodation, as we believe that this is the least practical accommodation we have available to us. We do, however, need to use it from time to time.

If you are placed in this type of accommodation, we may ask you to move to other temporary accommodation as it becomes available.

Hostels

The Housing Agency Section has a list of hostels and other temporary accommodation, however, at present there is no direct access hostel accommodation in East Staffordshire.

Temporary flats and houses

We may be able to use our own accommodation, on temporary leases, if available.

What do we do with the information you give us?

Is the information I give you confidential?

Trent & Dove Housing and the Council have procedures in relation to confidentiality.

We are however, required to give information relating to your application to other Council's or departments, if you are placed in their area.

Changes in your circumstances

What happens if some of the information I gave has now changed?

You must keep us informed about any changes in the information or circumstances, which you have given to the Housing Agency Section.

If you are not sure if you need to tell us something, please speak to your Housing Agency Officer (Homelessness), who will be able to advise you. We suggest you take a view that it's better to tell us if you are not sure.

False or misleading information

You are required to sign a declaration on the application form, which states that you will give us correct information and will not withhold relevant information, or mislead Trent & Dove Housing in any way.

The declaration informs applicants that they will be liable to prosecution if any of the information is subsequently found to be false. East Staffordshire Borough Council will prosecute, and if you are found guilty, you could be ordered to pay a fine of up to £5,000, as set out in Section 214 of the Housing Act 1996 Part VII (as amended 2002).

After the Homeless Decision has been made

How can I be permanently re-housed?

In order to be permanently housed by Trent & Dove Housing or another Housing Association, you must be on the housing register. You can obtain an application from the Housing Agency Section.

How do I know if I'm on the 'Housing Register'?

You can ask the Housing Agency Section to check for you and if you are not registered on the housing waiting list you can request an application form, which you will need to complete.

Once you are registered you will receive a registration number and information about the housing register.

The housing application form will ask for details about the area and types of accommodation in which you would prefer to live. This is asking you to choose a 'zone' (area) where you would like to live and where possible, the Area Housing Office will try to house you in one of those areas.

You should note that Trent & Dove Housing might nominate you to another Housing Association who has accommodation in East Staffordshire.

If you feel there are any medical circumstances that we need to take into account, for example, a requirement for certain types of heating, unable to climb stairs etc, for any member of your household, you need to tell us.

Please put this information on your housing register application form. You will need to provide us with supporting documents confirming what you have told us.

What happens if I don't accept an offer of a tenancy?

You may lose your temporary or interim accommodation and we may no longer have any duty towards you. Your housing register application will not be cancelled, although the 'priority' status will be removed.

If you are thinking about doing this you should seek legal advice from a solicitor or a Citizens Advice Bureau, as your decision may put you in a position where you have no place to live and Trent & Dove Housing may no longer have a duty towards you. If this happens, we will ask you to make your own arrangements and any interim or temporary accommodation we are providing will be cancelled.

Single persons***What happens if I'm single?***

If you are single, the Housing Agency Section will deal with you in the same way as set out above until we make a decision.

Other information

What happens to my furniture?

Trent & Dove Housing may be able to assist you by helping with the storage of your furniture, whilst you are in interim or temporary accommodation.

If you need assistance with storage, you should advise the Housing Agency Officer (Homelessness), who will be able to arrange this for you.

Once your belongings have been stored, you will not be able to gain access to them easily. If this is arranged you will be asked to pay for this service.

Can I take my pet into temporary accommodation?

No, unless it is a guide dog. If you have any pets or other animals you should inform us. However, you will need to make other arrangements for them, e.g. to stay with friends.

Useful telephone numbers

Asylum Seekers Advice Centre	0121 622 0928
Benefits Agency	
Burton upon Trent Office & Uttoxeter	01283 505000
Burton Addiction Centre	01283 537280
Citizens Advice Bureau (CAB)	
Burton upon Trent Office	01283 510993
Uttoxeter Office	01889 568500
East Staffordshire Borough Council	01283 508000
Kiaura Domestic Violence Outreach Support Service	01283 511514
Mind	
Burton	01283 566696
Uttoxeter Project	01889 568440
Queens Hospital	01283 566333
RSPCA (Animal Home)	01283 569165
Salvation Army	0121 236 6554
Samaritans	01332 364444
Shelter Line	0808 8004444
Staffordshire Police	01785 202555
Staffordshire Social Services Area Offices	
Burton upon Trent Area (under 18yrs)	01283 239666
Burton upon Trent Area (over 18yrs)	01283 239888
Uttoxeter Area	01889 256300
Community Action Support East Staffs (CASES)	01283 543414

Trent & Dove Housing

Useful addresses and telephone numbers

Head Quarters Trinity Square Horninglow Street Burton upon Trent Staffs DE14 1BL	01283 528528
Housing Agency Section At Headquarters	01283 528610 or 528612
Emergency 'Out of Hours'	0800 169 5538
Area Offices	
Burton Area Office At Headquarters	01283 528528
Horninglow Area Office Horninglow Road North Burton upon Trent Staffs DE13 0SW	01283 512888
Stapenhill Area Office 20/20a Cornwall Road Stapenhill Burton upon Trent Staffs DE15 9NA	01283 510044
Uttoxeter Area Office 11 Bradley Street Uttoxeter Staffs ST14 7QA	01889 561870
Winshill Area Office Canterbury Road Winshill Burton upon Trent Staffs DE15 0HD	01283 510117

Your views

Your views on the service we provide are very welcome - they can be very useful in planning improvements.

We would like to hear the good and the bad points along with any suggestions you may have for improving our service. We also value appreciative comments, which are passed on to the staff concerned.

If you have any views, or comments, please write to the Senior Housing Agency Officer at Trent & Dove Housing. We would welcome any suggestions on how the service can be improved, and will give all suggestions received full consideration.

This booklet is available in large print and on audiotape. Please ask the receptionist, or contact the Housing Agency Section for copies.

Special thanks to any other organisation who has helped with compilation of this booklet.



The Housing Agency Section produces this booklet. If you would like advice, or more information, please contact the section at the address given below, (repeated again in Kurdish, Hindu, Punjabi).

Housing Agency Section
Trinity Square
Horninglow Road
Burton upon Trent
Staffs DE14 1BL

You can contact the Housing Agency Section by:

Telephone:
01283 528612
or 528610

Fax:
01283 528696

Office Hours:
Monday to Friday
9 am - 5 pm.