

Homelessness

A guide to the homelessness process



Knowsley Council

Homelessness prevention

Facing homelessness is stressful. In many cases it may be possible to prevent you from becoming homeless, if action is taken early enough.

If we have given you this leaflet it is because, despite all the efforts both you and we have made to prevent your homelessness, we think there is a chance that you may become homeless. If this is the case, we will still continue to talk to you about homelessness prevention and the alternative housing options you should consider using to find a solution to your housing crisis.

Homelessness investigation

If you consider yourself to be homeless, the council must investigate this. The law about homelessness guides us on how we should respond. We have to ask you a set of questions, but we will explain to you why we need to do this.

In return, you need to answer these questions as openly and honestly as you can, giving as much detail as possible. Once we know more about your situation, the law tells us what help we must give you. As a minimum, we must give you advice on how you can help yourself. As a maximum, we will provide some form of housing for you.

We need to ask the following questions:

- 1. Do you qualify for help?**
- 2. Are you homeless, or are at risk of becoming homeless in the next 28 days?**
- 3. Are you in priority need? (we explain this more later in this leaflet)**
- 4. Are you homeless, or at risk of homelessness, through a situation that you were not responsible for?**
- 5. Do you have a connection with Knowsley?**

If the answer to all five questions above is “yes”, you will be able to get the maximum help from us. Whatever decision we make, we will be able to offer you advice on your situation and practical help.

We will now explain all of this in more detail.

Do I qualify for help?

Most people qualify, but not everyone will.

If you have entered the United Kingdom from abroad you may not be eligible for assistance if you are subject to immigration control under the Asylum and Immigration Act 1996. If you contact us, we need to see proof that you are allowed to live in this country. If these regulations apply to you, you should get independent advice.

There are other rules that cover people who do not normally live or work in the United Kingdom, including British passport holders. If you are unsure of your position, you should get independent advice.

Am I homeless?

The law says that you are homeless if:

-  **You do not have any property that you have a legal right to live in anywhere in the world**
-  **You do have a home, but you cannot get into it.**
-  **You do have a home but are at risk of violence from someone else who lives there.**

-  **You do have a home, but by living in that home you are not able to live with someone who normally lives with you or would reasonably be expected to live with you.**
-  **You do have a home but it is so unreasonable for you to continue living there that you have no real option but to leave.**
-  **Your home is a caravan, mobile home or boat and there is nowhere to put it and live in it.**

There are many things that can lead to you becoming homeless.

No matter why you are homeless or about to become homeless, it is important to get help as quickly as possible.

If you let us know early enough, there may be something that we can do to prevent you from losing your home. Even if it is too late to prevent you from losing your home, we may be able to help you move in a more planned way so that you do not have to face the trauma and distress of being homeless.

Am I in Priority Need?

In order to decide if you are in 'priority need', we need to know if you are vulnerable in some way. This means that you, or someone in your household, would suffer more harm if you became homeless than someone who is not in priority need. Although we know that homelessness is a difficult and traumatic time, this is a strict test in law.

Even if you are not in priority need, we will still offer you advice and practical help to resolve your homelessness.

You **are** in priority need if:

-  **You have dependent children living with you or who might reasonably be expected to live with you.**
-  **You are pregnant, a pregnant woman lives with you, or a pregnant woman would normally be expected to live with you.**
-  **You are homeless as a result of an emergency such as fire, flood or other disaster.**

-  **You are 16-17 years old and you are not already being supported by Social Services.**
-  **You are under 21 years old and were looked after, fostered or accommodated by Social Services between the ages of 16 and 18.**

You **might** be in priority need if:

-  **You are over 21 years old and vulnerable because you were looked after, fostered or accommodated by Social Services.**
-  **You are vulnerable because of violence or threats of violence.**
-  **You are vulnerable as a result of leaving prison or HM Forces or care.**
-  **You are vulnerable for any other reason, such as age or disability.**
-  **It would be reasonably expected for you to live with someone who is vulnerable as defined above.**

Am I responsible for my homelessness?

It is the responsibility of everyone to make every effort to avoid becoming homeless.

We could decide that you are responsible for your homelessness. This is called being 'intentionally homeless' if:

- 🏠 **you did something that caused you to lose your home; or**
- 🏠 **you did not do something that would have prevented you from losing your home; and**
- 🏠 **if you had not done, or failed to do these things, you would have been able to stay in your home, and it would have been reasonable for you to have stayed living there.**

We will need to ask you about the reasons why you are homeless and whether you contributed to this in any way. For example:

- 🏠 **If you voluntarily gave up your tenancy and you did not have other secure housing arranged.**
- 🏠 **If you gave up your job when you knew that you would also have to leave the property that went with the job.**
- 🏠 **If you lost your home because you did not pay your rent or mortgage when you could have afforded to do so, and you knew the risk of losing your home.**
- 🏠 **If you lost a tenancy because of anti-social behaviour.**

The help we can provide depends on whether you are responsible for your homelessness. If we decide that you did contribute to your homelessness, you will need to find your own housing. We can help with advice on this and perhaps provide some temporary housing for a reasonable time whilst you do this. You may also qualify for some other housing options services and you should speak to your Housing Options Officer about this.

Do I have a connection with Knowsley?

To have a local connection to Knowsley you must:

-  **live in Knowsley or have lived in Knowsley for six out of the last 12 months, or three years out of the last five years; or**
-  **have significant permanent employment in Knowsley, or if you are self-employed have your work base in Knowsley; or**
-  **have parents, adult brothers or sisters or adult children living in Knowsley who have lived here for at least five years.**

If you do not have a local connection with Knowsley, we may refer you to another council where you do have a connection. If we do this, we will ask that council to help you directly with housing. We will not ask you to move to an area where you have experienced or are likely to experience violence or the threat of violence.

I have told the council that I am homeless, so what happens next?

If you have nowhere to stay and we believe that you are in priority need, we will provide you with temporary accommodation. This accommodation may not be ideal for you and your family, but we will only expect you to stay here for a short period of time whilst we make a decision about your homelessness. We will do everything we can to check all the details of your situation and to give you a decision as quickly as possible.

If you have nowhere to stay but we **do not** think that you are in priority need, we will give you advice on how to find other housing.

The maximum help we will give you

We will give you the maximum amount of help if we have investigated your situation and have decided that:

-  **you do qualify for help; and**
-  **you are homeless, or at risk of becoming homeless in 28 days; and**
-  **you are in priority need; and**
-  **you were not responsible for your homelessness; and**
-  **you have a connection with Knowsley.**

We will then have a legal duty to make sure that a home is available for you and your household. We may not be able to re-house you exactly where you want to live. It may be anywhere in the borough. We will consider the needs of you and your household when we offer you a new home. If you refuse our offer of a suitable home, without good reason, we do not have to offer another, alternative home for you.

If you have nowhere to stay when we first start to help you, or if you have to leave your home and have nowhere else to go whilst we are helping you, it is likely that at first we will provide temporary accommodation.

It is our policy that we do not use bed and breakfast accommodation except in an emergency. As with all housing, when you are in temporary accommodation you will need to pay the rent or other charges. You may be entitled to housing benefit to help with these costs, and will advise you of this when we speak to you.

We will discuss all of this in more detail with you and advise you about the housing options available as part of your interview. Whether or not you are in temporary accommodation, we will stay in touch with you and keep working with you to help you find a long term home.

The minimum help we will give you

We do not have a legal duty to provide you with housing if we have investigated your situation and decided that:

-  **You do not qualify; or**
-  **You are not homeless or about to become homeless with 28 days; or**
-  **You are not in priority need; or**
-  **You were responsible for your own homelessness ('intentionally homeless').**

We call these 'negative decisions'. If we think we are likely to make a negative decision in your case, we will contact you to tell you why we are considering this decision. This gives you the chance to tell us about anything else we might need to know or that might change our decision.

If, when we make a negative decision, you are staying in temporary accommodation that we have provided, we will ask you to leave. We will give you a reasonable amount of notice to do this and will give you advice on what you can do to help find your own housing.

Even if we do not have a legal duty to provide housing for you, we will still give you advice on how you can find your own housing.

What can I do if I am unhappy with your decision?

When we make a decision, we must provide it to you in writing, clearly explaining all of the reasons for the decision. Our letter should help you fully understand why we have made the decision and you should check that the information we have used is correct.

You have a legal right to ask us to review the decision we have made and to ask a more senior member of staff (normally a manager or team leader) to look again at your circumstances. If you want us to review your decision, you must tell us within 21 days of the date on our decision letter. We will also provide you with details of agencies that can give you independent advice and help.

If you are unhappy with any housing that we have arranged for you because it is unsuitable, you can also ask for a senior member of staff to look again at this decision. If we offer you a home as part of our legal duty to you, we will send you a letter to explain what this means. You should read this letter carefully so that you understand what rights you have. You can still ask for a review of suitability, even if you have moved into the house. We will also provide you with details of agencies that can give you independent advice and help if you are unhappy with the home we have offered you.

At any time during your contact with us, you can always make a comment, compliment or complaint. Please ask to speak to a manager or pick up one of the comments, complaints and compliments leaflets. We will also ask you to fill in a form telling us how satisfied you are with our services.

Anything else I should know?

Pets

It is likely that if you go into temporary or emergency accommodation you will not be able to take any pets with you. You will need to make arrangements for your pets to be looked after by family or friends to take care of them for a short time.

Summary

-  **If you are homeless or about to be homeless you should contact us immediately.**
-  **You should not deliberately do anything that will result in you losing your home. If you are not sure, ask for our advice.**
-  **You should do everything that you can to keep your home or to find accommodation for yourself. You should contact us for advice on this.**
-  **You should keep us informed of any changes in your circumstances, including change of address.**

Other sources of help

There are many other sources of help if you are facing homelessness. They can offer you advice on issues such as:

-  **money and debt;**
-  **welfare rights;**
-  **health (including mental health);**
-  **drugs and/or alcohol;**
-  **employment and careers;**
-  **domestic abuse; or**
-  **sleeping rough.**

Contact details are at the end of this leaflet. You can also look at our housing options services directory on our website.

Useful contacts

General support and advice

Citizens Advice Bureau

www.adviceguide.org.uk
CAB Knowsley 0845 1221 300
Email advice@knowsleycab.org.uk
www.knowsleycab.org.uk

Shelter

Tel 0808 800 4444
www.england.shelter.org.uk

Housing Benefits

Tel 0151 489 6000
www.knowsley.gov.uk

Health related services

NHS Direct

Tel 0845 46 47
www.nhsdirect.nhs.uk

Knowsley PCT Options GP Access

Tel 0800 917 3683
GP Led Health Centre,
St Chad's Clinic, St Chad's Drive,
Kirkby, L32 8RE.
www.knowsley.nhs.uk

Support for those experiencing domestic abuse or hate crime

National Domestic Violence Helpline

Tel 0808 2000 247

Knowsley Domestic
Violence Support Services

Tel 0151 548 3333
Fax 0151 632 8865
First Step Centre, Peatwood Avenue,
Kirkby, L32 7PR.
www.kvss.org.uk

Safer Knowsley Partnership

Tel 0800 953 4433
(8am to 6pm Mon to Fri)
Calls made to this number will
not show on your itemised bill.



Contact us

Housing Options Service

Tel 0800 694 0280

9am to 5pm Mon to Fri (9am to 4pm Wednesday)

(An out of hours service is available on this number in an emergency)

You can also get this information in other languages and formats.

Please phone Customer Services on 0151 443 4031

or email customerservices@knowsley.gov.uk

www.knowsley.gov.uk

