



**Hart District Council**

**Housing Services**

# **Homelessness guide for people leaving custody**

Date Reviewed: October 2019

[www.hart.gov.uk](http://www.hart.gov.uk)

## **ABOUT THIS LEAFLET**

This leaflet is designed to help you understand how Hart District Council can help you if you are facing homelessness or are homeless as someone leaving custody. This leaflet will explain to you the change in law that took place in April 2018.

The aim of the council is to prevent you from becoming homeless and if you are homeless to assist you to find suitable accommodation. The council will do this under two duties, the prevention and relief duty.

### **If you are likely to become homeless**

If you are likely to become homeless, the council has a prevention duty which arises if the council is satisfied that you are eligible and at risk of losing your accommodation within 56 days.

In these circumstances, housing advice should be sought at the earliest opportunity to allow you time to work with the council to prevent your homelessness.

The prevention duty comes to an end in a number of ways, but mainly if you have suitable accommodation open to you for at least six months. If you are unable to prevent your homelessness, you will be owed the relief duty.

## **If you are homeless**

If you are homeless the council has a relief duty which arises if the council is satisfied that you are eligible for assistance and homeless. Again we would advise that housing advice should be sought at the earliest opportunity to allow you time to work with the council to help resolve your homelessness.

The relief duty lasts for up to 56 days and it is not always the council's duty to provide you with accommodation. However, the council will give you advice to help you to secure accommodation.

This duty comes to an end in a number of ways, but mainly if you have suitable accommodation open to you for at least six months.

## **What happens when you approach the council?**

The council will carry out an assessment with you if you are eligible for assistance, homeless or at risk of becoming homeless. Your Homeless Prevention Officer will create a personalised housing plan with you and discuss your support needs to understand your specific circumstances.

It is important to establish why you are at risk of homelessness or homeless and how you can resolve your housing situation. Your personalised housing plan will record the agreed steps

you and the council will take to assist you to prevent your homelessness or to find suitable accommodation.

If you do not agree with the actions within your personalised housing plan, the council will put in writing why the actions could not be agreed and what steps the council thinks would be reasonable for you to take.

If the council considers that you are deliberately and unreasonably refusing to co-operate with the actions in your personalised housing plan, you will be issued a notice which ends the council's duties.

## **Enquiries the council will make**

The Homelessness Reduction Act 2017 states how the council must deal with homelessness and for whom the council must find temporary accommodation. Unfortunately, this is not for everyone who is homeless.

If you meet the criteria, the council will ensure you have temporary accommodation. This is most likely to be private sector accommodation or hostel accommodation for single applicants.

The council may make enquiries into your eligibility for assistance; whether you are homeless or threatened with homelessness; whether you are granted priority need status and whether you are homeless intentionally.

## Priority need

The law is very specific. Being without a home is not sufficient to grant you priority need status. If you are vulnerable as a result of having served a custodial sentence, having been committed for contempt of court or any other kindred offence having been remanded in custody, then the council must investigate and decide if you are granted priority need status. The council will also assess your circumstances under the other priority need categories set out in law.

## Intentionally homeless

You would be seen as intentionally homeless if you are, as a result of something you have done or failed to do, responsible for your own homelessness. If you are found to be intentionally homeless, the council can only provide temporary accommodation for a reasonable period, to give you time to find your own accommodation.

## Local connection

The council will also investigate whether you have a local connection to the borough. In order to have a local connection to the borough you must:

- Normally reside within the Hart District Council boundaries and have done so for six of the last 12 months or three of the last five years or,
- Have full-time, permanent employment within the district boundaries or,
- Have close family members resident in the district or,
- If special circumstances exist.

If you do not have a local connection with the Hart District Council, but do with another area, you may be referred there.

## **Further advice**

You can seek further advice from:

- The council's private rented accommodation leaflet
- Citizens Advice Hart (03444 111 306)

## **Local support agencies**

- Hampshire County Council Adult Services (0300 555 1386)
- Winchester Churches Night Shelter (01962 862050)
- Hampshire Probation Service (0300 047 2100)

You are able to self-refer to Winchester Churches Night Shelter by contacting them directly.

## **Contact details**

[www.hart.gov.uk](http://www.hart.gov.uk)

Please contact Housing Services by calling 01252 774420 or emailing [housing@hart.gov.uk](mailto:housing@hart.gov.uk)

Contact Details:

Address: Hart District Council,  
Civic Offices, Harlington Way,  
Fleet, Hampshire,  
GU51 4AE

Tel: 01252 774420

Fax: 01252 626886

Email: [housing.services@hart.gov.uk](mailto:housing.services@hart.gov.uk)

Web: [www.hart.gov.uk](http://www.hart.gov.uk)