

Homelessness: Asking for a Review of a Decision

HS06A Homelessness:
Asking for a Review of a Decision
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Your right to a homeless review

By law if you disagree with the decision the Council makes on your homeless application you can ask us to review that decision. This leaflet tells you about your right to request a review and what happens throughout this process.

Which homeless decisions can you ask the Council to review?

You can ask the Council for a review of the following decisions:

- You are not eligible for assistance
- The type of duty that is owed
- The tasks set in your Personal Housing Plan
- The prevention duty has been brought to an end
- The relief duty has been brought to an end
- You do not have a priority need
- You became homeless intentionally
- You or a member of your household are a 'restricted person'
- Your case has been referred to another council because in our opinion the conditions for referral have been met
- You have refused temporary accommodation that is deemed to be suitable for your requirements by the council
- You have refused a suitable final offer of settled accommodation once accepted as homeless
- Discharge of duty
- You have been served with a notice as you have deliberately and unreasonably failed to cooperate with the Council
- The main housing duty has ended.

How will I know if I can have a particular decision reviewed?

Once we have made a decision you will be sent a letter confirming this decision. The letter will inform you as to whether you have a right to review that decision along with the timescales you have to ask for a review. If you are unsure you can talk to your Engagement and Support Officer for clarification or seek independent advice from an organisation such as the Citizens Advice Bureau.

How can I request a review?

You can request a review in person at our offices, by phone, by e-mail, or in writing. You can also ask someone to act on your behalf if required. All contact details can be found on the back page of this leaflet.

Make sure you clearly ask for a review and tell us which decision (or decisions) you want us to reconsider.

Are there time limits for asking for a review?

You must ask for a review within 21 days of notification of the council's decision. You are also encouraged to provide additional information in writing confirming why you have requested the review. Please tell us why you do not agree with the decision and provide any supporting evidence that you feel is relevant. This will assist us in reviewing your circumstances. This additional information should be provided to the council within 14 days of your original review request.

What if I miss the 21 day deadline for asking for a review?

You lose the right to review if you miss the 21 day deadline, however you can ask us to accept a late review. By law we are not obliged to accept a late review request however we will consider whether we should make an exception in your case. You will need to show a very good reason for your delay in asking for a review.

Who will make the decision on my review?

A Senior Council Officer who has not been involved in the original decision will complete your review.

How long will it take to complete my review?

There are different timescales applied to the various decisions. It can take from 3 to 12 weeks for the review decision to be made. In all cases we will endeavour to complete the review as quickly as possible.

Once we have received your review request and any supporting information, we will confirm receipt of your request and provide you with the name and contact details of the reviewing officer. This will be sent to you within 7 days of receiving your request for a review.

Should there be any delay in reaching a decision, you will be advised at the earliest opportunity and we will seek your agreement in writing to extend the time we take to reach a decision.

If the Council reaches the conclusion that there was a deficiency or irregularity in the original decision but still upholds the decision, you can request an opportunity to provide further written representations or you can meet the reviewing officer to make an oral representation.

Will I receive a copy of the review decision in writing?

Yes, we will send you a written copy of the review decision. The letter will also tell you why we have made the decision.

What can I do if I still disagree with the Council's decision?

If you remain dissatisfied with the decision following the review, you cannot ask for another review. You may, however, appeal to the County Court on a point of law. An appeal should be made within 21 days of the notification of the review decision. If you intend to appeal to the County Court, you may wish to seek advice from a solicitor or the local Citizens Advice Bureau.

If you feel that your case has not been handled properly you can complain to the Local Government and Social Care Ombudsman.

The Ombudsman will not usually get involved until a review has been concluded and will investigate the way a decision has been made. You can contact the Ombudsman on **0300 061 0614** or via their website **www.lgo.org.uk**

Contact Details:

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

Tel: 01252 774420

Email: housing@hart.gov.uk

Web: www.hart.gov.uk

Facebook: [/HartDistrictCouncil](https://www.facebook.com/HartDistrictCouncil)

Twitter: [@HartCouncil](https://twitter.com/HartCouncil)

Instagram: [@HartCouncil](https://www.instagram.com/HartCouncil)

All Housing Advice Leaflets are available via our website at
www.hart.gov.uk/housing