

Homeless Appeals Process

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If you do not agree with our homeless decision or have extra information that you think could change this decision you can appeal within 21 days from the date you get our decision letter. You can also appeal if you are unhappy with our offer of temporary accommodation.

This leaflet explains how the Homelessness Appeals Process works.

Homelessness Decisions

When your Assessment Officer has reached a decision on your homeless application, they must write to you and explain the reasons for this decision.

You can ask for a review if you disagree with our decision for example if our decision is that:

- you are not homeless or
- your own actions have led to you being homeless (intentionally homeless) or
- you do not have a local connection with the Falkirk Council area (e.g. you are not a current resident, you are not employed or have family in the authority area or there are no other special reasons such as education or health needs) or
- you require supported accommodation.

You have 21 days from the date you get our decision letter to ask us to review your case.

If you want our decision reviewed please fill in the attached form and return to the below address. Or you can also phone us and a member of staff will record your concerns:

Housing Needs
Callendar Square
Falkirk Council FK1 1UJ
Tel: 01324 506070
Freephone: 0800 587 4440

Your appeal will be considered by an Appeals Panel which will include Service Managers who were not involved in your homeless decision.

We will write and tell you the outcome of the review and give the reasons for our decision within 10 working days.

Temporary Accommodation

If you are unhappy with the temporary accommodation you have been offered you can use the appeals process to have this reviewed if the accommodation provided:

- is overcrowded
- is in an unreasonable condition
- does not meet special needs of you and your household.

If you want us to review our offer, please fill in the attached form and return to the address mentioned above. Or you can speak to your Accommodation Officer or Support Worker or a member of staff at the Housing Needs Service who will record your concerns about your temporary housing.

Your Appeal will be considered by an Appeals Panel which will include Service Managers who have not been involved in your temporary accommodation placement. We will write within 10 working days and tell you the outcome of your appeal.

Judicial Review

After the appeal process you are still unhappy with our decision you have the right to judicial review of this decision. To do this, you should contact either a Housing Solicitor or Shelter who will advise you about the legal process. On this leaflet are some addresses and phone numbers that may help you with this.

In a Judicial Review, the court cannot substitute its own opinion for that of the Council but it may decide that the Council has:

- exceeded or abused its powers
- has failed to perform the duty delegated to it
- has shown bias.

Legal Advice

Shelter

Shelter can give free, independent and confidential advice on all housing matters.

Tel: 0808 800 4444

Local Solicitors

Local solicitors with knowledge of housing law can be found by contacting:

The Law Society of Scotland
26 Drumsheugh Gardens
Edinburgh EH3 7LR
Tel: 0131 226 7411

Other Advice and Support Agencies

Falkirk and District Women's Aid
4 Wellside Place Falkirk FK1 5RL
Tel: 01324 635661

Falkirk District Association for Mental Health

The Victoria Centre
173 Thornhill Road
Falkirk FK2 7AU
Tel: 01324 671600

Citizens Advice Bureaux Falkirk CAB

27 - 29 Vicar Street
Falkirk FK1 1LL
Tel: 01324 626070

Denny and Dunipace CAB

24 Duke Street Denny FK6 6DD
Tel: 01324 823118

Grangemouth and Bo'ness CAB

1 Kerse Road
Grangemouth FK3 8HW
Tel: 01324 483467

Useful Contacts

Housing Needs

Callendar Square
Falkirk FK1 1UJ
Freephone: 0800 587 4440
Tel: 01324 503600
E-mail: ath@falkirk.gov.uk

Housing

housingservices@falkirk.gov.uk
01324 506070

Hubs

West Advice and Support Hub
Carronbank House
Carronbank Crescent
Denny FK6 6GB

East Advice and Support Hub

5 York Lane
Grangemouth FK3 9BD

Central Advice and Support Hub

Unit MSUI
Callendar Square
Falkirk FK1 1UJ

Homelessness: Appeals Process

Your Name [Print]

Address

Post Code

Daytime Telephone No.

Grounds for Appeal

Homelessness Application

You can appeal our decision about your homeless application for the following reasons (please tick one box that gives the reason you are appealing):

- A. I have been found not to be homeless or threatened with homelessness
- B. I have been found to be “intentionally homeless”
- C. I have been found to have “no local connection”
- D. I have been found to require supported accommodation

Please note you can only appeal on one of the grounds listed above.

Temporary Accommodation Placement

You can also appeal your offer of temporary accommodation for the following reasons:

- A. The accommodation provided is overcrowded
- B. The accommodation provided is in an unreasonable condition
- C. The accommodation provided did not meet special needs of you and your household

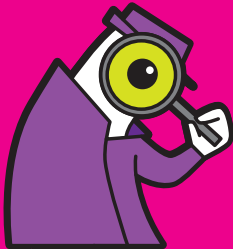
Homelessness: Appeals Process

Please explain why you wish to appeal against the decision made in connection with your homeless application or temporary accommodation. Remember, your case has already been investigated so simply saying that our decision is wrong or repeating your original circumstances is unlikely to lead to a change in the original decision. If you have information that was not available at the time of the original assessment you should include this in your appeal. Give as much information as you can and use a separate sheet if you need to.

Signature

Date

The Council must comply with Data Protection Legislation as defined by the Data Protection Act 2018. If you supply personal information to us you can find out how we handle personal data at www.falkirk.gov.uk/privacy



Have your say on how your Housing Service is run, or how it could be improved. To find out more, contact Inspector Tenant on 01324 590796, email inspector.tenant@falkirk.gov.uk or visit us at www.falkirk.gov.uk/inspectortenant for more information.



Falkirk Council

**www.falkirk.gov.uk/homelessness
If you would like this information in another language, Braille, large print or audio tape please contact one of our Housing Office or Advice and Support HUB.**

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