

How to contact West Berkshire Council Housing Service

Contact us by phone, email, in person or in writing using the following contact information

Housing
West Berkshire Council Offices
Market Street
Newbury
Berkshire
RG145LD

Tel: **01635 519530**

E-mail: housing@westberks.gov.uk

Website: www.westberks.gov.uk

If you would like any part of this leaflet explained, translated or provided in another format such as large print, audio or Braille, please contact us on the number above.



Worried about homelessness?

What the Council can do to assist you if you are homeless, or threatened with homelessness



What can I do if I think I may become homeless?

If you think you might lose your home, and are renting privately, or you are a leaseholder, owner-occupier or housing association tenant, get advice from the Housing Service as soon as possible to avoid being made homeless. We will always help you to stay in your home where possible, and we will also explore your options in the private sector.

There are many reasons why people are threatened with homelessness and we can often solve the problem. For example:

If you are a private tenant with rent arrears, we can help you with Housing Benefit problems. If you are asked to leave for this or any other reason, we will try to negotiate directly with your landlord to help you stay in your home

If you are having problems with your mortgage payments, we can assess whether or not you may be eligible for the Government's mortgage rescue scheme and provide financial advice.

You may be eligible for our Rent Deposit Guarantee Scheme. As part of this scheme, the Council will provide a written guarantee for a rent deposit with a private landlord and will help with your Housing Benefit claim if necessary.

If you are in fear of violence, the Council's Safer Spaces Scheme can provide additional security for your home.

If your current home needs repairs and you feel it is not suitable to live in, or if you are having problems with your landlord, we can advise you about your rights and refer you to Environmental Health if necessary.

We can give you information about local hostels and shared housing schemes, and in some cases we can refer you directly to a hostel.

There is a very high demand for social and affordable housing and with over 4,000 families, couples and single people on the housing register, only a few will ever be rehoused. This means that we have to decide who is in greatest need of housing, and who has been waiting the longest.

Please remember, even if you think you are homeless, or threatened with homelessness, we might not have a legal duty to find you a home. And even if we agree that we have a duty towards you, we might not be able to give you the type of home that you would like. The housing will normally be in the private rented sector for many years. Our duties to homeless people are set out in law.

What can I do if I am already homeless?

If you are already homeless, or we think you may be homeless soon, we will assess your case to see how we can help. We cannot house everyone who is homeless and we use legal guidelines to decide who will be housed. Even if you qualify for social housing, you are likely to spend many years in temporary accommodation, so we will also look at offers of accommodation in the private rented sector. This will give you more choice about where you live, how much rent you pay, and what type of accommodation you can get.

Single people without children often do not qualify for housing even if they are homeless, unless there is a reason that means they are less able to look after themselves than others, and are more likely to come to harm.

If you have lost your home due to your own actions, for example if you have not paid your rent, we are not likely to house you even if you might otherwise qualify for housing.

There are some people whom we cannot house for other reasons, for example because of their immigration status

Despite the serious housing shortage in West Berkshire, and whether or not we accept that you are homeless, we offer everyone who approaches us with a housing problem advice on their housing options.



Who can be housed by the Council?

Housing law says that the Council must find accommodation for someone who is eligible, homeless, in priority need and who has not made themselves homeless intentionally. We will look at your individual circumstances to establish if you fall into ALL of these categories. If you don't, then we do not have to house you.

However, we will offer you advice to help you find housing for yourself. Please note that even if we do have a duty to house you, the accommodation we give you may be in the private sector.

Are you eligible?

Most UK residents are eligible for assistance. However, you might not be eligible if for example:

- You are a student from another country or a sponsored immigrant
- You are seeking asylum. (Most asylum seekers should contact the National Asylum Seekers Service (NASS) for assistance with housing)
- You are not habitually resident in this country
- The Home Secretary has said you no longer have a right to stay in this country

If you are an EEA national, you may be eligible, but this will depend on your current and recent work history.

Are you homeless?

By law, you are homeless if you do not have accommodation in which you have a right to live. This includes accommodation abroad. If you don't have anywhere you can stay, or if we accept that staying there would put you at real risk of harm, then we are likely to accept that you are homeless. You are threatened with homelessness if you are likely to lose the accommodation you currently live in within the next 28 days.

Have you become homeless intentionally?

We will not give you a home if you have become homeless intentionally. You could be intentionally homeless, for example, if you have been evicted because you did not pay your rent when you could have done, or you have given up your home without a valid reason.

Are you in priority need?

You will usually be in priority need if for example:

- You have a dependent child living with you
- Someone in your household is pregnant
- You are sixteen or seventeen years old
- You may also be in priority need because you are vulnerable

Being vulnerable means that, because of something in your personal circumstances, you will be less able to fend for yourself and will be more likely to suffer harm when you are homeless than the average person. In order to assess your vulnerability, we will need to ask you a number of questions about your personal and housing history, any treatment or support you are receiving, and how you cope in your daily life. Quite often we will need your permission to contact other people such as your doctor, hospital, social worker, or probation officer.

These are some of the things we will look into:

- Your age
- Physical and mental health and any disabilities
- Having to leave your home because you are likely to suffer violence
- Time spent in care
- Time spent in HM armed forces
- Time spent in prison

You should tell us about any other circumstances that might make it difficult for you to cope.

If you are 16 or 17 years old, we will carry out a joint assessment with Children's Services to determine who is best placed to help you.

Local Connection

If you have been found homeless, eligible, in priority need, and not intentionally homeless, we will make sure you continue to have somewhere to stay. If you have no local connection with West Berkshire, and unless there are exceptional circumstances, we will refer you to an area where you do have a local connection. The local authority in that area will then deal with your housing.

You are likely to be regarded as having a local connection with West Berkshire if, for example, you:

- Have lived in the district for six months or more in the last year or for three years in the last five years
- Work in the district
- Have close family in the district who have been living here for five years
- Have what we accept is a special reason why you should live in West Berkshire

What happens if I apply as homeless?

If you approach the Council as homeless you will be referred to the Duty Officer.

If you have nowhere to stay on the day of your approach, you should approach the Housing Service as early as possible in the day. The Duty Officer will either see you, or contact you on the same day, to decide what help you can be offered.

If you are not 'homeless tonight', a Housing Options Officer will contact you within a few days. In most cases, the Housing Options Officer will ask you to attend the office for an appointment.

The Housing Options Officer will be responsible for making enquiries into your application and will tell you when this has been done and what the decision is.

If you need to be interviewed in a different language, we have an arrangement with Language Line which is a service the Housing Service use to speak to you in your own language.

You will be given a card with your Housing Options Officer's name and office telephone number. You should contact them about anything to do with your application. Either telephone your Housing Options Officer, or make an appointment to see them at the office. If you want to see them in person you will need an appointment, as they may not be available without notice.

If there is any change in your situation between your first interview and our decision, you MUST tell your Housing Options Officer immediately.

You must tell us the truth and give us all the information we need. To protect people who are genuinely homeless, we will take legal action against you if you don't do this.

Your Housing Options officer will ask you to sign your application form authorising us to make necessary enquiries with other agencies. For example, we may need to contact:

- Doctors
- Building Societies
- Landlords
- Solicitors
- the Home Office
- Other agencies

We will also need to check that you have lived at the previous addresses that you have given us. We may run a check through Experian (a credit check agency) to assist us with these enquiries.



"If you have been found homeless, eligible, in priority need, and not intentionally homeless, we will make sure you continue to have somewhere to stay."

Your Housing Options Officer will ask you to provide some papers. These may include:

Proof of identity including the birth certificates (full version) and passports (or Home Office papers) of all the people in your application.

Proof that you are or will be homeless, such as:

- a notice to quit from your landlord, friend or relative;
- letters from the building society showing that it intends to repossess your home; and/or
- a court order or bailiff's warrant

Proof of income and savings including:

- last three wage slips, benefit books/letters of confirmation, P45, bank statements and savings books;
- National Insurance numbers.

Proof of where you and all the people in your application have lived for each of the last five years including:

- tenancy agreements
- rent books or receipts for rent
- at least three official documents/bills in your name
- Council Tax documents
- driving licences; and
- medical cards.

If relevant, documents proving:

- you are married
- you are divorced
- you have children (including Child Benefit book)
- you are pregnant (hospital ante-natal record)
- you are asking for or have been given asylum.

If you have a physical or mental health problem or a disability, bring information about your condition and any treatment you receive. Bring details of your hospital consultant and family doctor (GP).

If you believe you are at risk of violence, bring any police crime reference numbers or contact details of anyone helping or supporting you.

Bring contact details or information from agencies supporting or working with you such as social services, probation, support agencies for drug or alcohol misuse, counsellors or women's aid.

Please note, if you are living with friends or relatives, we will also need to interview the person asking you to leave and we may need to arrange a visit to confirm that you are homeless, before making a decision on your application.

Fraudulent information

The Council is under a duty to protect the public funds it administers and we may use the information you provide to match it to other information held by the Council, for example, Council Tax or Housing Benefits.

The Council may also disclose any such information to other public bodies, or similar external agencies, but only for the purpose of the prevention or detection of fraud.

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

You must keep us informed of any changes in your circumstances.

The declaration informs applicants that they are liable to prosecution if any of the information is found to be false. The Council will prosecute and if you are found guilty you could be ordered to pay a fine of up to £5000, as set out in Section 214 of the Housing Act 1996, Part VII.

What accommodation will I get?

If we believe you may be eligible, homeless and in priority need, we will look at your housing options.

If necessary, we will provide you with temporary accommodation while we look into your application. As there are so many people waiting for permanent social and affordable housing, any temporary accommodation provided is likely to be in a hostel, bed and breakfast or accommodation managed by an agency. The Council has very limited temporary accommodation of its own. Your temporary accommodation may be outside West Berkshire.

We will normally provide you with temporary accommodation until one of the following happens:

- We notify you in writing that we have decided that we do not have a duty to house you
- You find a property through the Rent Deposit Guarantee Scheme (if you are eligible)
- Another Council houses you because we have referred you there
- You refuse a suitable temporary or permanent home after we have written to you explaining that refusing will mean that your temporary accommodation will end
- You leave temporary accommodation that we have provided
- You break the rules of your agreement and lose your temporary accommodation
- You accept a suitable permanent home.

If we accept a duty to house you, you will still be entitled to bid for properties under the Choice Based Lettings Scheme. You may also receive a direct offer. The accommodation may be smaller and in a different area than you might choose, and it is likely that you will spend a long period in temporary accommodation before successfully bidding and/or receiving an offer. You will normally only receive one offer of accommodation

Decisions

We will assess your application as quickly as possible. We aim to make decisions within 33 days of taking your application or sooner wherever possible. This is not always possible if your application is particularly complicated.

You will always be given a letter explaining the decision that has been made and the reasons for it.

What if you decide I am not homeless?

If your Housing Options Officer decides that you are not homeless, or threatened with homelessness according to the legal definition, it is because they believe that you have accommodation available to you that is suitable for your needs and reasonable for you to occupy. We will do everything we can to try and stop you becoming homeless. We will tell you what you can do to protect your rights to stay in your home and can provide housing options advice if you still wish to move in a planned way.

If you accept that I am homeless and in priority need, what happens?

The Council has a duty to help anyone who is eligible, in priority need and not intentionally homeless, to find suitable accommodation. Unfortunately, social and affordable housing tenancies can only be offered to people who qualify for the Common Housing Register and the waiting time for this type of tenancy can be measured in years.

In the meantime, the Council will make you an offer of temporary accommodation. This could be in our own stock, in private rented accommodation or in Bed & Breakfast or hostel accommodation. In the longer term, the Council will look to discharge their housing duty to you by an offer of private rented accommodation (most likely) or social or affordable housing.

What can you do for me if I am homeless but you do not accept that I am in priority need?

We will offer you advice on your housing options. This could include options in the private rented sector, how to access supported accommodation in the local hostel, applying to the Common Housing Register and information on mutual exchanges (if appropriate).

What happens if you decide I am not eligible for assistance?

The Government has decided that some asylum seekers, some people who are subject to immigration control and people who are not usually resident in the United Kingdom are not eligible for housing accommodation or assistance. This means that we are cannot do anything for you under homelessness legislation, even if you are homeless and have children. We may be able to refer you to agencies that can offer other forms of assistance.

What happens if you decide that I am intentionally homeless?

If you are homeless through your own fault, we have no duty to find you accommodation. We will offer you advice on your housing options. This could include options in the private rented sector, how to access supported accommodation in the local hostel and applying to the Common Housing Register. The responsibility to find alternative accommodation will rest with you.

What if I disagree with the Council's decision?

If you disagree with our decision, you can ask us to review it. You will be given information about this when we make a decision on your application. You have 21 days from the date of our decision, in which to appeal. You don't have to provide reasons, but you should do so if possible so that we have full information. By law we must review our decision within eight weeks of your request.

If you think our reviewed decision is wrong, you can appeal to the county court, on a point of law, within 21 days. The court has the power to change our decision if it is legally wrong.

We do not have a duty to provide you with accommodation while we carry out your review. Any requests made will be considered but many will not be successful.

Customer Service

The Housing Office is open for general enquiries between 10 am and 2 pm Monday to Friday. The phones are open between 8.30 am and 5 pm Monday to Thursday and 8.30 am to 4.30 pm on a Friday.

If you have nowhere to stay tonight, you can ring the office, or visit the office, between 8.30 am and 5 pm Monday to Friday, or between 8.30 am and 4.30 pm on a Friday. We would encourage you to approach as early as possible during the day if you have nowhere to stay tonight, as it may take us some time to collect the relevant information from you and make appropriate arrangements.

If you become homeless out of hours, you can contact the Emergency Duty Team on **01344 786543**.

We will:

- Do everything we can to prevent homelessness
- Give you advice on your housing options
- Aim to complete enquiries into your application within 33 working days
- Aim to reply to your letters and e-mails within 10 working days
- Aim to respond to your telephone calls within 5 working days
- Greet you, whether in person or on the telephone, in a polite and friendly manner
- Provide you with advice and instructions that are easy to understand and in a variety of formats, for example, large print or audio cassette
- Ensure that everyone is treated fairly and consider individual circumstances or special needs
- Respect your privacy, dignity and confidentiality and, where necessary, provide private interview facilities
- Deal with any complaint you make in an open, professional and fair manner

In return, we expect that you will:

- Give us the information we ask for as soon as possible
- Attend appointments on time and with all the information we have asked for
- Tell us about any changes in your circumstances
- Be polite and courteous to us

The Housing Service carries a high caseload and deals with a high volume of enquiries. To help us to help you, please do not ring your Housing Options Officer on a daily basis. You only need to contact us if you have experienced a change in your circumstances or to provide information that we have requested. Your Housing Options Officer will contact you if they need any further information or if they have an update on your application.

Please show courtesy to our staff. If a customer abuses or harasses a member of staff in any way, including using offensive language, we will stop dealing with them, or will restrict the types of contact that we have. Our staff are trying to help you, and whilst you may not always like the advice they are able to offer, they are being realistic and honest about the options available to you.

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