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## HOMELESSNESS REVIEWS

### 1 SUMMARY

- 1.1 This report relates to amending the Council's Policy to enable all homelessness reviews to be dealt with at officer level without referral to the Appeals Committee

### 2 INTRODUCTION

- 2.1 Under the provisions of the Housing Act 1996, there are a number of circumstances where a homelessness applicant can ask for a review of the decision made on their case. The procedures for review are laid down in the Allocation of Housing and Homelessness (Review Procedures) Regulations 1999.
- 2.2 There is no requirement for reviews to be carried out by an officer but, where this is the case, the officer cannot have been involved in the original decision and, furthermore, they must be senior to the officer who made the original decision. The Council carries out between 15-20 reviews per year, although this could increase as an increased number of homelessness applications are being received.
- 2.3 The Regulations require the review to be carried out within a specified period ranging from eight weeks to twelve weeks depending on the nature of the review, although there is provision for agreeing a longer period with the applicant. There is the right of appeal to the County Court on a point of law in respect to any decision made on review.
- 2.4 Under the Council's current policy, a senior officer review of the case is carried out but, if the officer is minded that the original decision should be reversed, then he or she is able to make that decision without reference to the Appeals Committee.
- 2.5 However, if the officer reviewing the case is minded to uphold the original decision, then this decision currently has to be made by Members of the Council's Appeals Committee.
- 2.6 There are a number of advantages in carrying out senior officer reviews without recourse to Members:-
- i) The reviews would be completed quicker as a committee meeting date that is mutually convenient to all parties will not have to be made, which would also mean a shorter period of uncertainty for the applicant.
  - ii) A shorter review period will reduce costs in cases where it is decided to temporarily accommodate the applicant pending the review – a budget that has specifically been identified for savings to be made in 2011/12.

- iii) The process would have less risk of failing to meet the time limits laid down in the appropriate legislation.
- iv) Through a shorter process, freeing up the Council's homelessness staff resource to manage the growing number of homelessness and housing advice cases.

2.7 It may also be useful to note that all other local authorities in Essex deal with their homelessness reviews at an officer level.

### **3 RESOURCE IMPLICATIONS**

3.1 As mentioned in section 2.6 above, the proposal will help to reduce costs in relation to temporary accommodation by shortening the review process.

### **4 EQUALITY AND DIVERSITY IMPLICATIONS**

4.1 It is important the Council provides an efficient and fair service in relation to all homelessness applications.

### **5 RECOMMENDATION**

5.1 It is proposed that Council **RESOLVES** that the Policy on Homelessness Reviews be amended to enable them to be dealt with at officer level without referral to the Appeals Committee.

Jeremy Bourne

Head of Community Services

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#### **Background Papers:-**

None.

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