

## HOUSING DEPARTMENT

## POLICY

# Homelessness

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## PART 1: INTRODUCTION

### 1. SCOPE OF THE POLICY

- 1.1 This policy encompasses the activities and responsibilities of the Council in relation to people who are homeless or threatened with homelessness. Homelessness policy is defined as preventing, assessing and providing options together with support to people who present as homeless. In all instances of homelessness, our first approach will be prevention.
- 1.2 The Homelessness Policy relates closely to the Housing Options Policy in that the needs of homeless people will be met by a response based on the Housing Options principles of prevention and looking at all available housing options. The Homelessness Policy describes the

statutory duties Dundee City Council has towards people who are homelessness or threatened with homelessness and how it fulfils those statutory duties.

- 1.3 Dundee's services to those who are homeless or potentially homeless are based on legislation, guidance and the national standards for housing information and advice services.

## **2. PRINCIPLES AND AIMS**

- 2.1 This policy sets out the Council's service commitments with regard to the prevention and alleviation of homelessness in its area.
- 2.2 The overall aim of this policy is to take preventative action where possible.
- 2.3 Where homelessness occurs, each application will be assessed fairly and sympathetically and where appropriate, suitable accommodation will be provided.
- 2.4 The service will be person-centred, sensitive to the needs of all individual applicants by taking their own specific circumstances into account.
- 2.5 Good quality advice and information will be given to all those who make an enquiry.
- 2.6 Our general Allocations Policy will be sensitive to the needs of homeless people and others in housing need. The primary focus will be on prevention of homelessness where possible.

## **3. CORPORATE AIMS/HOUSING OBJECTIVES/PERFORMANCE STANDARDS**

### Contribution to Meeting Strategic Objectives

- 3.1 This policy contributes to the council meeting its objectives set out in the Single Outcome Agreement, the Council Plan and the performance indicators defined in the Housing Service Plan. This policy also helps us to meet the requirements of the Scottish Social Housing Charter.

<b>Single Outcome Agreement:</b>	
Vision:	The Dundee Partnership will offer real choice and opportunity in a city that has tackled the root causes of social and economic exclusion, creating a community which is healthy, safe, confident, educated and empowered.
Outcomes	Intermediate Outcome: 8b) We have reduced financial exclusion, income inequalities and fuel poverty.
	Intermediate Outcome: CO1a Customers will be very satisfied with their experience of using a council provided service and when contacting the council by phone, internet or within a local office.

<b>Housing Service Plan Key Performance Indicators</b>	
<b>Indicator</b>	
Increase the numbers of households sustainably rehoused.	
Reduce the proportion of new tenants whose tenancies are terminated within 12 months.	

<b>Scottish Social Housing Charter Outcomes and Standards:</b>	
Social landlords ensure that: people at risk of losing their homes get advice on preventing homelessness.	
Local councils perform their duties on homelessness so that: homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.	
<b>Scottish Social Housing Charter Indicators</b>	
25	Average length of time in temporary or emergency accommodation by type. (LAs only)
26 & 27	Percentage of households requiring temporary or emergency accommodation to whom an offer was made. (LAs only)  Percentage of temporary or emergency accommodation offers refused in the last year by accommodation type. (LAs only)
28	Of those households homeless in the last 12 months the percentage satisfied with the quality of temporary or emergency accommodation. (LAs only).

- 3.2 As well as reporting to the Scottish Housing Regulator on our Charter Performance for homelessness services, information relating to this policy forms part of our returns to the Scottish Government on the profile of homeless applicants and outcomes.

#### **4. LEGISLATION AND GUIDANCE**

- 4.1 Dundee City Council will ensure that their policy complies with current legislation, promotes good practice and is in accordance with the Code of Guidance on Homelessness. The Council's homelessness service complies with:

- The Housing (Scotland) Act 1987, as amended, which sets out the powers and duties of Local Authorities in dealing with applications from people seeking help on the grounds that they are homeless or threatened with homelessness.
- Section 37 (1) of the 1987 Act, which requires Local Authorities to have regard to the Code of Guidance issued by the Scottish Executive in the exercise of homeless functions. The Guidance reflects legislative change, notably through the Housing (Scotland) Act 2001 and Homelessness etc. (Scotland) Act 2003, as well as changes in practice.
- Homeless Persons Advice and Assistance (Scotland) Regulations 2002.
- The Homelessness etc. (Scotland) Act 2003.
- Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014.
- Housing (Scotland) Act 2010
- The Data Protection Act 1998.
- The Children (Scotland) Act 1995.
- The Housing Scotland Act 2014

## **5. EQUALITIES**

- 5.1 The purpose of this policy is to ensure that everyone who claims to be homeless or threatened with homelessness is treated fairly, consistently and with respect.
- 5.2 Our policy aims to promote equality and diversity, by eliminating discrimination between persons on grounds of race, colour, ethnic and national origins, marital status, domestic circumstances, gender, sexuality and transgender, age class, ethical or religious belief, basic skills, disability, trade union activity or long term unemployment.
- 5.3 All service users will be treated with dignity and in accordance with equalities legislation, the Council will arrange, if required:
- A same sex interviewer.
  - Provision of translation services, at interviews, for applicants who do not use English as their first language.
  - Documentation in other formats (i.e. Braille or large print)
  - Home visits for those not able to access the service at other entry points.

## **PART 2: THE HOMELESSNESS SERVICE**

### **6. INTRODUCTION**

- 6.1 The homelessness service works in partnership with other Council services, registered social landlords and voluntary organisations, working with homeless people, to offer a range of services and facilities which are tailored to meet the homeless person's needs.

### **7. PREVENTION OF HOMELESSNESS Links with Housing Options**

- 7.1 A Housing Options approach will be taken to meeting the needs of people in Dundee who are homeless or threatened with homelessness.
- 7.2 Housing Options is based on thirteen principles:
- appropriate links between homelessness and Housing Options;
  - a supportive organisational culture;
  - robust policies and procedures;
  - a well-trained workforce;
  - effective partnership working;
  - high customer service standards;
  - prevention;
  - person-centred services;
  - holistic services;
  - tenure-neutral services;
  - effective links with housing support;
  - fully auditable record-keeping, and
  - appropriate performance indicators.
- 7.3 In that the Dundee City Council services to people who are homeless or threatened with homelessness will be delivered in line with a Housing Options approach, they will be based on these principles.
- 7.4 Hence, services to meet the needs of people who are homeless or threatened with homelessness will be preventative wherever possible and appropriate. Responses will also be

person-centred and will be tenure-neutral in that appropriate solutions will be sought in all tenures.

## **8. ACCESSING HOMELESSNESS SERVICES**

### **Rights of Individuals to Make Application**

- 8.1 Where we have reason to believe that an applicant may be homeless or threatened with homelessness, we will accept a homeless application. We wish to make it as convenient as possible for customers to make a homeless application. Therefore, we accept applications by a range of means and offer opportunities both during office hours and where necessary, out of office hours for homeless applications to be made.
- 8.2 All frontline staff will be briefed on the responsibilities of the City Council towards people who are homeless or threatened with homelessness. All enquiries and applications will be forwarded directly to staff trained in homelessness legislation and Housing Options approaches.
- 8.3 Information leaflets publicising homeless services will be made available at all DCC customer access points, as well as community hubs, health service access points, and relevant third sector reception areas, to ensure potential customers are aware of the service.

### **Making Contact**

- 8.4 Every person who contacts the service will be offered an appointment within three working days wherever possible. Where there is an urgent need a same day appointment will be provided. A housing options approach will be taken to all cases and initially the focus of work with the applicant will be to look at ways of preventing homelessness wherever that is appropriate. Each applicant will:
- Be interviewed by a Housing Options Officer, in a safe and confidential environment.
  - Have the right to be accompanied at the interview.
  - Have their wish to discuss their case with a Housing Options Officer of the same sex respected.
  - Be provided with interpreting services free of charge.
  - Be treated in a courteous and non-judgemental manner.
  - Be advised of the confidentiality policy and the process which will be followed in dealing with their case and the likely timescales involved.
  - Be advised of the consequences of making false or misleading statements.
  - Be advised of their right to request a review of any decisions made regarding their case.
  - Be requested to give written consent before homeless services will share information with other parties.

### **Applicants Who Are 'Roofless'**

- 8.5 Emergency admissions are accepted both during normal and out-with working hours. Where an applicant is 'roofless', access to temporary accommodation will be offered on the same day. If the applicant has presented themselves as homeless out of hour and is roofless, suitable temporary accommodation will be offered and an interview with a Housing Options Officer arranged for the next working day.

## **9. INQUIRIES INTO HOMELESSNESS**

### **Assessing an Application**

- 9.1 Where we have reason to believe that an applicant may be homeless or threatened with homelessness, the responsibility for assessing the applications and for making the decision

on whether an applicant is accepted as statutorily homeless rests with the Housing Options Officer dealing with the case. Consideration will be given to the individual circumstances of each applicant including any underlying reasons for the applicant presenting as homeless.

- 9.2 The officer will make such inquiries as are necessary to satisfy themselves as to whether the applicant is homeless or threatened with homelessness. This could involve contacting landlords, family/friends, seeking medical information or confirmation of other issues related to the reasons for the application. Where we seek medical information, this will normally be assessed by our medical advisor at the Tayside Medical Advisory Service.

### **Reasonableness of Occupation**

- 9.3 People do not need to be without accommodation in order to meet the statutory definition of homelessness. People are homeless if they have accommodation but it is unreasonable for them to continue to occupy it. The Council realises what may be reasonable for one person may not necessarily be reasonable for another.
- 9.4 In reaching a decision the Council will take account of legislation and guidance and will consider each case on its individual merits including:

- The health and safety of the household.
- Any other statutory duty the Council has towards the household.
- Overcrowding and condition of existing accommodation.
- Fear of violence or abuse\*.

\* If the applicant cannot live at home because of fear of domestic abuse, then they are statutorily homeless and the Council has a legal duty to help.

### **Violence and Harassment**

- 9.5 A person fleeing domestic violence or abuse will be considered homeless. The homeless service will not:
- Regard an applicant who is fleeing domestic violence or abuse as intentionally homeless.
  - Require medical evidence
  - Contact the perpetrator.
- 9.6 Abuse is defined as violence, harassment, threatening conduct, and any other conduct giving rise, or likely to give rise to physical or mental injury, fear, alarm or distress.
- 9.7 The homeless service will seek to provide support and assistance including encouragement for women to contact Dundee Women's Aid.
- 9.8 An applicant whose gender, religion, sexuality, race, colour, ethnic or national origins mean that they run the risk of violence or harassment, or is likely to suffer harassment, will be considered to be homeless, vulnerable and possibly in need of support.

## **10. ENQUIRIES INTO INTENTIONALITY**

### **Power to inquire**

- 10.1 Dundee City Council have a power to make any further inquiries necessary to satisfy themselves as to whether an applicant became homeless or threatened with homelessness intentionally.

10.2 A person shall not be considered intentionally homeless until investigations are complete. The investigations into homelessness will determine whether it is necessary to invoke this power. The following reasons for homelessness are likely to lead to further inquiries into intentionality:

- Voluntary termination of property.
- Wilful refusal to pay rent or mortgage or withholding of rent.
- Unjustifiable failure to maintain and conduct a satisfactory tenancy.
- Action in breach of a tenancy agreement, for example, antisocial behaviour.
- Voluntary relinquishment or sale of property without first ensuring that permanent accommodation is available.
- Wilful failure to heed reasonable advice.

10.3 Intentional homelessness requires the applicant to have acted, or failed to act, deliberately whilst being aware of all the relevant facts. The assessment will consider whether the applicant did, or failed to do, something which caused him or her to lose his or her accommodation. A person is not intentionally homeless if it would not have been reasonable for him or her to occupy their previous accommodation.

10.4 If the applicant is found to be intentionally homeless, the Council does not have a statutory responsibility to find the applicant permanent rehousing. The statutory duty towards an applicant who is found to be intentionally homeless is limited to temporary accommodation for a reasonable length of time and advice and assistance. The Council will continue to seek to assist an applicant who has been found to be intentionally homeless through its Housing Options services.

### **Abuse and Harassment**

10.5 Someone who has left home because of domestic abuse will not be regarded as having become homeless intentionally, as it would not have been reasonable for them to have stayed at home.

## **11. LOCAL CONNECTION**

### **Defining Local Connection**

11.1 Dundee City Council has a statutory duty of permanent rehousing to applicants who have a local connection with the area. Applicants who do not have a local connection may be referred to another local authority.

11.2 In accordance with the Code of Guidance an applicant has a local connection if the following applies:

- He or she is normally resident in the area, of his or her own choice. Six out of the last 12 months or three from the last five years should be used as a broad test, or
- He or she is employed in the area, or
- He or she has immediate family associations that have lived in the area for more than five years, or
- There are other special circumstances (i.e. health treatment, education or armed forces personnel).

### **Connection to More Than One Authority**

11.3 An applicant may have a connection with Dundee and also to another authority. The applicant will be advised that they may be formally referred to the other authority if they wish. The

Housing Options Officer will make the referral in accordance with good practice and the Code of Guidance on Homelessness 2005.

### **No Local Connection**

- 11.4 If there is no local connection with any other local authority in the United Kingdom, the responsibility to provide for the applicant resides with the authority to which they have presented as homeless.
- 11.5 If an applicant has no local connection with Dundee but has a local connection with another local authority and is unintentionally homeless, they may be referred to that authority.
- 11.6 Any referrals made will be in accordance with any protocols agreed with UK local authorities and in line with the legislative requirements at the time.
- 11.7 Applicants considered intentionally homeless will not normally be referred to another local authority.
- 11.8 Irrespective of local connection, all applicants will receive Housing Options services, advice and information and where appropriate, temporary accommodation at the point of contact.

### **Circumstances in Which a Referral Should Not Be Made**

- 11.9 A referral will not be made if the applicant or a person who might reasonably be expected to reside with him/her will run the risk of domestic abuse in that other local authority's district.

## **12. PROVISION OF TEMPORARY ACCOMMODATION**

- 12.1 Homelessness does not necessarily mean that the applicant and his/her household are roofless. The applicant may have somewhere that they can stay temporarily which is not reasonable for them to occupy permanently whilst awaiting a permanent offer of rehousing secured through the Council's homelessness or Housing Options procedures.
- 12.2 However, if Dundee City Council have reason to believe that an applicant may be homeless, the Council has a statutory duty to secure that temporary accommodation is made available for occupation. This is limited to a 'reasonable' length of time for those who have been found to be intentionally homeless.
- 12.3 When arranging temporary accommodation, the homeless service will make every effort to ensure:
- Accommodation is appropriate to the applicant's needs, taking into account factors such as social and household needs, support networks, disabilities, education etc.
  - compliance with the requirements of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014,
  - For all applicants, bed and breakfast temporary accommodation will only be used in emergency circumstances.
- 12.4 If an offer of temporary accommodation is unreasonably refused, no further attempts will be made to secure an alternative offer.
- 12.5 Once in temporary accommodation the Council will ensure that:
- Contact is maintained.
  - Moves to alternative temporary accommodation are kept to a minimum.



- Assistance is offered with health and education registration.
  - Time spent in temporary accommodation is as short as practical, taking into account the availability of permanent accommodation and any support required by the individual.
- 12.6 Dundee City Council will provide temporary accommodation from either our own stock or from another provider. Other providers currently include Hillcrest, Salvation Army, Transform Community Development, Dundee Survival Group and Dundee Women's Aid. Any accommodation provided will be required to meet relevant licencing and safety standards.
- 12.7 Where B&B or other emergency accommodation is provided, we will endeavour to provide more suitable temporary accommodation within 7 days. B&B will only ever be used when no other accommodation is available.
- 12.8 The stock of temporary accommodation will be reviewed on at least an annual basis. Where new temporary accommodation is required this will be provided from our own stock or procured from another provider.
- 12.9 The Council will ensure that the applicant understands the basis and conditions under which temporary accommodation has been provided or arranged by the Council. Where accommodation is secured from another provider, the provider will be the landlord except in cases where Dundee City Council lease the property and sublet to the occupier.
- 12.10 It will be the responsibility of the applicant to adhere to any occupancy or tenancy agreement provided while staying in temporary accommodation. They will also be responsible for any other household members staying in the property and the behaviour of visitors. Where any breaches of the agreement occur, these will be investigated and may result in the agreement being ended and no further accommodation being provided.
- 12.11 When providing temporary accommodation there will be a rental charge due. When determining whether this charge is reasonable, we will take into account any housing benefit or other subsidy that can be claimed to assist with the rental charge. If the amount of disposable income left after paying the rental charge (after eligible housing costs) was less than someone solely reliant on subsistence benefits then we would not deem this to be a reasonable charge. Any service charges not eligible for housing benefit will not be considered in this calculation.
- 12.12 Dundee City Council will maintain a range of temporary accommodation types with various rental charges. This will be dependent on the levels of support and furnishings which will be reflected in the rental charge. Typically, the most expensive form of temporary accommodation will be fully furnished and housing support will be provided. The cheapest form of temporary accommodation will be unfurnished and will allow the occupier to use their own furniture. We will always try to provide temporary accommodation which most appropriately suits the needs of the applicant.

### **13. HOUSING SUPPORT**

- 13.1 Under the Housing (Scotland) Act 2010, the local authority has a statutory duty to conduct a housing support assessment of unintentionally homeless applicants who the Council has 'reason to believe' need housing support. This is defined as 'any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling that individual to occupy, or to continue to occupy, residential accommodation as the individual's sole or main residence'.

13.2 Ensuring that homeless applicants end up in a permanent sustainable home will very often depend, not just on the house or flat that they end up in, but the support that enables them to sustain their home. Support needs will vary enormously, but are broadly defined as:

- a) advising or assisting a person with personal budgeting, debt counselling or in dealing with welfare benefit claims;
- b) assisting a person to engage with individuals, professionals or other bodies with an interest in that person's welfare;
- c) advising or assisting a person in understanding and managing their tenancy rights and responsibilities, including a person in disputes about those rights and responsibilities, and
- d) advising or assisting a person in settling into a new tenancy.

13.3 Staff are trained to spot signs of housing support need. Housing Options officers are able to identify and assess support needs. Through the services of the Council's own resources and by working in partnership with third sector support providers, the support needs of Dundee's homeless applicants are met in order to support their achievement of a permanent sustainable home.

#### **14. NOTIFICATION**

14.1 The Council aims to reach a final decision on each application within 28 days of receiving it. This period allows staff the opportunity to make reasonable enquiries into all the circumstances of the case.

14.2 The applicant will be notified in writing of the decision along with the applicant's right to a review of the decision should they disagree with it.

14.3 Where the Council has made reasonable efforts to contact an applicant with regard to their homeless application, by telephone, personal visit or formal letter and no response has been received, or no contact made by the applicant for 28 days, their application will be considered cancelled. Should an applicant make contact with the Council after the end of this 28 day period, and there continues to be reason to believe that the applicant may be homeless or threatened with homelessness, a new application of homelessness will be taken.

#### **15. PERMANENT ACCOMMODATION**

15.1 Where an applicant is assessed as unintentionally homeless the Council will seek to provide or secure permanent accommodation.

15.2 Using a Housing Options approach of considering a range of solutions across all appropriate tenures, an offer of permanent rehousing will be secured for each eligible homeless applicant:

- By allocating a tenancy from its own housing stock.
- Through referral arrangements with housing associations and other registered social landlords.
- By arrangement with voluntary and private sector providers.
- Or by supporting the applicant to purchase a home where that is an option.

15.3 The Council will seek to discharge its duty through making one reasonable offer of housing. The offer will be made by letter. Should this offer be refused, the reason for refusal will be discussed with the applicant and where justified a further offer(s) will be made. Every effort

will be made to match the applicant to a suitable property that meets their needs, at the earliest opportunity.

15.4 An offer of housing will take account of:

- The housing needs of the applicant, e.g., the size or type of accommodation required.
- Any special educational or health requirements.
- Any special needs of the household.
- Other reasons, e.g. an area away from violence, harassment etc.

15.5 The supply of social rented housing is such that area and property type preferences will not be able to be practicably met. All areas and property types within the city will be considered unless there is something that would make a particular area or property type unsuitable.

15.6 At the time of the offer, the applicant will be advised in writing of the procedure for appealing against decisions.

15.7 Following the unjustified refusal of reasonable offer(s) of accommodation, the Council will have fulfilled their duty in terms of the homeless legislation. Where necessary the applicant will be provided with temporary accommodation for a reasonable period of time (normally 28 days) and provided with advice and assistance to enable them to secure alternative accommodation.

### **PART 3**

#### **16. PARTNERSHIP WORKING**

16.1 The Housing Options Team will work with other Council services, health services and the third/voluntary sector to ensure that an integrated package of support and care is available to homeless people. We will do this by:

- Involving other services and agencies.
- The joint assessment of vulnerable groups.
- By monitoring progress and service delivery.

16.2 Since April 2016, health and adult social care services have been delivered in Dundee by an Integrated Joint Board bringing together NHS and City Council services. The health and social care needs of homeless applicants in Dundee will be met through an integrated approach, bringing together physical housing requirements alongside the meeting of social care and health needs. The overall goal will be to support all applicants to live as independently and sustainably as possible in their own home or in a homely setting.

#### **Support**

16.3 In meeting the needs of people who are homeless or threatened with homelessness, it is recognised that commonly the characteristics that applicants present in terms of potential causes of homelessness or factors that have contributed to their being homeless, go far beyond the absence of housing.

16.4 Applicants who are homeless may present a whole host of additional factors that add complexity to meeting their housing needs. These additional factors, beyond just bricks and mortar, will be addressed by the service as part of ensuring that applicants who are homeless can achieve a *sustainable* solution to their housing need, not just a roof. The vital role of

partner organisations, often in the voluntary sector, in providing housing support is acknowledged.

### **Housing Associations**

- 16.5 The Council will work with Housing Associations to widen choice and create opportunities for homeless people and will continue to develop this through the Common Housing Register arrangements and the Council's Section 5 referral protocol (the statutory referral system that enables homeless people to access permanent accommodation with a housing association).

### **Private Landlords**

- 16.6 The Council will seek to work with private landlords to increase and improve opportunities for homeless people. Securing a private rented property will discharge accommodation duties, provided that accommodation is reasonable. Our Homefinders service may be able to assist with a rent deposit guarantee to secure a property.

### **Rough Sleepers**

- 16.7 Since the abolition of priority need in 2012, every homeless person has a right to at least temporary accommodation and every eligible applicant who is unintentionally homeless has a statutory right to housing. Despite this, rough sleeping remains a persistent concern. The reasons that lie behind this are complex, but through the provision of appropriate housing and support services, the Council is committed to ending rough sleeping in Dundee. Achieving this aspiration will require joint working between Council services and specialist agencies especially in the third/voluntary sector who provide critical outreach services to people sleeping rough.

### **Institutional Discharge**

- 16.8 People who are leaving a range of institutions may find themselves to be homeless upon discharge. These institutions might include council care, hospital, prison and the armed forces. Many people leaving these institutions may have additional support needs above and beyond their lack of a home.
- 16.9 The Council will of course fulfil its statutory duty towards all applicants who find themselves homeless upon discharge from an institution. However, homelessness is not the most appropriate or constructive start for anybody leaving any institution. Preferably and wherever possible, the Council will seek to prevent homelessness in these instances by working closely with the institutions and with Social Work Services, through the development of discharge protocols, to ensure the appropriate type and location of any accommodation is available upon discharge, along with the provision of any necessary support in order to sustain a new home.

## **17. PERFORMANCE MONITORING**

- 17.1 The Council will set performance standards in relation to its Homelessness Policy, monitor its performance and report these performance indicators to Senior Management on a monthly basis. Regular performance reports will also be presented to the Housing Committee, and also to scrutiny panels made up of tenants and other service users.
- 17.2 Dundee City Council's homelessness policy is delivered in the spirit of Housing Options in that it is focussed on prevention, is person-centred, holistic and seeks solutions across all housing tenures. Taking a Housing Options approach is not about dissuading homeless applications, however. Housing Options has no bearing on an individual's right to submit a homeless application or the City Council's duty to register a homeless application should there be reason to believe that an individual is homeless or threatened with homelessness. Therefore, whilst

eliminating homelessness is an aspiration of Dundee City Council, reducing homeless applications is not a goal of the homelessness policy and is not a core measure of performance.

17.3 Relevant performance returns will be made to the Scottish Housing Regulator, against the ARC, and Scottish Government, in relation to the HL1, HL2 and PREVENT1 data returns. Performance will also be reported to Housing Committee in relation to relevant targets in the Single Outcome Agreement.

17.4 Performance standards against which the service will be measured include:

- Breakdown of applicants entering temporary accommodation by type, family size etc.
- Total number of homeless decisions made.
- Total number of referrals to support providers.
- Percentage of application assessments completed within target.
- Total number provided with temporary accommodation, by type of accommodation provided.
- Length of stay in temporary accommodation.
- Satisfaction with temporary accommodation
- Permanent housing outcomes sustained.
- Total number of applicants requesting a review.
- Total number of complaints and the outcomes of those complaints.
- Monitoring of equalities groups.

17.5 In addition, the Council will seek views directly from homeless people and wider stakeholders on service quality and performance through ongoing customer feedback surveys and also through discussion with scrutiny panels including service users. Feedback from these activities will be considered and taken into account in planning future service developments and improvements.

## **18. APPEALS AND COMPLAINTS**

### **Review of Decisions (appeals)**

18.1 The Council has a statutory duty to notify the applicant that there is a right to a review of the decision, the time within which a request for a review should be made and of any advice or assistance that is available to the applicant in connection to the review.

18.2 If the applicant disagrees with any decision made during the homeless process, they have 21 days from the date that they receive the decision letter to appeal. This includes any decision that is made. Examples include:

- A decision that the applicant is not homeless.
- A decision that temporary accommodation should be ended.
- A decision that an offer of permanent accommodation is suitable.

18.3 If the applicant wishes to appeal they should do so in writing, indicating why they feel the decision is wrong and giving reasons for their view. Verbal appeals will be accepted where literacy is an issue and this is helpful for the appellant. They will have the option of attending a hearing of their appeal or the appeal can be decided based on the information contained in the appeal letter. The applicant must clearly request a hearing if they so desire. If they are to attend a hearing, they can have a family member, friend or advisor present for support and

advice. Translation services can be arranged for those applicants whose first language is not English.

- 18.4 The Council aims to provide a final decision carried out by the Director of Housing or other appropriate person independent of the case.
- 18.5 Applicants will be informed in writing of the appeal decision as soon as possible and normally within 28 days of receipt of the letter disputing the original decision.
- 18.6 The applicant will have the right to remain in, or be provided with, temporary accommodation and their goods remain in storage until the appeal is heard and the outcome notified to the applicant.

### **Complaints**

- 18.7 If the applicant is unhappy with any aspect of the homelessness service and its delivery, the applicant will be informed of the [complaints procedure](#). Initially the complaint will be handled by a member of the Housing Options Team and an immediate resolution will be sought.
- 18.8 In line with the Council's Complaints Procedure, if the applicant is still not satisfied that their complaint has been satisfactorily resolved, they have the right to make an official complaint. The procedure outlines how complaints should be made and how the Council handles complaints.
- 18.9 At all stages of the procedure, and especially if they are still not happy at the end of the process for considering complaints, complainants will be reminded that they can any time take advice from a third party such as a Law Centre, Housing Advice Centre, Citizens' Advice Bureau or Tenants' Association. They will be made aware of their ultimate right for their complaint to be considered by the Scottish Public Services Ombudsman should they still not be satisfied having exhausted all other channels for resolution.