

Domestic Violence Flow Chart - Customer Journey through Housing Options

Presentation to H&F Advice - 145 King Street, W6 9XY
Tel. 0845 313 3935 Email. h&fadvice.housing@lbhf.gov.uk

Survivor completes an initial contact & DV form

Initial Interview with a **Customer Information Advisor (CIA - HF Advice)** includes:

- Initial homeless assessment (priority need, eligibility, confirmation of homelessness)
 - Preliminary advice & information about housing options
 - Homelessness prevention advice
 - CIA's administer the Housing Register (Locata/Choice Based Lettings)
- Survivors are always offered a private space for all interviews**

Possible Outcomes

Assessed as ineligible

If destitute

Referred to Asylum & Families Team (mainly single people)
See section 1.1

If destitute, may be referred to Children's Services team
See section 1.2

Assessed as eligible & not in priority need

Referred to Threshold Housing Advice Centre for advice
See section 2.1

Housing Options discussed with CIA
See section 2.2

Survivor appears to be eligible & in priority need

Referral to Housing Advice & Assessment

PATHS team
Interview in a private room with Housing Support Advisor
See section 3.2

Families team
Interview in a private room with Advance Housing Advocate (dependent on availability) or duty housing options & advice worker
See section 3.3

H&F Homes tenants are referred back to Tenancy Management Officer to discuss further options

Following criteria must be met: Eligible for assistance, homeless, in priority need & not intentionally homeless. Local connection test does not apply for people fleeing DV

Two possible outcomes:

Further enquiry reveals that criteria is not met & therefore not entitled to full range of housing options. Advice is provided

Criteria is met. Housing options discussed & accompanying casework

Please Note: There are different procedures for young people aged 16 & 17 year olds who present as homeless.
See section 4

Housing Assessment in context of Housing legislation

It is H&F's policy to offer a screening interview to anyone who is homeless or threatened with homelessness as a result of violence or threats of violence. Survivors can refer to H&F Advice by:

- Telephone 0845 313 3935
- Fax 0208 753 5880
- For housing: h&fadvice.housing@lbhf.gov.uk
- Presenting to H&F Advice on the ground floor, 145 King Street, Hammersmith, W6 9XY

HF Advice's Opening Hours are 9am – 5pm. Survivors are encouraged to present to H&F Advice as early as possible to avoid delays caused by high levels of demand. Survivors who require emergency accommodation and are not able to be assessed on the day may be offered Out of Hours accommodation for one night which is usually B&B accommodation in the borough. Survivors will be expected to return to 145 King Street the following morning for their assessment. Survivors who do not need the council to arrange accommodation (i.e. they have friends or family to stay with) and will be referred on to another team by HF Advice, they will be made an appointment usually with 5 working days of their initial presentation.

Survivors will need to bring **proof of their identity (photo ID)** for themselves and all of their children (birth certificate, passport, drivers licence...etc) and **proof of income** (wage slip, benefit statement, bank statement; within past 3 months) and **any supporting documentation related to the abuse** such as a copy of an injunction, police crime reference number, supporting statement from professional...etc. H&F Council recognise that applicants fleeing domestic violence may face difficulties in providing documentation and will not be refused assistance as a result.

Under the Housing Act 1996 as amended by the Homelessness Act 2002, a local authority may be able to offer assistance with finding accommodation should the following 5 criteria be met:

i) Eligible for assistance. In accordance with Part VI (allocations) of the Housing Act 1996 as amended by the Homelessness Act 2002, a survivor fleeing domestic violence must be 'eligible' for assistance. Eligibility depends on a person's immigration status. Ineligibility is beyond reasonable doubt when the applicant is

- A current asylum seeker
- A failed asylum seeker
- Is lawfully in the UK but it is a condition of their stay that they have 'no recourse to public funds'

Survivors must also pass the habitual residents test. Further information on this can be obtained at: <http://www.multikulti.org.uk/habitual-residence-test-and-right-to-reside/index.html>.

ii) Homelessness. A survivor is considered homeless if they have a home but are at risk of violence or threats of violence which are likely to be carried out and have no other form of accommodation available to them.

iii) Priority Need. A survivor is in priority need if they:

- have a dependent child living with them
- are pregnant or live with a pregnant women
- are aged 16 or 17
- are under 21 and were fostered or in care between 16 – 18
- are considered vulnerable because of their age or due to mental or physical disability or illness or because they have been in care, in custody or have served in the armed forces
- are considered vulnerable as a result of violence or the threat of violence*

*Please note that a survivor without children who is fleeing violence will not automatically be considered in priority need. In practice, a survivor without children who is fleeing domestic abuse will often be referred to the Placement & Assessment Team for Homeless Singles (PATHS) team for a full assessment. The 'Pereira test' will be applied, which assesses a person's vulnerability on the grounds that they are less able to fend for themselves than an ordinary homeless person. If the outcome of the assessment is that the survivor is capable of fending for themselves, they are most likely not to be assessed as being in priority need and will not be offered any accommodation by the council and instead will be provided with information on how they can secure their own accommodation.

iv) Intentionally homeless. The Council could decide that a survivor is intentionally homeless if they deliberately did something that caused them to leave their accommodation which was otherwise reasonable for them to occupy. Reasons for being found intentionally homeless include rent arrears, eviction because of anti-social behaviour and giving up a tenancy which was reasonable to continue occupying. **Survivors fleeing violence should only serve a notice to quit on their existing tenancy upon the advice of a Housing Options Advisor once the outcome of their housing assessment is known (i.e. a duty to accommodate is offered in writing or a property in the private sector is secured).**

v) Local Connection. Applicants do not need a local connection if they are homeless due to domestic violence.

If you are eligible, homeless & in priority need, the Council may have a duty to offer a survivor interim accommodation while further investigation and enquiries are being made. This is likely to be hostel accommodation.

Housing Options offered by H&F Council to survivors fleeing domestic violence

1. Survivors who are not eligible

Survivors who are ineligible are not entitled to any allocation of local authority housing (and hence will never be successful in bidding for a property through LOCATA) nor are they entitled to homelessness assistance and will not usually be referred beyond H&F Advice. Survivors can be referred to the following service but this decision will be made on a case by case basis:

1.1) Asylum & Families Team: If the survivor claims to have no means of subsistence (destitute), they can be referred to Asylum & Family Support Service for an assessment under Section 47 of the NHS and Community Care Act 1990. Survivors could be offered support with repatriation (return to their country of origin). If the survivor is assessed as in need of community care services that are otherwise unavailable to them in their country of origin, a care package including housing can be provided under Section 21 of the National Assistance Act 1948

If the survivor is an overstayer (unlawfully present in the UK), a Human Rights assessment is carried out in order to determine if it is safe for the survivor to be returned to their country of origin. The Council are obliged to inform the Home Office of any person who presents as an overstayer and the Home Office in turn can issue deportation through Removal Directions. For more information, legal advice should be obtained from an immigration solicitor (**H&F Law Centre**, tel. 0208 741 4021)

1.2) Children's Services: the decision to refer the case to Children's Services where there are children involved is made on a case by case basis. If the survivor presents with children and claims to be destitute, it is likely that HF Advice will refer to Children's Services. Support is often limited to repatriation.

2. Survivors who are eligible but not in priority need

Where H&F Advice assesses that a survivor is not in priority need, they can signpost to:

2.1) Threshold Housing Advice Centre: has an in-house Housing Advisor who is based with the H&F Advice team two days a week. Alternatively the survivor can attend an appointment at the Threshold office (126 Uxbridge Road, W12 8AA). Threshold accepts referrals for all eligible applicants without children (and not solely for persons who are fleeing DV) who are not in priority need and advise on the options, rights and possible actions survivor's can take to find their own accommodation. The following housing options will be explored:

- Ways to access private rented options. A common barrier that arises however is securing a deposit & rent in advance.
- Ways to access external housing provider, usually hostels, and often means the survivor will have to self refer.
- Referral to a hostel (supported or general needs) although availability is usually limited

Most hostels are mixed sex, cater to general needs and do not offer specialist DV services. Most spaces are often outside of the borough. Hostel options for survivors who are unemployed, on benefits and who fall outside the age of 25 to 55 are limited. There is usually a nightly charge, which the survivor will be responsible for paying.

2.2) Options available from the Council for all eligible applicants include:

- **Re-housing via Housing Register (LOCATA).** This option may not meet the immediate housing need of survivors as there is usually a long bidding period before enough priority is accumulated in order to be made an offer.

Members of the **Locata Housing Register** includes 6 councils (Hillingdon, Hounslow, Ealing, Harrow, Brent & Hammersmith & Fulham) and 14 housing associations and allows applicants to choose a property via a bidding system rather than being made a direct offer from the Council. Applicants who wish to join the Housing Register will need to return a completed application form to H&F Advice who respond in writing and advise applicants which band (A, B, C or D) they have been placed in along with their priority date. Tenants of existing Council or Housing Association participants are automatically registered on Locata and can apply for a transfer through Locata. The waiting time for successfully bidding for a property varies for each applicant depending on their banding, on the property size needed (how many bedrooms) and whether the applicant is placing the maximum number of bids (3 bids) per bidding period (once every two weeks).

For further information, please refer to the user guide.
([http://www.locata.org.uk/\(S\(ho3lud551xdmv2m3yvtvqsyn4\)\)/Uploads/Scheme-User-Guide-V12.pdf](http://www.locata.org.uk/(S(ho3lud551xdmv2m3yvtvqsyn4))/Uploads/Scheme-User-Guide-V12.pdf))

- **Shared Ownership.** The survivor can buy a share of a property and must meet a certain income criteria
- **Moving out of London scheme.** Available to survivors who want to move outside of Greater London
- **Referral to a supported hostel.** The only form of supported housing in the borough is the DV safe house, which has limited spaces and vacancies are not common. Referrals from survivors living in H&F are accepted.
- **Direct access hostels.** Survivors will have to self refer. Certain hostels may prioritise helping specific groups of people such as single young people or people from a particular cultural background. Some may only accept referrals from the council or an advice agency such as Shelter (**Shelter Helpline 0808 800 4444**)

H&F Advice may refer survivors without children and who are not in priority need who want to access a supported or direct access hostel to the PATHS team.

*Where an H&F tenant is considered ineligible and/or not in priority need, they will be referred back to **H&F Homes** to their Tenancy Management Officer (TMO) for further advice & support. The tenants TMO should be contacted for further information as required.

3. Survivors who are believed to be eligible & in priority need

Where H&F Advice have reason to believe that a survivor is homeless or threatened with homeless, eligible & in priority need, the survivor will be referred to a caseworker in the housing advice & assessment service for a full housing & support needs assessment. The options below are for survivors who are found to be in priority need.

3.1)Referral to Placement & Assessment Team for Homeless Singles (PATHS): survivors will be referred to a Housing Support Advisor. The housing options available are the same as those mentioned above for the Families team. Survivors who are assessed as not being in priority need will be offered a referral to Threshold Housing Advice. In addition, survivors are advised to self refer to ADVANCE advocacy service & can be supported with finding a refuge space through the National Domestic Violence helpline.

3.2)Referral to Housing Options & Advice Service (Families Team): survivors can be referred to a Housing Advocate from ADVANCE, a DV advocacy service who can offer specialist support and advice in addition to a housing needs assessment. If the Housing Advocate is unavailable and the survivor needs to see somebody urgently, they will be referred to the Duty Options Advisor. Options available to survivors include:

Remaining in the property

- **The Sanctuary Scheme.** Allows survivors to remain in their own property with additional security measures installed where it is safe and the survivor's choice to do so. The Housing Advocate administers and refers survivors to the scheme.
- **Injunctions.** The Housing Advocate can signpost survivor's to local solicitors for further assistance. Further advice and information about legal remedies can be obtained from **Rights of Women on 0207 251 6577**

Leaving the property

- **Women's refuge.** The Housing Advocate has direct access to refuge spaces. Housing Options Advisors can contact the **National Domestic Violence helpline on 0808 2000 147**
- **Approaching another borough** for assistance because it may not be safe to remain in H&F
- **Management Transfer.** H&F Homes tenants who have a secure tenancy agreement and want a transfer to a different property will need to make a Part VII Homeless application. If the council agrees a duty, then the tenant will be advised to meet with their TMO who will allocate a higher banding on LOCATA (usually a Band A).
- **West London DV Reciprocal Agreement.** Tenants who have an existing secure or assured tenancy with a landlord who is a participant on Locata can apply for a transfer to another participating landlord (council or housing association) under Part VI of the Housing Act 1996 as a 'non homeless home seeker'. Successful applicants will usually be awarded a Band A and will be given less bidding priority than a homeless application made under Part VII.
- **West London Mutual Exchange.** Tenants with a participating landlord on Locata can apply for a mutual exchange where they will swap homes with another tenant registered on this scheme. This may not be a safe choice for survivors as the location of the survivor is easily traceable.
- **Moving out of London scheme.** Similar to the Direct Lettings scheme however survivors are offered financial assistance with moving costs. Survivors must not have any rent arrears to be eligible for this scheme.
- **Direct Lettings Scheme.** A survivor can be assisted by the council with a deposit guarantee to find a property in the private rented sector. Survivors must not have any rent arrears in order to be eligible for the scheme.
- **Part VII Homeless application (Housing Act 1996).** A survivor can apply to the council for housing and the council will decide whether award a duty of homelessness. From the point of submitting a Part VII Homeless application,

decisions are usually reached within 33 days to allow the caseworker enough time to carry out an enquiry. Survivors will be informed of the duty decision by a letter (S184 Housing Act 1996). If a duty is agreed, survivors will be made an offer of temporary accommodation (see below) if they are not already placed in temporary accommodation and will most often be awarded a **Band C** and will need to bid on **Locata** for council or housing association accommodation. Where a duty is not agreed, decisions can be appealed but must be done within 21 days.

Note on Temporary accommodation (TA): TA can be provided whilst further investigations are being made or if the outcome of one of the above options is pending. Applicants are usually offered first stage TA which is usually a hostel. Due to limited availability of accommodation in the borough, the council may place survivors in TA outside of the borough. Survivors will only be made one offer of TA and should raise their concerns with their Housing Options Advisor before declining an offer as they could be found **intentionally homeless** and no further accommodation will be on offer. For further information about Intentional Homelessness: http://mobile.shelter.org.uk/get_advice/homelessness/help_from_the_council/what_the_council_will_check/intentional_homelessness

4. Young person aged 16 – 17 years old

Survivors who are 16 or 17 years of age and present to the council as homeless are initially assessed under section 20 of the Children's Act 1989 rather than Part VII of the Housing Act 1996. This means that Children's Services have a duty of care and are responsible for carrying out initial assessments of any young person who presents as homeless.

The survivor will be referred by HF Advice to an ASSIST social worker who will carry out the initial assessment and investigation. The ASSIST worker will assess whether homelessness can be prevented and whether it is possible to repatriate the young person with their family and will explore family mediation is an appropriate option. Where there are allegations of abuse and it is assessed that the young person would be placed at greater risk if an attempt to reconcile the family is made, then council **will not** carry out a joint assessment with family members.

If the initial assessment reveals conducting an interview with the young person and their family places them at risk, then the ASSIST worker will invite a Housing Support Advisor from the PATHS team to carry out a joint assessment of the young persons' needs. Where the young person is assessed as having low support needs and will not be accommodated under Section 20 of the Children's Act, the ASSIST worker will hand the case over to the PATHS team for further assessment and their housing options will be explored (see section 3.2 for options).

Interim temporary accommodation can be provided throughout the investigation & assessment stages.