

How to

Support homeless people and those threatened with homelessness

About this guide

This information is for social prescribers, support workers, link workers and others supporting people who are homeless or at risk of homelessness. It provides information on what types of help people should receive and how to deal with local authorities' housing departments when making homelessness applications. It will explain what to include in a letter of support for a vulnerability assessment which could make all the difference.

Our [step-by-step guides](#) and [flow chart](#) give you more detailed information on the processes involved.



How to use the links in this guide

If you are reading a digital version of this guide you can simply click on the links in the text to get to other useful websites. These links are underlined and coloured light blue.

If you are reading a printed version of the guide, we tell you which words you need to search for online so that the website should be the first one to come up in the list of results. If the link is just to a name of an organisation for example, the 'Family Mediation Council' you just need to use the name to search online.

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What you need to know before assisting a client facing homelessness in seeking support from councils

Local authorities, also known as local councils, have a legal duty to provide certain services to the public. Support with housing, including the provision of housing, is one of the key services they must provide. Local councils have housing departments which run these services.

a. People who can apply for support from councils

Anyone who is homeless or threatened with homelessness (people who will become homeless within 56 days) can seek support from councils. Under the law, 'homelessness' refers to any situation where it is not reasonable to expect someone to continue to occupy a place. This includes situations of sofa surfing, domestic violence and abuse, living in a house that has been severely damaged or that is inhabitable, etc.

b. When to apply for support from councils

It is best to approach the council as soon as possible. One of the duties of councils is to prevent homelessness. This means that they should act immediately and not wait for a person to become homeless.

c. The support people are entitled to from councils

The first thing to work out is whether someone is eligible. This relates to the person's immigration status. You can find more information on this in our [Survival guide on what to do if you are threatened with homelessness](#).

- Anyone who is eligible and homeless or threatened with homelessness is entitled to receive support to find and secure accommodation, or to stay within the accommodation that they occupy, if it is reasonable to do so. This support may consist in councils attempting mediation (e.g. in case of family exclusion), providing financial support to access rented accommodation, assessing eligibility to benefits and Discretionary Housing Payments etc.
- Anyone who may be eligible, homeless and in "priority need" must be immediately provided with emergency accommodation, at once. While they are in emergency accommodation, the council must assess whether the person is indeed in priority need and unintentionally homeless and is owed a duty to be accommodated ('Full duty').

d. People who are considered in “priority need”

The categories of people in the first box below have priority need automatically. This means they simply need to prove their status as one of the categories listed. The groups of people in the second box do not have priority need automatically. They are considered in priority need only if they can demonstrate that, as a result of one of the factors listed, if they were made homeless they would be significantly more vulnerable than an ordinary person. This is known as the ‘vulnerability assessment’.

BOX 1

People who have priority need automatically:

- pregnant women
- a person with dependant children
- a child of 16 or 17
- a care leaver of 18, 19 or 20
- a person who is homeless as a result of an emergency such as flood, fire etc.
- (since 5th July 2021) people fleeing domestic abuse.

BOX 2

People who need to demonstrate that they are vulnerable as a result of being:

- old
- mentally ill or handicapped
- physically disabled
- ex-forces or an ex-prisoner
- a care-leaver (of any age)
- a person fleeing violence (other than domestic abuse)
- or other special reason

What you need to know before assisting a client

Anyone who, following a thorough assessment by the council, is

- eligible for support,
- homeless,
- in priority need, and,
- not intentionally homeless



How to best support clients or patients to seek help from councils

How to best support clients or patients to seek help from councils

a. Supporting your client with making an application to the housing department:

Councils' housing departments must **always accept an application immediately** without turning the person away if there are enough reasons to believe that they may be threatened with homelessness or are homeless. This is a very low threshold and the very fact that a person is making an application should

usually be enough to meet it. For instance, sometimes councils refuse to take an application because some documents (such as ID documents) are missing, the person is not yet homeless, or they are unsure about their eligibility or their local connection. None of these are good reasons to prevent someone from making an application. Councils must carry out a thorough assessment before deciding what assistance to give or before refusing to give assistance.

Top tips when supporting your client with making an application:

- **Familiarise yourself with the [Homelessness Code of Guidance](#)** that local housing authorities and social services must follow when exercising their functions relating to people who are homeless or at risk of homelessness. The Code, which is referenced throughout this document, is an extremely useful source of information if you are supporting someone in seeking help from councils.
- **Explain to your clients what their rights are** and what the council should do for them. You can use our [Survival guide to what to do if you are threatened with homelessness](#) or our [Survival guide to what to do if you are homeless](#) depending on your client's situation. They are written in plain English and cover the key steps of the process.
- **Help them get an appointment with the Housing Department** either in person or over the phone, and if possible go with them.
- **Help them gather relevant documents and any evidence** showing their needs and circumstances and those of anyone else who may be expected to live with them. There is a useful list of relevant documents in [our guide](#). If you think that your client may be in priority need, try to gather evidence to show it, and consider asking a GP or a health professional to **write a vulnerability letter** (see below).
- It is always a good idea to **ask for a written decision**, for two reasons: a) your client probably has the right to ask for a review of the decision (see p.6 below); b) sometimes asking for a written decision may deter the local authority from acting unlawfully, for instance if your client is being turned away and prevented from making an application.

Writing vulnerability letters for homelessness applications

When assessing whether someone is vulnerable the council should determine whether, if homeless, the applicant would be significantly more vulnerable than an ordinary person would be if they became homeless. The Code of Guidance explains that this “involves a consideration of the impact of homelessness on the applicant when compared to an ordinary person if made homeless. The housing authority should consider whether the applicant would suffer or be at risk of suffering harm or detriment which the ordinary person would not suffer or be at risk of suffering, such that the harm or detriment would make a noticeable difference to their ability to deal with the consequences of homelessness.”

Medical records (such as GP letters) are extremely important to prove vulnerability, in addition to any other relevant evidence, such as letters from organisations and groups supporting the applicant, etc.

Who can provide letters of support for vulnerability assessments:

- GPs and health staff
- Social services
- Charities or groups providing support

To be effective, they need to provide information relevant to the vulnerability assessment. The letter needs to address why the patient/client is particularly vulnerable (‘more vulnerable than an ordinary person’) and how homelessness would affect them. The letter should include the following information:

1. About you:

Explain who is writing the letter and what kind of support (if any) you are providing the applicant. Useful information you can provide includes:

- How long have you known the applicant (relevant to put if it has been a while rather than one or two meetings)
- What are your professional qualifications, if any and relevant.

2. About your client/patient:

- Explain any medical conditions your patient has.
- Explain any non-medical circumstances which affect their health.
- Explain how your client/patient is particularly vulnerable: what makes them vulnerable? Have they got limited mobility? Do they need to access treatment regularly? What happens if they don't receive it?

Don't assume a diagnosis speaks for itself but say how it specifically affects this person.

3. About the consequences of being homeless on your client's health:

Explain how being homeless would make them even more vulnerable. Examples of ways in this might happen could include:

- being less able to continue any treatment they are receiving; for example, if they have medications they would find it difficult to store and access on the streets;

How to best support clients or patients to seek help from councils

(continued)

- being more likely to relapse in any condition for which they have received treatment in the past;
- being less able to access existing services and support structures;
- if a third party (such as a charity or a health institution) is providing support to the client, would they be able to continue to provide it on a consistent and predictable basis if they were made homeless?
- whether they are at particular risk of suicide if made homeless;
- whether they have just had an operation so that they need a clean environment;
- if their condition(s) make them particularly vulnerable to cold, or they have other needs which need accommodation to be met;
- whether their mental health conditions would make them particularly vulnerable to physical attack on the street; for example, if they are prone to conflict or have difficulty managing emotions;
- any other consideration around what would happen to them if they were to sleep rough.

→ Section 8 of the [Code of Guidance](#) sets out more guidance on other groups of people who may be considered vulnerable, including people with mental illnesses, people with an underlying health condition which increases the risk of morbidity or mortality from COVID-19; young people; victims of trafficking or slavery.

4. **Conclusion:** ideally, the letter should conclude by saying that as a result of all the matters set out in the letter, it is your opinion that your client/patient, if homeless, **would be significantly more vulnerable than an ordinary person in the same position.** By expressing this as your expert opinion you make it more difficult (although by no means impossible) for the housing officer to disagree.

b. Supporting your client to get a fair Personal Housing Plan:

Housing officers must carry out a **thorough assessment**, which can take place in person or over the phone and can be done on the same day the application is made or later on. The assessment focuses on three key aspects:

- personal circumstances that have led them to become homeless (or threatened with homelessness);
- their housing needs and those of any family member who is expected to be living with them; and
- any support that they may need to get or keep accommodation.

During the assessment, housing officers must develop a '[Personal Housing Plan](#)' (known as a PHP), in line with the needs and circumstances of the applicant. [Chapter 11](#) of the Code of Guidance says the plan must outline "practical and reasonable steps for the housing authority and the applicant to take to help the applicant retain or secure suitable accommodation". The steps should be agreed with the applicant. However, it is often the case that housing officers write up the PHP without involving the client.

This is a key step of the process and your help can make a difference.

How to best support clients or patients to seek help from councils

Top tips when supporting a client through their housing assessment:

- If possible, **accompany your client** during the assessment and when the PHP is agreed. You may even want to request that the housing officer notifies you when this is going to take place.
- If you're able to be present during the assessment, and when the PHP is agreed, **ensure that the circumstances and needs of your client are properly considered and recorded**. The assessment should include needs of any family members that they are expected to live with (even if they aren't already living with them, perhaps because of lack of suitable accommodation or because they are not in the UK yet). If you think something is missing or has been overlooked, ask the housing officer to include it.
- Read Chapter 11.23 of the Code of Guidance if your client is threatened with homelessness and Chapters 11 and 13 if your client is homeless to identify steps that you think may be helpful for your client. It may be helpful to make copies of relevant sections of the Code of Guidance - don't assume that housing officers know what the code of guidance says! You can also request the housing officers to include steps that aren't mentioned in the Code of Guidance.
- **Make sure the steps the housing officer is asking your clients to take are reasonable**, and that they will be able to carry them out. If the person is not able to take these steps the council may decide to terminate their duties towards them.
- Make sure the housing officer sends your client a **written copy of the assessment and the PHP**. Your client can ask for a review in writing of the steps the local authority agrees to take. Read below at p. 6 to find out how to ask for a review.

c. Supporting your client to secure emergency accommodation straight away:

If an applicant may be homeless and may be in priority need, the council must provide them with emergency accommodation immediately, until they carry out a more thorough assessment to decide whether they owe a full duty (that is, a duty to provide them with suitable accommodation).



Top tips when supporting your client secure emergency accommodation:

- Helping **gather evidence** to prove that your client may be in priority need. If your client falls in one of the categories who have priority need automatically (see above on p 5) this should be fairly easy to prove and the council should be fairly open to accommodating them.
- Writing or asking others (GP, hospital staff, social services etc.) to write **effective vulnerability letters** if your client doesn't fall into the first category on page 5.
- Being ready to **explain why you think your client may be in priority need**, and reminding the housing officer that until a more thorough assessment of their circumstances is carried out they should be provided with accommodation, immediately.

d. Supporting your client to challenge Councils' decisions

Anyone who makes a homelessness application has the right to challenge most decisions made throughout the process by asking for a review within 21 days (3 weeks) from the date of the decision. The review needs to be asked in writing. A more senior member of the council team will review the decision and communicate in writing the outcome of the review within (usually) 8 weeks.

If the review is not successful, the applicant has 3 more weeks to appeal to the county court. They cannot just appeal because they don't like the decision. Instead, they need to show errors of law were made by the housing officer. This is a difficult thing to do without proper legal advice from a lawyer who specialises in housing law.

It is worthwhile applying for a review, or appealing to court, within the 21 days. If the deadline is approaching for a review, then help your client to apply for one in writing, even if you have not yet been able to get legal help for your client. In the letter or email asking for the review, say that you are looking for legal advice for your client, or for more evidence, and will be giving further reasons for the review as soon as you can.

Read our guide [How to challenge the decision about your homelessness application](#) to find more information on how to challenge councils' decisions, including relevant evidence.



e. Helping your client find legal advice and representation

To get advice on a case, you can start by contacting [Shelter](#) through their free housing advice helpline on: **0808 800 4444**. The line is open from 9am – 5pm Monday – Friday. Closed on bank holidays. Calls are free from UK landlines and all major UK mobile operators. There's also a 'chat with us' service on their website.

If your client needs a solicitor that specialises in housing law try the [GOV.UK](#) website.

Legal aid is applicable in most cases related to homelessness. To find out if your client is eligible for legal aid use the [GOV.UK legal aid checker](#).

How to best support clients or patients to seek help from councils

The information in this guide applies to England only. The law may be different if you live in Wales, Scotland or Northern Ireland.

The law is complicated. We have simplified things in this guide. Please don't rely on this guide as a complete statement of the law. We recommend you try and get advice from the sources we have suggested.

Law for Life: the Foundation for Public Legal Education works to ensure that everyone has the knowledge, confidence and practical skills they need to secure access to justice. We do this through community-based education and training, research and policy, and through the Advicenow website which provides easy-to-use information on rights and the law for the public.

Law for Life has been conducting legal education trainings and programs since 2018. This guide was written as a response to questions about the homelessness application process that are asked during our trainings. To develop this guide we consulted social prescribers, support workers, legal professionals and council workers. Law for Life would like to thank all of those who provided input and advice, and in particular David Thomas for his assistance and feedback.



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