

Homelessness guide for victims of domestic abuse



Basingstoke
and Deane

This leaflet is designed to help you understand how Basingstoke and Deane Borough Council can help you if you are facing homelessness or are homeless as a victim of domestic abuse. This leaflet will explain to you the change in law that took place in April 2018.

The aim of the council is to stop you from becoming homeless and if you are homeless to assist you to find suitable accommodation. The council will do this under two duties, the prevention and relief duty.



You would be seen as homeless if you do not have the right to live in a property or if it would be unsafe for you to remain in your current home. The council will make investigations to confirm which areas you will be safe to reside, and this may mean having to leave your current area of residence.

If you are homeless

If you are homeless, the council has a relief duty which arises if the council is satisfied that you are eligible for assistance and homeless due to fleeing violence or threats of violence that are likely to be carried out. We would advise that housing advice should be sought at the earliest opportunity to allow you time to work with the council to help resolve your homelessness.

The relief duty lasts for up to 56 days and it is not always the council's duty to provide you with accommodation. However, the council will give you advice to help you to access refuge accommodation or private sector accommodation.

This duty comes to an end in several ways, but mainly if you have suitable accommodation open to you for at least six months.

What happens when you approach the council?

The council will carry out an assessment with you if you are eligible for assistance, homeless or at risk of becoming homeless. Your Homeless Prevention Officer will create a personalised housing plan with you and discuss your support needs to understand your specific circumstances.

It is important to establish why you are at risk of homelessness or homeless and how you can resolve your housing situation. Your personalised housing plan will record the agreed steps you and the council will take to assist you to prevent your homelessness or to find suitable accommodation.

If you do not agree with the actions within your personalised housing plan, the council will put in writing why the actions could not be agreed and what steps the council thinks would be reasonable for you to take.

If the council considers that you are deliberately and unreasonably refusing to co-operate with the actions in your personalised housing plan, you will be issued a notice which ends the council's duties.

Enquiries the council will make

The Homelessness Reduction Act 2017 states how the council must deal with homelessness and for whom the council must find temporary accommodation. Unfortunately, this is not for everyone who is homeless.

If you meet the criteria the council will ensure you have temporary accommodation. This is most likely to be refuge accommodation as this is likely to be the safest option or private sector accommodation.

The council may make enquiries into your eligibility for assistance; whether you are homeless or threatened with homelessness; whether you are granted priority need status and whether you are homeless intentionally.

Priority need

The law is very specific. Being without a home is not sufficient to grant you priority need status. The council must consider though if you are vulnerable as a result of violence from another person or threats of violence from another person which are likely to be carried out, as this may grant you priority need status. The council will also assess your circumstances under the other priority need categories set out in law.

Intentionally homeless

You would be seen as intentionally homeless if you are, as a result of something you have done or failed to do, responsible for your own homelessness. If you are found to be intentionally homeless, the council can only provide temporary accommodation for a reasonable period to give you time to find your own accommodation.

Local connection

The council will also investigate whether you have a local connection to the borough. In order to have a local connection to the borough you must:

- Normally reside within the Basingstoke and Deane borough boundaries and have done so for six of the last 12 months or three of the last five years or,
- Have full-time, permanent employment within the borough boundaries or,
- Have close family members resident in the borough or,
- If special circumstances exist.

If you do not have a local connection with the Basingstoke and Deane borough, but do with another area where the police confirm it is safe for you to reside, you may be referred there. If you are at risk of violence in areas where you would otherwise have a local connection, you may not be required to have a local connection with Basingstoke and Deane.

Further advice

There are several organisations that can offer specialist advice and support. These are:

- Integrated domestic abuse service to secure refuge accommodation (0330 016 5112)
- 24 hour National Domestic Abuse helpline to secure refuge accommodation (0808 2000 247)
- Respect Men's advice line (0808 801 0327)
- If you are a social housing tenant, speak with your landlord about the measures they can put in place.

If you are in immediate danger, please call the police on 999.

Local support agencies

- Domestic abuse outreach service to seek one-to-one support, emergency planning advice and target-hardening measures (0330 016 5112)
- Stop Domestic Abuse (01256 597904)
- Recovery toolkit to help overcome the psychological trauma of domestic abuse (0330 016 5112)
- Blue Lamp Trust for implementing security measures into your property (0300 777 0157)

You can seek legal advice from Citizens Advice (0300 3309 064). You may be entitled to apply for an Occupation Order which may prevent the perpetrator from returning to the property. You may also be entitled to apply for a Non-Molestation Order, which is an injunction to protect yourself from further violent behaviour from the perpetrator.

Contact details

www.basingstoke.gov.uk

Please contact Housing Services by calling 01256 844844 or emailing housing@basingstoke.gov.uk

Notes

www.basingstoke.gov.uk | 01256 844844

customer.service@basingstoke.gov.uk

  @BasingstokeGov

For general enquiries contact Housing Services by calling 01256 844844.



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www.basingstoke.gov.uk/signup

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