

## Review decision

If you are unhappy with the decision made by the officer you can appeal the decision.

In the case of a **homeless decision** this right of appeal is to the County Court. However this can only be done on a "point of law" where there has been some form of illegality, irrationality and/or procedural impropriety. This appeal must be made within 21 days.

If you wish to appeal to the county court you are advised to seek the advice of the Citizens Advice Bureau or a legal

Local Government Ombudsman

<https://www.lgo.org.uk/make-a-complaint>

In the case of a decision about your **place on the waiting** list you may make a complaint using the Councils complaints procedure.

If you are still unhappy you can take your case to the Local Government Ombudsman. The Ombudsman is an independent watchdog and may investigate your complaint. They will consider a complaint if you have already gone through the Councils complaints procedure and they believe you have been treated unfairly and suffered an injustice through maladministration.

# Homeless Decisions and the Housing Waiting List



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# Reviews and Appeals

This leaflet explains what to do if you are unhappy with decisions we have made regarding your application



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# Requesting a review

## Our Decision

If you have approached us for help under Part VII of the Housing Act 1996 (as amended by Homelessness Act 2002) or under the Homelessness Reduction Act 2017 the homeless legislation, by law we must write to tell you about our decision. This letter will tell you what decision we have made and the reasons for it.

If you are requesting a **review of a homeless decision** you have grounds to request a review under any of the following:-

- S202(1)(a) Eligibility for assistance
- S202(1)(b) What duty is owed under s189B(2) or to give notice under s198B(5) to end the duty (s189B(2))
- S202(1)(bb) notice given to those who deliberately and unreasonably refuse to co-operate
- S202(1) Decision as to the steps they are to take in their Personalised Housing Plan (PHP) (s195(2)) or to give notice under s195(5) to end the prevention or relief duty
- S202(1)(c) decision to notify another

If you are requesting a **review of a decision regarding your place on the waiting list** you may request it for the following reasons:

- You have been excluded from registration
- You have been awarded a lower priority for rehousing than you expected

- Section 202(1)(e) decision under s200(3) or (4) duty owed for cases referred
- S202(1)(f) decision as to suitability of accommodation offered to discharge their duty
- S202(1)(g) decision as to suitability of private rented sector accommodation
- S202(1)(h) decision as to the suitability of accommodation under Part VI—a final offer

## Review procedure

Reviews must be submitted in writing to Wyre Forest District Council within 21 days of the date of the notification letter and must include the reason why you believe your banding or decision is wrong, together with any additional information that you believe is relevant. The letter should be addressed to:

Principal Strategic Housing Officer  
Wyre Forest House  
Finepoint Way  
Kidderminster  
DY11 7WF

The request for a review will be acknowledged and we will ask you if you want to make written representation. Where this is in regards to the steps in a PHP or due to deliberate and unreasonable refusal to co-operate you must make the written representation within two weeks from the date you requested the review.

An officer who played no part in the original assessment will carry out the review. The applicant will be notified of our decision in writing, this notification will include our decision, the facts that were taken into account and the reason for our decision via a minded too letter (if relevant) and then a final letter.

A decision on a review must be made from 3—12 weeks depending on the type of review in the original request. This may be extended in agreement with you.

