

## Advice on reviews, appeals, complaints and legal challenges

This leaflet provides advice on the different courses of action available to you if you are unhappy with our service or decision received in relation to your homelessness.

### Reviews and appeals

There are some situations where there is a right to review:

- any decision made by the Council on the facts of a housing application
- a decision regarding eligibility for housing
- on the Council's decision on a **homelessness** application, including a decision to discharge duty after an offer is refused

There are other circumstances when we provide an appeal or review process:

- against a decision that an offer we have made is reasonable
- against a recommendation by our independent medical adviser
- against a decision to remove a priority status on the choice based lettings housing register.

Requests for a review of a decision, must be submitted **within 21 days of the date on our decision letter**.

If you have made a homelessness application in accordance with the Housing Act 1996 and upon completing our enquiries, you are issued you with a "Decision Letter" that concludes that the Council, did not owe you a duty to house you, you can ask for that decision to be reviewed.

### Complaints

The Council complaints procedure should be used if it seems that the Council has not dealt with a case properly. Complaints are looked at initially by the Housing Options staff dealing with the case including the Housing Options Manager. They will try to resolve the issues directly and quickly.

You can make a complaint through our website.

If this does not resolve the matter, the complaint will be considered by the Council's officers. Complaints that are not resolved using the Council's own complaints procedure can be referred to the Housing Ombudsman.

The ombudsman will check to make sure that the Council is carrying out its published policies fairly and efficiently and that there has been no disadvantage to an applicant by a failure in the process.

## **Legal challenges**

You are able to challenge the Council's decision legally in some cases. This is usually by a "judicial review" which seeks a legal judgment on the actions of the Council including its policies. There are also specific legal challenges to homelessness decisions.

You can receive free and confidential advice from local housing advice agencies such as the Citizens Advice Bureau and Cumbria Law Centre.