



## Procedure if you are unhappy with our decision

### Overview

If you are homeless or threatened with homelessness, then over the next few weeks or so, we will work alongside you to identify practical and reasonable steps that we think will give you the best chance to keep or find suitable accommodation. These steps will be tailored to you and your household and will follow from our assessment of your personal circumstances.

Along this journey, we will always adhere to our duty and responsibilities under the relevant housing legislation in relation to any housing duty we may or may not have to you and your household. However, if you do not agree with any of the decisions we make, or you think something we have asked you to do is unfair or unreasonable, you can ask us to look at the decision again, by requesting a review of the decision or decisions.

### When to ask for a review?

You must ask for a review within 21 days of being notified of our decision. You will find more information below. If we do not receive a review request in time, we will not normally agree to review the decision unless there are exceptional circumstances.

You can ask for a review in person at any of our One Stop Shops or by telephoning or emailing us. Our contact details are at the end of this guide.

### What can be reviewed?

The first column, below, indicates what decisions can be reviewed. The second column shows when you must be notified of our decision on review.

Decision to be reviewed	Time limit for notification of decision
Eligibility for assistance	8 weeks
Duty owed to customers found to be homeless or threatened with homelessness	8 weeks
The steps taken to secure accommodation	3 weeks
A notice to end the decision to secure accommodation (Relief duty)	3 weeks
A notice to end the relief or prevention duty due to non-cooperation	3 weeks

The steps taken to secure that accommodation does not cease to be available to a customer who is threatened with homelessness	3 weeks
A notice to end the decision to secure accommodation (Prevention duty)	3 weeks
No local connection (if main duty would apply)	8 weeks
Whether the conditions for referral are met	10-12 weeks depending on agreement with referred authority
A decision as to what duty is owed to a customer whose case is referred	8 weeks
The suitability of accommodation offered under the prevention or relief duty	8 weeks
The suitability of accommodation in cases referred to the City of Wolverhampton Council	8 weeks
The suitability of a final offer or a Part 6 offer	8 weeks
The suitability of a private rented sector offer	8 weeks
The suitability of accommodation offered after an unreasonable refusal to cooperate	8 weeks

The three-week time limit runs from either the date you ask for a review, or the date of any submissions (see page 3), whichever is the latter. If we need more time to make our decision, we'll agree an extension with you.

You can ask for a review of suitability whether or not you accept the offer of accommodation.

## Temporary accommodation pending review

If we make you a final accommodation offer or a final Part 6 offer, at the relief stage, and you ask us to review the suitability of the offer, we are under no duty to ensure that accommodation remains available to you pending the outcome of your review, this will be a decision we will exercise under our power given the circumstances of your case.

## Who will carry out the review?

A review may be carried out by a Manager senior to the officer who made the decision and who had no prior involvement in the original decision. A review may also be carried by any other senior officer of the City of Wolverhampton Council.

The same officer can carry out multiple reviews relating to a single case if they were not involved in the original decision.

Where the decision is about whether the conditions for referral of a case are satisfied, the review will be carried out jointly by the two housing authorities. The time limit for this type of review is 10 weeks.

Where the decision under review is taken by a person appointed by the notifying and notified authority, the review of that decision will be carried out by someone

appointed by the Local Government Association or their nominee. The time limit is 12 weeks.

## **Acknowledgement**

If you ask for a review, you will receive an acknowledgement of your request which will confirm our review procedure, confirmation of the review type you have requested; the deadline for the review; and the deadline for further submissions.

## **Submissions**

You, or someone acting on your behalf, may give us written details, including information from doctors, consultants etc., of the reasons why you want us to review the council's decision. If you have not given us any written reasons for your request within 10 days of the date you ask for a review, a decision will be based on the information that we have on file.

If you want to make submissions but there is a chance you cannot do so within 10 days, let us know as soon as possible. That is because we will normally disregard any representations received after the deadline, unless there is a prior agreement or *exceptional* reason for the delay.

## **Oral Hearings**

If the reviewer thinks that there is a deficiency or irregularity in the original decision, or in the way it was made, but they are minded nonetheless to make a decision that is against your interests on one or more issues, they will tell you why. They will also tell you that you, or someone acting on your behalf may, within a reasonable period, make oral and or further written representations.

The reviewer may consider whether there is 'something lacking' in the decision, i.e. a significant issue was not addressed or addressed inadequately, which could have led to unfairness. An original decision could also be unsatisfactory because of something which occurs between the date of the original decision and the review decision.

## **Final decision**

There is no right to request a second review of the same decision.

## **Appeals**

If you are dissatisfied with the decision on review, or you have not been notified of the decision within the time prescribed or any extension we have agreed with you, you have the right of appeal on a point of law to the county court.

An appeal must be brought by an applicant within 21 days of either the date on which you are notified of the decision on review, or, the date on which you should have been notified.

## Contact us

Email us: [housing.options@wolverhampton.gov.uk](mailto:housing.options@wolverhampton.gov.uk)

Phone us: 01902 556789 (choose option 6).

Drop in to see us:

### **Bilston**

Bilston Town Hall  
Church Street  
Wolverhampton  
WV14 0AP

### **City**

29 Market Street  
Wolverhampton  
WV1 3AG

### **Wednesfield**

Alfred Squire Road  
Wolverhampton  
WV11 1XU

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WOLVERHAMPTON  
COUNCIL