

**From housing options team to homeless applicant**

**Inviting homeless applicant to consent to their case being referred to social services because they have children but may be ineligible or intentionally homeless (section 213A duty)**

[Name and address of homeless applicant]

[Date]

By [first class post / hand / email to: *[insert email address]*]

Dear

**Invitation to give us permission to pass your details to social services**

We must ask whether you want us to pass your details to social services.

**Why is the Council asking me if I want my details passed to social services?**

We're asking you this because:

- A child lives with you (or might reasonably be expected to reside with you), and
- We have reason to believe:
  - you may be ineligible for assistance (because of your immigration or nationality status), or
  - you may have become homeless intentionally, or
  - you have become threatened with homelessness intentionally.

By law we must ask if you want us to pass your details to social services when we think this is the case (under section 213A of the Housing Act 1996).

**What happens if I agree to my details being passed to social services?**

If you agree:

- We will make social services aware that you've applied to us for help under the homelessness legislation.
- We will send social services details about your case, including your name, address, why you asked us for help with housing, and why we think we may not owe you the main housing duty.
- Once we make a decision about what duty you're owed (if any), we'll tell social services about the decision we've made.

Social services will decide if they must assess your circumstances and help you. For example, social services sometimes decide children are owed a duty under section 20 of the Children Act 1989 and offer help with finding accommodation.

**What happens if I don't agree to my details being passed to social services?**



If a homeless applicant doesn't agree to a referral we won't usually pass details of their case to social services.

However, in some situations the law allows us to make a referral anyway (even though you've not agreed). For example, if we have concerns about a child's welfare.

**What should I do now?**

Please tell us whether you want us to pass your details to social services.

**Can I get independent advice about this letter?**

Yes. Shelter provides a free housing advice helpline on 0808 800 4444. The helpline is open 8am to 8pm on weekdays, and 8am to 5pm on weekends. Visit [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid) to check whether you can get legal aid and to find a legal aid provider.

**What if I have questions?**

Please contact us if you have any questions or want to discuss the contents of this letter. Our contact details are at the top of this letter.

Yours sincerely

[Insert name]

**Housing Options Officer**

