



Shetland Islands Council—Housing Service  
Department of Education and Social Care

# Homeless

Local Authorities have a legal duty to assist all homeless people.

Firstly by providing quality information and advice.

Secondly, by taking action to try to prevent homelessness occurring and

Thirdly, when homelessness cannot be avoided by offering temporary accommodation and assisting you to secure your own permanent home.

**Fact:**  
*261 households presented as Homeless to the  
Shetland Islands Council—Housing Service between  
1st April 2008—31st March 2009*

## **What to do if you are homeless or in housing difficulties**

If you have nowhere to stay or are about to lose your home, you should contact us at our office at 6 North Ness Business Park as soon as possible to see what help we can give you.

**Our address is:  
Shetland Islands Council—Housing Service  
Department of Education and Social Care  
6 North Ness Business Park  
LERWICK  
Shetland  
ZE1 0LZ**

or you can telephone **01595 744360**.

We will arrange a confidential interview with a Housing Officer. You can bring a friend, relative or advisor to your interview. If you need an interpreter or signer we will arrange this.

We will look into your situation and ask you questions about your circumstances. We may contact others (with your consent) for information, so we can make enquiries and decide how we can help you.

Depending on your situation we will see if there is anything we can do to prevent you losing your home.

If you need somewhere to stay while we look into your homeless application we will offer you temporary accommodation.

We will give you a formal decision in writing within 28 days. If you disagree with this decision, we have a formal and confidential appeals procedure.

If the Council does have a duty to help you find a permanent home, you will be provided with temporary accommodation until you can be permanently re-housed.

The fact that you may be homeless or are threatened with homelessness does not automatically mean you will be re-housed by us. There are four legal conditions we consider before we offer someone permanent re-housing:

- if you are homeless or if you are threatened with homelessness
- if you have a priority need
- if you have intentionally (deliberately) made yourself homeless
- if you have a local connection with Shetland

During the next few years changes to the law mean that more homeless people will qualify for permanent re-housing.

### **You would be considered homeless if:**

- you have no accommodation; or you and your family have nowhere to stay together; or
- you have accommodation but:
  - living there could lead to violence, or threats of violence from someone living with you or from someone you used to live with;
  - it is a moveable home such as a caravan and you have nowhere to put it;
  - your house is overcrowded and affecting your health
  - you can't gain entry to it , e.g. because the landlord has changed the locks;
  - it is not reasonable for you to stay in your house, e.g. because it is in a very poor condition.

You are threatened with homelessness if there is a risk you will become homeless **within 2 months**. However, you can seek advice at any time, and we encourage you to do this as early as possible.

Most people who are homeless or threatened with homelessness believe they have a priority for re-housing.

Unfortunately this is not always the case.

In legal terms, a homeless person has to be in priority need before we have a duty to help them find permanent accommodation.

### **You would be considered to be in priority need if:**

- you have any dependent children or you are pregnant;
- your homelessness is due to an emergency such as flood, fire or any other disaster ;
- you are 16 and 17 years old
- you are an 18-20 year old who:
  - ⇒ runs the risk of sexual or financial exploitation or involvement in the serious misuse of drugs/alcohol/any volatile substance because of where you are living; or
  - ⇒ you were in local authority care on or after your school leaving date;
- you run the risk of domestic abuse ;
- you run the risk of violence or you are likely to be the victim of conduct that amounts to harassment because of your religion, sexual orientation, race, colour, ethnic or national origin.

You would also be considered to be in priority need if you are vulnerable as a result of:

- old age;
- mental illness;
- personality disorder;
- learning disability;
- physical disability;
- chronic ill health ;
- having suffered a miscarriage or had an abortion;
- being discharged from hospital, prison or the armed forces.

**You would be considered intentionally homeless if you:**

- did something which meant you were unable to remain in your home
- you were aware of all the facts and
- your accommodation was reasonable for you to live in.

**You would be considered to have a local connection if:**

- you have lived in Shetland for at least 6 out of the last twelve months; or three out of the last five years;
- you are working in Shetland;
- you have family associations in Shetland;
- you have other special reasons for being in Shetland.

You do not need to have a local connection with Shetland if you are fleeing domestic abuse.

## Our Duties

If you are threatened with homelessness we will provide you with advice and assistance to try and prevent you from becoming homeless.

If you are homeless and you **do not** have a priority need we will provide you with temporary accommodation and advice and assistance for a reasonable period of time whilst we help you look for your own accommodation.

If you are homeless and **you are** intentionally homeless we will provide you with temporary accommodation and advice and assistance for a reasonable period of time whilst we help you look for your own accommodation.

If you **do not** have a local connection with Shetland but with another local authority we may refer you back there.

If you are homeless, in priority need and not intentionally homeless we will provide you with temporary accommodation until we can offer you permanent accommodation.

If you have any housing problems which mean that you could lose your accommodation in more than 2 months time, we will still offer you advice to try and prevent you becoming homeless.

## Temporary Accommodation

The Council uses a variety of accommodation to provide temporary housing to those who are homeless.

This includes shared accommodation, self –contained flats, houses and chalets and occasionally bed and breakfast accommodation.

Accommodation is located in various parts of Shetland and is mostly furnished and fully equipped.

## **If you have belongings or furniture at risk, we will:**

- take reasonable steps to protect it, including its removal and storage\*
- return your belongings when you are re-housed

\* You may be asked to pay towards the cost of your storage.

## **Interview checklist**

You should bring the following with you to the interview if you can:

- proof of identification (and age) such as birth certificate, passport, benefit book;
- birth certificate(s) of any children;
- proof of pregnancy e.g. date of confinement, where relevant;
- proof of NI number such as payslips, DWP benefit book;
- proof of income weekly/2 weekly payments etc (for Housing Benefit purposes);
- where relevant a letter from parents/relatives/friends stating that they are no longer able or willing for you to stay with them
- Any communications/documentations from a Landlord including the lease and any Notice to Quit;
- Confirmation of income & expenditure etc (in cases of a financial difficulty).

## **If you disagree with our decision**

If you disagree with any of the decisions we make you have the right to have that reviewed. You have 21 days after our decision to request this. All decision letters will be accompanied by a homelessness decision review request form.

We would advise you to seek independent advice e.g. from Citizens Advice Bureau, 14 Market House, Lerwick, Tel 694696 or Advocacy Shetland, 14 Market House, Lerwick, Tel 743929.

## **Outreach Support Service**

Additional support is available for homeless households who may need help to manage and keep their accommodation.  
Please contact us for more details.

**Information can on request be made available in Braille, on tape, in large print and in different languages. For further information please telephone Housing on 01595 744360, or email [housing@shetland.gov.uk](mailto:housing@shetland.gov.uk)**

For further information please contact us at:  
**Shetland Islands Council—Housing Service**  
**Department of Education and Social Care**  
**6 North Ness Business Park**  
**LERWICK**  
**ZE1 0LZ**

Telephone **01595 744360**  
Repairs Line **01595 744399**  
Fax **01595 744395**  
Freephone **0800 212 829**

In an emergency out with office hours please contact:  
Homelessness: **01595 695611**  
Council House Repairs: **01595 693972**  
Available 24 hours a day, 365 days a year

Email: [Housing@shetland.gov.uk](mailto:Housing@shetland.gov.uk)  
Website: [www.shetland.gov.uk/Housing](http://www.shetland.gov.uk/Housing)

**Our Office is Open**  
Monday to Thursday 9 am to 5 pm,  
&  
Friday 9 am to 4 pm

We are open during lunchtimes.  
Information on the various housing options available in Shetland can be found online in the  
Housing Options Guide