

Applying as homeless: council inquiries

The council must investigate your situation if they have a reason to believe you are homeless or threatened with homelessness within 56 days.

When you make a homeless application, the council must inquire into whether you:

- meet immigration and residence conditions
- are homeless or in danger of becoming homeless within 56 days

The council must provide you with emergency housing while it makes its inquiries if there is a reason to believe you may be homeless, eligible, and in priority need.

Initial interview

You should usually have at least one face-to-face assessment. This should be long enough to allow the council to make adequate inquiries.

It can speed up the process if you provide evidence of your situation, such as the notice you have received from your landlord or your passport.

Interpreters and translation

Councils should provide translated information and professional interpreting services if your first language is not English. They should avoid asking family members to interpret or translate, particularly when making sensitive inquiries.

Domestic abuse inquiries

You are homeless if it is not reasonable for you to live in your accommodation. It is not reasonable if living there will lead to domestic abuse or violence against you or someone in your household.

Domestic abuse is defined as abusive behaviour towards someone who is personally connected to the perpetrator. This includes physical abuse, coercive behaviour, and economic abuse.

While inquiring into domestic abuse, the council should not approach the alleged perpetrator or require you to provide police evidence.

Factsheet

Equality duty and discrimination

If the council decides there is a possibility that you or a member of your household has a protected characteristic under the Equality Act 2010, it should carefully consider the effect of the characteristic on you and your household if you're homeless.

Disability, gender, and race are examples of protected characteristics.

If the council refuses to make inquiries

If the council refuses to accept your application and make inquiries, you can challenge this. Seek legal advice on issuing a claim for judicial review without delay.

The council's decision

After completing its inquiries, the council must provide you with a written decision.

If the council is satisfied that you are eligible and are homeless or threatened with homelessness, it must assess your needs and draw up a personalised housing plan.

The plan must identify the steps that you and the council should take to prevent you from becoming homeless, or find housing if you are already homeless.

If the council decides that you are not owed a duty, it must write to you and explain its reasons. You can challenge this by asking for a review within 21 days.

You can get further advice from england.shelter.org.uk/housing_advice, a local Shelter advice service or local Citizens Advice.

If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on 0808 800 4444 for advice and information on your options. Calls are free from UK landlines and main mobile networks.

