

The Housing Officer (Quality Assurance) will issue a written decision on your appeal as soon as possible. The decision will explain what his or her findings are in your case. He or she can either dismiss or uphold your appeal in full or in part. If he or she decides to uphold your appeal, the original decision will be treated as if it was never made.

Depending on the ground of your appeal, the Housing Officer (Quality Assurance) may either:

- return your case to the officer who made the original decision for a new decision; or
- in certain circumstances, replace the wrong decision with one of his or her own.

Our service commitment

We have set a 21-day target to decide on your appeal.

If you are dissatisfied with the outcome of your appeal

If you remain dissatisfied with a decision that we have made after appeal, you can seek judicial review. This means that you can ask the Court to set-aside our decision because we:

- exceeded or abused its authority; or
- failed to perform a duty delegated to us; or
- showed bias.

If you wish to seek judicial review of our decision, we advise you to seek independent help from an organisation such as the Citizens Advice Bureau or from Shelter. We have included their contact details earlier in this leaflet.

You have the right to make a complaint about a council service to the Scottish Public Services Ombudsman. Any such complaint must be submitted within 12 months of the day when you first had notice of the matter you wish to complain about.

Scottish Public Services Ombudsman,
4 Melville Street, Edinburgh, EH3 7NS.
Tel: 0800 377 7330/Text: 0790 049 4372
Fax: 0800 377 7331
Email: ask@spsso.org.uk
Website: www.spsso.org.uk

Angus Council ACCESS offices

Arbroath
Old Parish Church
Kirk Square
T: (01241) 434212

Brechin
36 Bank Street
T: (01356) 622184

Carnoustie
26 High Street
T: (01241) 853335

Forfar
Municipal Buildings
Castle Street
T: (01307) 464966

Kirriemuir
5 Bank Street
T: (01575) 572845

Montrose
Town House
High Street
T: (01674) 673280

Monifieth
81 High Street
T: (01382) 534900

To contact any council service telephone the ACCESSLine on **08452 777 778**

Website: www.angus.gov.uk
Email: housing@angus.gov.uk

Housing
William Wallace House
Orchard Loan
Orchardbank Business Park
Forfar DD8 1WH

T: (01307) 461460
F: (01307) 474799

This leaflet can be translated, on request, into other community languages. For people with visual impairment, large print, audio or braille versions can also be provided.



Housefacts How to appeal against our decisions

Information and guidelines
for housing in Angus

Introduction

We have published this leaflet as a guide for any person who wishes to appeal against a decision made

- during their application for housing
- on a change of tenancy or
- during a homeless assessment

The Housing Officers (Quality Assurance) consider all appeals. They are independent, officers who had no part in making the original decision.

What help is available?

If you wish to appeal against our decisions, we strongly recommend that you approach an independent housing information and advice service such as the Citizens Advice Bureau or Shelter for help. They will be able to explain our decision to you and what it means. They can help you write your letter of appeal to us or they may be able to represent you or act on your behalf.

The contact details for these organisations are:

Citizens Advice Bureaux (Angus)

Arbroath

11 Millgate, Arbroath - T: 01241 870661

Forfar

17 Queen Street, Forfar - T: 01307 467096

Montrose

32 Castle Street, Montrose - T: 01674 673263

Shelter Dundee

1 Courthouse Square
Dundee
T: 0808 800 4444

Appeal against what?

There are several grounds on which you can appeal:

Decisions on applications and tenancy changes

- You think your application has been placed on the wrong waiting list or has been awarded the wrong number of points
- Housing refused to assign, convert or allow you to succeed to a tenancy (this means that you believe an application to change who is the tenant of a tenancy has been unfairly refused.)

Decisions on offers of housing

You think an offer of permanent accommodation made by your local Community Housing Team is unreasonable because:

- it would make you overcrowded; or
- you could not reasonably live there, for example, you would be at risk; or
- it does not meet the needs of any person who lives with you; or
- it does not consider the best interests of your children.

However, you cannot appeal against the same decision twice.

How do I appeal against decisions on applications and tenancy changes and offers of housing?

Stage 1

If you are unhappy with a decision, you should write to the Community Housing Manager and ask for a review within 2 weeks of the original decision. (The name and address of the Community Housing Manager should be on the decision letter you received).

Stage 2

When the Community Housing Manager has reviewed the decision, but you are still unhappy, you should write to the Housing Officer (Quality Assurance) within 21 days of receiving the decision.

The address is: Housing Officer (Quality Assurance), Housing, William Wallace House, Orchard Loan, Orchardbank Business Park, Forfar, DD8 1WH.

You should explain to us why you think the decision is wrong.

Homeless decisions

You think your homeless decision is wrong because the Assessment Officer made a mistake in deciding whether you:

- are homeless now or within 56 days; or
- are in priority need; or
- are intentionally homeless; or
- have a connection with Angus and the Assessment Officer has decided to refer you to another Council for housing.

You think an offer of temporary accommodation is unreasonable because:

- it would make you overcrowded; or
- you could not reasonably live there, for example, you would be at risk; or
- it does not meet the needs of any person who lives with you; or
- it does not consider the best interests of your children.

Decisions on offers of housing to homeless people

You think an offer of permanent accommodation made by your local Community Housing Team is unreasonable because:

- it would make you overcrowded; or
- you could not reasonably live there, for example, you would be at risk; or
- it does not meet the special needs of any person who lives with you; or
- it does not consider the best interests of your children.

You cannot appeal against the same decision twice.

How do I appeal against homeless decisions and offers of housing to homeless people?

If you wish to appeal against any of our decisions, you should do so, in writing, within 21 days of receiving the decision.

Send all appeals to the Housing Officer (Quality Assurance), Housing, William Wallace House, Orchard Loan, Orchardbank Business Park, Forfar, DD8 1WH.

What happens after I put in my appeal?

The Housing Officer (Quality Assurance) will ask for a copy of your case file and will look at all the information.

The Housing Officer (Quality Assurance) may invite you to attend an interview to listen to your views and check all the information was considered. A friend, relative, representative or independent advocate can escort you or be with you if you wish.