



Advice on review, appeals, complaints and legal challenges

“Allerdale – a great place to live, work and visit”

This leaflet provides advice on the different courses of action available to you if you are unhappy with our service or decision received in relation to your homeless application.

Reviews and appeals

There are some situations where there is a right to review:

- any decision made by the Council on the facts of a housing application
- a decision regarding eligibility for housing
- on the Council's decision on a homelessness application, including a decision to discharge duty after an offer is refused

There are other circumstances when we provide an appeal or review process:

- against a decision that an offer we have made is reasonable
- against a decision to remove a priority status on the choice based lettings housing register

Requests for a review of a decision must be submitted within 21 days of the date on our decision letter.

If you have made a homelessness application in accordance with the Housing Act 1996 and upon completing our enquiries, you are issued you with a "Decision Letter" that concludes that the Council did not owe you a duty to house you, you can ask for that decision to be reviewed. Please also see our other leaflet '[What is a Section 202 review?](#)' for more detailed advice.

Complaints

The Council complaints procedure should be used if it seems that the Council has not dealt with a case properly. Complaints are looked at initially by the staff dealing with the case and needed, by their managers. They will try to resolve the issues directly and quickly.

You can make a complaint through our website at www.allerdale.gov.uk.

If this does not resolve the matter, the complaint will be considered by the Council's corporate complaints staff. Complaints that are not resolved using the Council's own complaints procedure can be referred to the Housing Ombudsman on 0300 111 3000.

The Ombudsman will check to make sure that the Council is carrying out its published policies fairly and efficiently and that there has been no disadvantage to an applicant by a failure in the process.

Legal challenges

You are able to challenge the Council's decision legally in some cases. This is usually by a "judicial review" which seeks a legal judgment on the actions of the Council including its policies. There are also specific legal challenges to homelessness decisions.

You can receive free and confidential advice from housing advice agencies.



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