**Duty to Refer**

All DCC staff should be aware of the ‘Duty to Refer’ guidance. If you are working with a family or person that is homeless or threatened with homelessness please follow this guidance to refer to the local housing authority

The duty to refer is triggered if a person is homeless today or threatened with homelessness within the next 56 days

The person being referred should agree to the referral, specify the local authority they wish to be referred to and agree for their contact details to be supplied to the local authority

### **Identifying homelessness**

The government guidance states that in many cases staff can easily identify that a person whom they are assisting is homeless. This is the case if someone is sleeping rough, ‘sofa surfing’, frequently changes addresses or provides a ‘care of’ address.

It is not necessary to be roofless in order to be homeless. The statutory definition of being homeless includes being housed in unsuitable accommodation, for example because of disrepair or a risk of violence and having nowhere suitable for the whole household.

### **Identifying threatened homelessness**

A service user is threatened with homelessness if they are likely to have nowhere to stay in 56 days. Tenants who have been served with a valid section 21 notice expiring within 56 days also fall into this category.

A service user can also be threatened with homelessness if they have been in care, armed forces or prison and are finding it difficult to manage.

**Local connection considerations**

People have the right to choose which English local housing authority they wish to be referred to.

Local housing authorities can check whether homeless people have a local connection to their area as part of the homeless application process. If the homeless applicant has no local connection, they can be referred to an area where they do have a local connection.

Devon care leavers have a local connection to all of Devon until they are 21

**Consent**

A referral cannot normally be made without the person’s consent. Consent may be waived in order to safeguard children or vulnerable adults, in line with local procedures. The Homelessness code of guidance advises local housing authorities to confirm with the referring public authority that the service user has given their consent to a referral. Public authorities are advised to obtain the customer’s signature, even though consent can be given orally. The public authority must also ask the service user how they can be contacted by the local housing authority and obtain consent for their contact details to be used.

**How to refer**

A referral must include the person’s name and contact details and the reason for the referral. The referring public authority can also include the following information about the person/family; whether they are homeless and at risk of rough sleeping on the date the referral is made, when they are likely to become homeless, whether they are subject to a risk assessment and/or key medical information

Once you have consent and the Local Authority that you are referring to is included in the TABLE below, please use the Online Link or the Email address to make your referral. If the Local Authority you are wishing to make a referral to is not in the TABLE above, then please visit that Local Authority’s website and search Duty to Refer for details on how to make a referral.

Once you have made a referral you will receive an email with a reference number. The corresponding Local Authority will receive an email notifying them that a referral has been received. Local Authorities will endeavour to respond to referrals received within 3 working days.

**An application will only be accepted when the Local Authority has made contact with the individual and has reason to believe that they might be homeless or threatened with homelessness within 56 days, and the individual indicates that they would like assistance.**

**Homelessness code of guidance for local authorities:** <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-4-the-duty-to-refer-cases-in-england-to-housing-authorities>

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| --- | --- | --- |
| **Local Authority** | **Online (preferred)** | **Email** |
| **East Devon District Council** | [**https://live.housingjigsaw.co.uk/alert/duty-to-refer**](https://protect-eu.mimecast.com/s/AkLPC69mxcpPJ8Hpbtpd?domain=live.housingjigsaw.co.uk) | [**dutytorefer@eastdevon.gov.uk**](mailto:dutytorefer@eastdevon.gov.uk) |
| **Exeter City Council** | [**https://exeter.gov.uk/housing/housing-homelessness-prevention-and-advice/professionals-only-referring-your-client/**](https://exeter.gov.uk/housing/housing-homelessness-prevention-and-advice/professionals-only-referring-your-client/) | [**dutytorefer@exeter.gov.uk**](mailto:dutytorefer@exeter.gov.uk) |
| **Mid Devon District Council** | [**https://live.housingjigsaw.co.uk/alert/duty-to-refer**](https://protect-eu.mimecast.com/s/AkLPC69mxcpPJ8Hpbtpd?domain=live.housingjigsaw.co.uk) | [**dutytorefer@middevon.gov.uk**](mailto:dutytorefer@middevon.gov.uk) |
| **North Devon Council** | [**https://www.northdevon.gov.uk/**](https://protect-eu.mimecast.com/s/IYS-C2WgqhDnrzinlU6h?domain=northdevon.gov.uk/) | [**dutytorefer@northdevon.gov.uk**](mailto:dutytorefer@northdevon.gov.uk) |
| **South Hams District Council** | [**https://live.housingjigsaw.co.uk/alert/duty-to-refer**](https://protect-eu.mimecast.com/s/AkLPC69mxcpPJ8Hpbtpd?domain=live.housingjigsaw.co.uk) | [**dutytorefer@swdevon.gov.uk**](mailto:dutytorefer@swdevon.gov.uk) |
| **Teignbridge District Council** | [**https://www.teignbridge.gov.uk/housing/homelessness/professionals-only-duty-to-refer/**](https://www.teignbridge.gov.uk/housing/homelessness/professionals-only-duty-to-refer/) | [**dutytorefer@teignbridge.gov.uk**](mailto:dutytorefer@teignbridge.gov.uk) |
| **Torbay Council** | Not available | [**dutytorefer@torbay.gov.uk**](mailto:dutytorefer@torbay.gov.uk) |
| **Torridge District Council** | [**https://live.housingjigsaw.co.uk/alert/duty-to-refer**](https://protect-eu.mimecast.com/s/AkLPC69mxcpPJ8Hpbtpd?domain=live.housingjigsaw.co.uk) | [**dutytorefer@torridge.gov.uk**](mailto:dutytorefer@torridge.gov.uk) |
| **West Devon Borough Council** | [**https://live.housingjigsaw.co.uk/alert/duty-to-refer**](https://protect-eu.mimecast.com/s/AkLPC69mxcpPJ8Hpbtpd?domain=live.housingjigsaw.co.uk) | [**dutytorefer@swdevon.gov.uk**](mailto:dutytorefer@swdevon.gov.uk) |

**Complete the ‘Duty to Refer’ form and a housing officer will contact the customer to discuss their housing options.**

**Yes**

**Advise customer to contact local housing authority for advice if any concerns about their housing situation.**

**No**

**Is the customer threatened with homelessness within 56 days?**

**No**

**Yes**

**Is the customer homeless today?**