



Housing appeals procedure



Introduction

The appeals procedure outlined in this leaflet applies to **all housing matters** dealt with by the Directorate of Housing & Community Services.

You should use the procedure if you are unhappy about a decision made by the Directorate of Housing & Community Services and wish to appeal against it.

For example, you may feel that we have failed to take into account all relevant matters when making a decision that affects you or that the decision has been made unfairly. The Housing Appeals Procedure enables you to ask the Council to review our original decision.

When does the appeals procedure not apply?

Statutory rights of appeal or review

Some of our decisions are subject to procedures laid down by Parliament. These are called statutory procedures. They include your legal right of appeal to, or review by, the courts, a tribunal or within the Council, for example:

- homelessness appeals
- introductory tenancy reviews

If a decision is subject to a statutory right of appeal or review, we will notify you of your legal rights at the time of the decision and the procedures and timescales that apply.

Complaints

If you are unhappy about our action or lack of action; or about the standard of service; or about an employee's attitude, then it would be more appropriate to deal with the matter under the Council's Complaints System. A separate leaflet and formal complaint form is available from any Council office.

Problems that are about to go to court or tribunal

The appeals procedure will generally not deal with problems that are about to go to court or tribunal (or have already done so), or that are subject to ongoing insurance claims.

How will I know which procedure to follow?

We will give full information at the outset about whether you should think about making a complaint rather than an appeal.

What can I appeal about?

You can appeal if you think we have made a decision on a housing matter that affects you and you believe:

- we have failed to take into account all relevant matters when making a decision
- we have made our decision unfairly or with malice or bias.

Some examples:

- unreasonably refusing permission for a Council tenant to carry out improvements/alterations to their home
- unreasonably refusing a transfer request or application for housing
- unreasonably refusing to give discretionary renovation grant.

How do I lodge an appeal?

If our decision is covered by a statutory right of appeal or review, we will inform you at the time of our decision how to appeal.

Many other matters can be dealt with quickly and satisfactorily by our 'frontline' staff who provide the service. It is always better to speak first to the officer responsible for making the original decision.

Otherwise if you are unhappy about a decision, you should complete and return the attached form.

How will my appeal be handled?

Stage 1 – Review and written explanation

On receiving your appeal, a senior officer will be appointed to review the original decision. The reviewing officer will have had no prior involvement in the matter.

The reviewing officer will take into account your views and comments and will give you a full written explanation for the decision, usually within 14 days of receiving your appeal.

Stage 2 – Housing Appeal Panel hearing

If you remain unhappy with the decision, you may appeal to the Housing Appeals Panel.

If you want the panel to hear your appeal, you must give notice of this appeal within 28 days of receiving our full written explanation under Stage 1.

When we give a full explanation under Stage 1, we will explain that you can have your appeal heard by the panel.

The housing appeals panel

The Housing Appeals Panel comprises at least 3 elected members of Council (Councillors), none of whom will have had any previous involvement in the matter.

The panel will hold a hearing within 28 days and we will tell you when this will be.

You will have the right to make written comments to the Appeals Panel. But if you wish to attend the hearing to make comments in person, you may do so if you give advance notice to the Appeals Panel.

When the Council tells you of the panel hearing date, it will ask you to make any further written comments. If you have chosen to attend the panel in person, the Council will also explain the procedure to be followed at the hearing.

The housing appeals panel decision

You will be told in writing of the panel's decision within 7 days of the hearing including, where appropriate, the reasons for reaching that decision.

What if I am still unhappy?

If you are still unhappy you may take up the matter with the Local Government Ombudsman. The Ombudsman is an independent person who looks into complaints of maladministration (bad practice) against local councils.

Information on how to complain to the Local Government Ombudsman is available from any council office.

Directorate of Housing
& Community Services



CITY OF
Lincoln
COUNCIL

Housing Appeals Procedure Notice of Appeal

Your full name

Your address

Tel. No *daytime*

evening

Please state what is the decision against which you wish to appeal

Were you notified of the decision in writing? *please tick*

yes

no

If yes, please give the date of the correspondence and any reference quoted.
If possible, enclose a copy of the correspondence – but not the original

Date of correspondence

Reference (if any)

What are your reasons for appealing against this decision? (Please give as much information as possible including any factors that you feel the Council may not have taken into account in reaching its original decision)

How have you been affected by the Council's decision?

What do **you** think the Council should do to put things right?

To be signed by the person(s) making the appeal:

Signature

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Date

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Signature

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Date

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If you have difficulty in understanding anything in this document, please go to City Hall, Beaumont Fee, Lincoln or any other Council office, where we can call in an interpreter for you through the National Interpreting Service

Si vous avez besoin d'éclaircissements au sujet de ce document, veuillez vous rendre au City Hall, Beaumont Fee, Lincoln ou tout autre Council office, où nous pourrions faire appel à un interprète par le biais du National Interpreting Service.

Jezeli masz trudności ze zrozumieniem tego dokumentu, zgłoś się do urzędu miasta w City Hall, Beaumont Fee w Lincoln lub do innego urzędu należącego do rady miejskiej, w którym wezwiemy tłumacza z National Interpreting Service.

Se tiver dificuldade em compreender qualquer coisa neste documento, por favor dirija-se à City Hall, Beaumont Fee, Lincoln ou qualquer outra repartição do município, onde poderemos chamar um interprete para si através do Serviço Nacional de Interpretação.

Bu belgeyi anlamakta zorlanırsanız, Beaumont Fee, Lincoln Belediyesi'ne ya da herhangi başka bir belediye meclisi ofisine gidin; National Interpreting Service aracılığıyla size bir çevirmen sağlanacaktır.

এ ডকুমেন্টের কোন কিছু বুঝতে যদি আপনার অসুবিধা হয়, তাহলে দয়াকরে দয়াকরে সিটি হল (City Hall), বিউমন্ট ফি (Beaumont Fee), লিনকন (Lincoln) অথবা অন্য যে কোন কাউন্সিল অফিসে যান, যেখানে ন্যাশনাল ইন্টারপ্রিটিং সার্ভিস -এর মাধ্যমে আমরা আপনার জন্য একজন ইন্টারপ্রিটার বা সো-জাষীকে ডাকতে পারবো।

اگر شمادر باره اسناد مشکل داشته باشید، لطفاً باهال مرکزی، بیمولت فی، لینکولن ویا به دفتر دیگر انجمن بروید و ما میتوانیم از طریق سرویس قومی با مترجم رنگ بزیم.

ئەگەر زۆرچەتتە هەبە لە تێگەشتنی هەر شتێک لەم بەلگەنامەیەدا، تکایە بڕۆ بۆ City Hall، Beaumont Fee، Lincoln یان ئۆفیس هەر شارەوانیەک (کاونسلێک)ی تر، کە دەتوانن مۆترجمێکت بۆ بانگ بکەن لە رنگی خزمەتگوزاری میلی بۆ وەرگیران (ترجمووە)بوه.

Eger hun di vè dokumane de difahmkirina hin tiştan de astengî dikişinin, ji kerema xwe re herin City Hall û Beaumont Fee, Lincoln bibinin, an jî ji karmendê şaredariyê yekî din bibinin. Em ê ji we ra jî serwisa wergerandina netewî wergerckî peyda bikin.

This leaflet is also available in large print