



## Homeless and don't know what to do?

If you have nowhere to stay, or are about to lose your home, this leaflet outlines what the council can do. It is intended only as a plain language summary of your legal rights, it is not a precise statement of the law.

The Council is generally referred to as “we” throughout this leaflet. Tenants are normally referred to as “you”.

There are three conditions that have to be met before we will offer someone permanent re-housing under the homelessness law. These conditions are:

- Being homeless.
- Being homeless unintentionally.
- Having a local connection.

### You are homeless if:

- You have no accommodation, or you and your family have nowhere to stay together.
- It is not reasonable for you to stay in your house, for example, because of its condition.
- You have accommodation but any of these situations apply:
  - You can't gain entry to your house, for example, because the landlord has changed the lock.
  - Living there could lead to violence, or threats of violence, for example, from a former partner or someone living with you or from someone you used to live with.
  - You have a moveable home such as a caravan but nowhere to put it.
  - Your house is overcrowded and affecting your health.
  - Your accommodation has been provided by the council only temporarily.

If you think you are homeless, then please contact our Homelessness and Advice Section. If you are homeless, we have a duty to provide temporary accommodation while we consider your circumstances.

Please contact us also if you have any housing problems that might mean you could lose your accommodation. You are threatened with homelessness if you are likely to become homeless **within two months**.

Being homeless or threatened with homelessness means you have the right to free advice and assistance from your local authority. For some people this advice may be all that is needed to solve their housing problem. Others may need a little bit more than just assistance. The fact that you may be experiencing homelessness or are threatened with homelessness does not automatically qualify you for re-housing.

The other conditions are set out below.

### **You are homeless intentionally if you:**

- Have done something deliberately that meant losing your home.
- It was reasonable for you to continue to live there.

This does not apply where you lose your home because you were unaware of all of the facts.

If we find that you have become homeless intentionally, we will still provide you with temporary accommodation for a reasonable length of time while we investigate your case.

We will give you advice and assistance to help you find other accommodation. We will advise you of your right to have our decision reviewed.

### **You have a local connection if you:**

- Have lived in Orkney for six out of the last twelve months, or three out of the last five years.
- Have employment in Orkney.
- Have family associations in Orkney.
- Special circumstances.

If you have no connection with this area but are otherwise homeless we may refer you to a local authority where you have a local connection.

When we have assessed your case we will give you a decision in writing. We will do this within twenty-eight days.

### **If you disagree with our decision(s), you can:**

- Ask to have our decision reviewed within twenty-one days.
- We will advise you of what advice and assistance is available.

A senior officer not involved in the original decision will carry out this review.

This leaflet also lists details of agencies that you may want to contact for independent advice.

## **If you are homeless, not homeless intentionally and have a local connection we must:**

- Offer you permanent accommodation.

This will generally be a Scottish secure tenancy with the council or a housing association.

## **If you have belongings or furniture at risk, we will:**

- Take reasonable steps to protect it, including its removal and storage (you may be charged something towards the cost of your storage).
- Return your belongings when you are re-housed.

In the near future there will be changes to the law. This will mean that more homeless people will qualify for permanent re-housing.

If you would like to talk about any of the issues in this leaflet or need any further advice please contact our Homelessness and Advice Section by calling 01856873535.

Alternatively you can call personally to our offices at Orkney Islands Council, Council Offices, School Place, Kirkwall, Orkney, KW15 1NY.

We can also help you to contact a range of other agencies that may be able to assist you.

This leaflet can be provided in a range of different languages or formats as required.

## **Useful Contacts**

### **Orkney Islands Council**

#### **Housing Services**

Address: Council Offices, School Place, Kirkwall, KW15 1TN.

Telephone: 01856873535.

Email: [homeless@orkney.gov.uk](mailto:homeless@orkney.gov.uk)

Emergency out of hours repairs service: 01856873430.

Emergency out of hours Homeless Officer: 07921582962

#### **Housing Benefit Section**

Address: Finance Services, Council Offices, School Place, Kirkwall, KW15 1TN.

Telephone: 01856873535, extension 2116 or 01856886312 (direct dial).

Email: [benefits@orkney.gov.uk](mailto:benefits@orkney.gov.uk)

### **Department of Education, Leisure and Housing**

Address: Council Offices, School Place, Kirkwall, KW15 1TN.

Telephone: 01856873535 extension 2477.

Email: [education.leisure@orkney.gov.uk](mailto:education.leisure@orkney.gov.uk)

### **Orkney Health and Care**

Address: Council Offices, School Place, Kirkwall, KW15 1TN.

Telephone: 01856873535.

Emergency out of hours duty social worker service: Telephone: 01856888000.

### **Other Useful Contacts**

#### **Jobcentre Plus**

Address: West Tankerness Lane, Kirkwall, KW15 1AQ.

Telephone: 01856885300.

#### **Orkney Housing Association Ltd**

Address: 39a Victoria Street, Kirkwall, KW15 1DN.

Telephone: 01856875253.

Email: [enquiries@ohal.org.uk](mailto:enquiries@ohal.org.uk)

#### **Orkney Islands Property Developments Ltd**

Address: 15 Victoria Street, Kirkwall, KW15 1DN.

Telephone: 01856876310.

Fax: 01856875657.

Email: [anne@oipdl.co.uk](mailto:anne@oipdl.co.uk)

#### **Orkney Care and Repair**

Address: 39a Victoria Street, Kirkwall, KW15 1DN.

Telephone: 01856873369.

Fax: 01856875657.

Email: [admin@orkneycareandrepair.co.uk](mailto:admin@orkneycareandrepair.co.uk)

## **Police Scotland**

Address: Burgh Road, Police Station, Kirkwall, KW15 1HH.

Emergency Telephone: 999.

Report a crime Telephone: 101.

## **Health Services**

### **Balfour Hospital**

Address: Foreland Road, Kirkwall, KW15 1NZ.

Tel: 01856888000.

### **NHS Orkney**

Address: Foreland Road, Kirkwall, KW15 1NZ.

Telephone: 01856888000.

Email: [ork-hb.feedback@nhs.net](mailto:ork-hb.feedback@nhs.net)

## **National Organisations**

### **Equalities and Human Rights Commission**

Address: The Optiman Building, 58 Robertson Street, Glasgow, G2 8DU.

Telephone: 01412285910 (non-helpline calls only).

Email: [scotland@equalityhumanrights.com](mailto:scotland@equalityhumanrights.com)

Website: <https://www.equalityhumanrights.com/en/commission-scotland>

### **Scottish Domestic Abuse Helpline**

Telephone: 08000271234.

Website: [www.scottishdomesticabusehelpline.org.uk](http://www.scottishdomesticabusehelpline.org.uk)

### **Scottish Public Services Ombudsman**

Address: 4 Melville Street, Edinburgh, EH3 7NS.

Telephone: 08003777330.

Fax: 08003777331.

Website: <http://www.spsso.org.uk/contact-us/>

## **Shelterline**

Tel: 08088004444 (Free 24 hour advice).

Website: <https://scotland.shelter.org.uk/>

## **The Mental Welfare Commission for Scotland**

Address: Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD.

Helpline: 08003896809.

Telephone: 01313138777.

Email: [enquiries@mwscot.org.uk](mailto:enquiries@mwscot.org.uk)

Website: <https://www.mwscot.org.uk/>

## **Turning Point Scotland**

Address: 54 Govan Road, Glasgow, G51 1JL.

Telephone: 01414278200.

Fax: 01414278201.

Email: [info@turningpointscotland.com](mailto:info@turningpointscotland.com)

Website: <https://www.turningpointscotland.com/>

## **Voluntary Sector**

### **Age Concern**

Address: 46 Victoria Street, Kirkwall, KW15 1DN.

Telephone: 01856872438.

Fax: 01856875455.

Email: [enquiries@agescotlandorkney.org.uk](mailto:enquiries@agescotlandorkney.org.uk)

### **Childline (16 to 18 year olds)**

Address: NSPCC Weston House, 42 Curtain Road, London, EC2A 3NH.

Telephone: 08001111.

Website: <https://www.childline.org.uk/>

### **Citizens Advice Bureau**

Address: Anchor Buildings, 6 Bridge Street, Kirkwall, KW15 1HR.

Tel: 01856875266.

### **Crossroads Orkney**

Address: Orkney Carers Centre, Kirkwall Travel Centre, West Castle Street, Kirkwall, KW15 1GU.

Tel: 01856870500.

Email: [carers@crossroadsorkney.co.uk](mailto:carers@crossroadsorkney.co.uk)

### **Home Start**

Address: 7 Main Street, Kirkwall, Orkney, KW15 1BU.

Telephone: 01856870770.

Email: [postmaster@homestartorkney.org.uk](mailto:postmaster@homestartorkney.org.uk)

Website: <https://www.home-start.org.uk/home-start-orkney>

### **Men's Aid**

Address: 28 Penryn Road, Walsall, WS5 3EU.

Helpline: 03335670556.

Email: [help@mensaid.co.uk](mailto:help@mensaid.co.uk)

Website: <https://www.mensaid.co.uk/>

### **Orkney Blide Trust**

Address: 54 Victoria Street, Kirkwall, Orkney, KW15 1DN.

Telephone: 01856874874.

Email: [admin@blidetrust.org](mailto:admin@blidetrust.org)

Website: <https://www.blidetrust.org.uk/>

### **Orkney Disability Forum**

Address: 18 Junction Road, Kirkwall, KW15 1AB.

Telephone: 01856870340.

E-mail: [info@odforkney.com](mailto:info@odforkney.com)

### **Relationships Scotland**

Address: The Counselling Support Centre Kirkwall Travel Centre, West Castle Street, Kirkwall, KW15 1GU.

Telephone: 01856877750.

Email: [enquiries@rsorkney.org.uk](mailto:enquiries@rsorkney.org.uk)

### **Samaritans**

Address: Kirkwall Travel Centre, West Castle Street, Kirkwall, Orkney, KW15 1GU.

Tel: 01856875875.

National Helpline: 08457909090.

Email: [jo@samaritans.org](mailto:jo@samaritans.org)

External Website <https://www.samaritans.org/?nation=scotland>

### **The Talking Newspaper**

Address: Orkney Library, 44 Junction Road, Kirkwall, KW15 1AG.

Telephone: 01856873166.

### **Victim Support**

Address: Anchor Buildings, Kirkwall, KW15 1HR.

Telephone: 01856871965.

Email: [victimsupport.orkney@victimsupportscotland.org.uk](mailto:victimsupport.orkney@victimsupportscotland.org.uk)

Website: <https://victimsupport.scot/>

### **Voluntary Action Orkney**

Address: Anchor Buildings, 6 Bridge Street, Kirkwall, KW15 1HR.

Telephone: 01856872897.

Fax: 01856873167.

Email: [enquiries@vaorkney.org.uk](mailto:enquiries@vaorkney.org.uk)

### **Women's Aid Orkney**

Address: Junction Road, Kirkwall, KW15 1AX.

Telephone: 01856877900.

Email: [info@womensaidorkney.org.uk](mailto:info@womensaidorkney.org.uk)