

Do I have a priority need for housing?

The third in a series of five factsheets that considers the issues that a council will look at if you apply to them for housing if you are homeless.

This factsheet looks at who has a priority need for accommodation.

Having a priority need means that the council must normally provide accommodation for you, at least temporarily. Not everyone who is homeless has a priority need because the legal meaning of who has a priority need is much more limited.

Who has a priority need?

You will normally have a priority need if you:

- are pregnant
- have (a) dependent child(ren) who normally lives with you
- have been made homeless by a fire, flood or a similar emergency
- are aged 16 or 17 (social services may also have a duty to accommodate and support you)
- are aged 18, 19 or 20 and were 'looked after' (even for one day) by social services when you were aged 16 or 17, or
- are a 'vulnerable' person (see below).

You will normally have a priority need if anyone in this list is part of your household.

Who is a vulnerable person?

In deciding whether you are vulnerable, the council should look at your situation as a whole and decide whether your circumstances mean that you are more likely to suffer injury or harm if you have to sleep on the streets than other people would in the same situation. In particular, the council will look at whether:

- you are an older person
- you have a physical or learning disability or mental health problems
- you had to leave your home because of violence or harassment, or
- you have been in care, the armed forces, a young offenders' institute or prison in the past.

The council will not automatically consider you to be vulnerable if you fit one of these categories, so it is important that you tell the council about any personal circumstances that make it difficult for you to cope with being homeless.

Duty owed

If the council believes you may be homeless, eligible for assistance, and have a priority need*, it must provide you with temporary accommodation if you need it (see below), while it carries out its inquiries into your application. If the council has no reason to believe that you have a priority need, it does not have to provide you with any accommodation, although it can choose to do so.

If the council then decides you are homeless, eligible for assistance, and have a priority need, it may have a long-term duty to find housing for you but it will consider whether you made yourself intentionally homeless first. We will look at what this means in the fourth factsheet.

Temporary accommodation

You may be offered self-contained temporary accommodation, such as a flat, but often it will be in a hostel or bed and breakfast accommodation. If you are pregnant or have a dependent child, you must not be placed in bed and breakfast accommodation for more than six weeks.

Negative decisions

You have the right to request a review of a decision that you do not have a priority need, but you must make your request within 21 days of being notified of the decision. If the decision concerns an offer of temporary accommodation, you may have to take legal action.

Further advice

You can get further advice from Shelter's free** housing advice helpline (0808 800 4444), a local Shelter advice service or Citizens Advice bureau, or by visiting shelter.org.uk/advice

* Each of these terms has a special legal meaning which is explained in the relevant factsheet in the series.

** Calls are free from UK landlines and main mobile networks



Specialist support on housing advice

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