



# Homelessness Act 2002

## 2002 CHAPTER 7

### *Other functions relating to homelessness*

#### **12 Co-operation in certain cases involving children**

After section 213 of the 1996 Act (co-operation between relevant housing authorities and bodies) there is inserted—

##### **“213A Co-operation in certain cases involving children**

- (1) This section applies where a local housing authority have reason to believe that an applicant with whom a person under the age of 18 normally resides, or might reasonably be expected to reside—
  - (a) may be ineligible for assistance;
  - (b) may be homeless and may have become so intentionally; or
  - (c) may be threatened with homelessness intentionally.
- (2) A local housing authority shall make arrangements for ensuring that, where this section applies—
  - (a) the applicant is invited to consent to the referral of the essential facts of his case to the social services authority for the district of the housing authority (where that is a different authority); and
  - (b) if the applicant has given that consent, the social services authority are made aware of those facts and of the subsequent decision of the housing authority in respect of his case.
- (3) Where the local housing authority and the social services authority for a district are the same authority (a “unitary authority”), that authority shall make arrangements for ensuring that, where this section applies—
  - (a) the applicant is invited to consent to the referral to the social services department of the essential facts of his case; and
  - (b) if the applicant has given that consent, the social services department is made aware of those facts and of the subsequent decision of the authority in respect of his case.

---

*Changes to legislation: There are currently no known outstanding effects for the Homelessness Act 2002, Section 12. (See end of Document for details)*

---

- (4) Nothing in subsection (2) or (3) affects any power apart from this section to disclose information relating to the applicant's case to the social services authority or to the social services department (as the case may be) without the consent of the applicant.
- (5) Where a social services authority—
- (a) are aware of a decision of a local housing authority that the applicant is ineligible for assistance, became homeless intentionally or became threatened with homelessness intentionally, and
  - (b) request the local housing authority to provide them with advice and assistance in the exercise of their social services functions under Part 3 of the Children Act 1989,
- the local housing authority shall provide them with such advice and assistance as is reasonable in the circumstances.
- (6) A unitary authority shall make arrangements for ensuring that, where they make a decision of a kind mentioned in subsection (5)(a), the housing department provide the social services department with such advice and assistance as the social services department may reasonably request.
- (7) In this section, in relation to a unitary authority—
- “the housing department” means those persons responsible for the exercise of their housing functions; and
  - “the social services department” means those persons responsible for the exercise of their social services functions under Part 3 of the Children Act 1989.”

---

#### **Commencement Information**

- II** S. 12 wholly in force at 1.10.2002; s. 12 not in force at Royal Assent see s. 20(1); s. 12 in force for W. at 30.9.2002 by S.I. 2002/1736, art. 2(1), Sch. Pt. 1; s. 12 in force for E. at 1.10.2002 by S.I. 2002/1799, art. 3

**Changes to legislation:**

There are currently no known outstanding effects for the Homelessness Act 2002, Section 12.