



Sent by email:

Lord McConnell of Glenscorrodale  
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5 March 2021

Dear Jack,

**DOMESTIC ABUSE BILL: HOMELESSNESS**

During the debate in Committee on 8 February on amendment 146A tabled by Lord Young of Cookham, I undertook to write to you in response to your question in relation to local connection and specifically the operation of local connection criteria across national borders within the UK.

Under current legislation, local authorities must ensure that the conditions for referral are met before referring an applicant to another authority where they have a local connection. However, in cases of domestic abuse, the conditions for referral will not be met if a victim would be at risk of violence in the area in which they do have a local connection and therefore they cannot be referred.

The Homelessness Code of Guidance is statutory guidance which all local authorities in England must have regard to. It reflects homelessness legislation and the duties and powers housing authorities have towards people who are homeless or at risk of homelessness. The Homelessness Code of Guidance makes clear that a housing authority is under a positive duty to enquire whether the applicant would be at risk of further violence and stipulates that authorities should not impose a high standard of proof of actual violence in the past when making its decision.

You can find the Homelessness Code of Guidance here:

[https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/Current\\_Homelessness\\_Code\\_of\\_Guidance.pdf](https://assets.publishing.service.gov.uk/media/5ef9d8613a6f4023cf12fc67/Current_Homelessness_Code_of_Guidance.pdf)

The Homelessness Code of Guidance reflects the underpinning English legislation. However, local authorities in Scotland, England and Wales have agreed procedures for local connection referral between authorities, and for resolving disputes that arise when housing

authorities are unable to agree whether conditions for a referral from one authority to another are met.

These procedures are set out in the Local Authorities Agreement. This is an agreement between the Local Government Association in England, the Convention of Scottish Local Authorities and the Welsh Local Government Association and governs referrals between the nations. Although the homelessness legislation differs in each nation, this agreement is one which England, Scotland and Wales each uphold.

Scotland, England and Wales all have provision in their respective legislation which prevents them from referring applicants to areas in which they are at risk of domestic violence.

You can read the full details of the procedures here:

[Guidelines for Local Authorities on procedures for referral](#)

I am copying this letter to Lord Young of Cookham, Lord Randall of Uxbridge, Baroness Finlay of Llandaff, Baroness Hamwee, Lord Kennedy of Southwark, Baroness Bull, Lord Cormack, Baroness Armstrong of Hill Top and Baroness Burt of Solihull. I am also placing a copy in the library of the House.

A handwritten signature in black ink, appearing to read 'Susan', written in a cursive style.

**Baroness Williams of Trafford**