



My Ref: FOI5221
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

We understand that a local authority's housing department can discharge its statutory duties when it secures suitable accommodation for Applicants under section 193 Housing Act. We are interested in all information and documents relating to the steps taken by your authority's housing department following an Applicant's acceptance or refusal of an offer under section 193 of the Housing Act, including the procedures for notifying Applicants about the consequences of acceptance and refusal, their rights to review, and the termination of the 'main housing duty' under section 193 of the Housing Act.

Questions:

1. Please provide copies of any policies, guidelines and/or training prepared and/or followed by your authority's housing department which relate to the practice of notifying Applicants of an Offer in discharge of the 'main housing duty', and the steps to be taken by your authority's housing department where an Applicant accepts or refuses an Offer.

The Council has regard to the following:

- Housing Act 1996 (S193A)
- Homelessness Code of Guidance, Feb 2008 (updated Dec 2025)
- Shelter Legal website ([Shelter Legal England - When main housing duty is ended - Shelter England](https://shelter.org.uk/when-main-housing-duty-is-ended))

2. Please confirm what information is provided, and in what format, to Applicants when your authority's housing department makes an Offer in discharge of the 'main housing duty'. In particular:

(a) Please confirm whether, and if so how, Applicants are advised in relation to:

(i) the potential consequences of accepting or refusing an Offer, including as regards the potential termination of the authority's 'main housing duty'; and

(ii) the Applicant's right to request a review.

Offers are communicated both verbally and in writing. Interpreters and translation services are used where necessary.

(b) To the extent your authority's housing department uses any templates and/or precedents for such communications, please provide copies of the same.

Please see attached

(c) Please provide copies of the information provided to the Applicants in receipt of the five most recent Offers made by your authority's housing department, including the Offer itself and any subsequent correspondence.

This information is exempt from release under section 40(2) of the Freedom of Information Act 2000. This is due to the information requested concerning personal data of third parties communicating with the council and disclosure would contravene the data protection principles.

3. Please confirm what information is provided, and in what format, after an Applicant accepts or refuses an Offer and your authority's housing department terminates its 'main housing duty'. In particular:

(a) Please confirm whether it is your authority's housing department's practice to always send a separate letter to notify the Applicant of the termination of the 'main housing duty' after the acceptance or refusal of an Offer.

The council does not routinely provide separate confirmation of the discharge of duty following the Part VI offer letter.

(b) Please confirm, and if so how, Applicants are advised in relation to:

(i) the consequences of your authority's housing department terminating its 'main housing duty'; and
(ii) the Applicant's right to request a review.

Applicants are notified of the consequences of accepting or refusing an offer and that this will end the main housing duty, along with the right to request a review, in the main duty notification and the Part VI offer letter.

(c) To the extent your authority's housing department uses any templates and/or precedents for such communications, please provide copies of the same.

N/A

(d) Please provide copies of the information provided in the five most recent cases where an Applicant has accepted or refused an Offer and your authority's housing department has terminated its 'main housing duty'.

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N/A

4. If your authority's housing department's approach to notifying Applicants of Offers and/or the steps to be taken where an Applicant refuses an Offer is currently under and/or has been subject to review and/or legal challenge, please provide further details (and if already known, the outcome of that review and/or legal challenge).

N/A

If you have any queries about this letter, please contact Information Requests Via email.

Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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