



Advice for homeless people who have been the victims of trafficking and modern slavery about their rights to accommodation and support

If you are homeless and have been the victim of trafficking or modern slavery and you go to the Council for help then they will have a duty to notify the Home Office by contacting the National Referral Mechanism, and to make a safeguarding plan which should include a plan for your accommodation.

Help from the National Referral Mechanism

Under the National Referral Mechanism, you should be provided with temporary housing in a safe house and financial support by the Salvation Army whilst the Home Office investigate whether you have been a victim of trafficking and provide a decision. During this time you should be given the option of returning home or applying for discretionary leave to remain in the UK (which should then give you a right to help from your local council's homelessness department and to apply for mainstream benefits).

The Home Office can agree to extend your time in the safe house if you are still waiting for your Discretionary Leave decision or there is a real risk that you will be left without accommodation and support.

If you have reasons why you do not want to go into the safe house or you have left the safe house and then become homeless, the Council's duty to help you will depend on whether you have been given leave to remain by the Home Office or a right to reside under EU law that allows you access to public funds.

Help from the Homelessness Department

If you have access to public funds, then you should be entitled to help from the Council's homelessness department. You can find out more about how to make a homelessness application and the duties that the Homelessness Department they have to help homeless here: <https://www.gmlaw.org.uk/housing/homeless-people/r1/>.

It is important to remember that if you have been a victim of trafficking then you may be in **priority need** due to:

- any continuing mental health problems or trauma that you are suffering as a result of your experiences,
- your lack of family or other support, or
- the increased risk of harm and re-trafficking or exploitation if you are left without accommodation.

The Council has to consider the UK's responsibilities to look after victims of trafficking under European law when making decisions about the duty they have to help you.

Help from the Social Services Department

If you do not have access to public funds, then you may be entitled to help from Social Services if you:

- have children who live with you – you can find out more about how to ask for help from Social Services and the duties that they have to help homeless people with children here: <https://www.gmlaw.org.uk/housing/homeless-people/r2/>.
- are age 16 or 17, or are a care leaver under the age of 21 – you can find out more about how to ask for help from Social Services and the duties that they have to young homeless people here: <https://www.gmlaw.org.uk/housing/homeless-people/r3/>, or
- have needs for care and support as a result of any mental or physical health problems.

If you do not have care needs or they are not serious enough for Social Services to owe you a duty to provide you with accommodation, the Council still have a power to provide you with accommodation either under the s19(1) of the Care Act or s1 of Localism Act.

In cases where you have no other help and your human rights will be breached if the Council do not use their powers to help you with accommodation or financial support, then their powers to help you can be turned into a duty – you can find out more about how to ask for help from Social Services and the duties that they have to help homeless people (without children) here: <https://www.gmlaw.org.uk/housing/homeless-people/r4/>.

How to contact the Council's homelessness department or Social Services

You should be able to find out how to contact the correct team by using the Council numbers below:

Manchester:	0161 234 5000 (main Council number) 0161 227 3901 The "No Recourse to Public Funds: Team at 128 Gorton South Office, Mount Road, M18 7GS
Bolton:	01204 333 333
Bury:	0161 253 6565
Oldham:	0161 770 3000
Rochdale:	0161 253 6565
Salford:	0161 793 2500
Stockport:	0161 217 6111
Tameside:	0161 330 3818
Trafford:	0161 912 2000
Wigan:	01942 486386

Legal Aid is available for homelessness advice and homelessness challenges and so you should always seek advice if you need help from a solicitor or legal advisor, if you are a victim of trafficking and need advice or assistance about your rights to accommodation and support.