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## Evidence checklist: requesting support from the local authority

This is a comprehensive guide to evidence gathering for Section 17 Children Act 1989 support. You should aim to collect as much supporting evidence as possible and explain any gaps or missing bits of information.

If the situation is urgent, you should approach social services as soon as possible and begin collecting evidence as soon as you're able to.

### **Financial information:**

- 6 months' bank statements
- 6 months' payslips
- P45 and or P60 from your jobs
- Child Benefit letter
- Child Maintenance letter
- Letters confirming support from friends and family.
- Letters from professionals confirming financial situation
- Income/expenditure breakdown: keep a record of all the money you receive and all the money you spend for 3-4 weeks
- Bills
- Letters confirming debts

### **Housing information**

- Letter from person providing housing. If you are being asked to leave, the letter should say when.
- Letters from professionals confirming housing situation
- Tenancy agreement
- Rent account showing arrears
- Notice to quit
- Possession order/warrant from the court
- Photos

### **Employment**

- If job-hunting, copies of applications/rejection letters
- Contract of employment
- 6 months' payslips

## Immigration

- Copy of your original immigration application
- Biometric residence permit (BRP)
- Home Office letter granting leave to remain
- Passports
- Acknowledgement of outstanding application
- Letter of advice from solicitor

## Other

- Medical evidence
- Birth certificates for children
- Evidence of domestic violence

# Finances

## 6 months' bank statements (if printed out, get them stamped by the bank)

- Statements should be given for every single open bank account for the past **6 months**.
- Details and proof of any closed or inactive accounts should also be given.
- Annotate the statements to explain transactions into an account.
  - Label any transactions from friends/family and explain what the money was used for if possible.
  - Highlight any transfers between your own accounts (eg from a savings account to a current account)
  - Explain any loans and ask your friend to write a letter confirming this.
  - If you have let someone else use your bank account, ask them to write a letter confirming this.

## 6 months' payslips

- It may be helpful to calculate precisely what your income is and present this information to the local authority.
- You can highlight in your bank statements your income from employment and use your payslips as evidence of this.

## Letters confirming support from friends and family.

- Where help is received from friends it may be helpful to provide the following:
  - a) The date and the signature of the person writing the letter
  - b) How they know you and for how long.
  - c) What support they have been giving. It is important to be as specific as possible.
  - d) If that support has ended, or is going to end, the end date should be given.
  - e) Why the support has ended.
  - f) If possible, the person providing the letter should agree that they can be contacted to discuss the matter further if necessary. They should provide their contact details.

**NB. Later on if it becomes necessary to bring a claim for judicial review, these friends may need to provide witness statements confirming what is said in their letters.**

### **Letters confirming debts**

- Documents showing money owed to friends, store cards, unpaid bills (council tax, utilities, telephones), rent arrears can help illustrate a family's situation and show that they do not have an income that suffices to meet needs.

### **P45 and or P60 from your jobs**

- You can request these from your current or previous employer if you do not have a copy.

### **Child Benefit letter**

- If you are receiving child benefit from the government, it is useful to provide a copy of this letter.
- It will be used as evidence of any income that you have.

### **Child Maintenance letter**

- If you are receiving voluntary child maintenance payments from your ex-partner, you can ask them to write a support letter detailing the amount they provide and the frequency of payments.
- If you are receiving child maintenance support through the government, you should provide the confirmation letter that you received.

### **Letters from professionals confirming financial and housing situation (e.g. charities, GP, health visitor, school, religious institutions)**

- If you are working with other charities, you can ask them to provide a 'support letter' explaining the support that they have given you and your family.
- Likewise, you can ask your GP, health visitor, and an employee of your child's school for a letter confirming attendance and detailing your current situation.
- You can ask members of your religious institutions for support letters too.

### **Bills**

- You should try to get copies of any bill payments that you regularly make, eg mobile phone bill, water, gas, electric, tv, school lunches.

### **Evidence of employment**

- If you are employed, you should provide your contract of employment and 6 months' payslips (or if you do not receive payslips explain this).
- If you are job-hunting, you can show the local authority copies of applications or rejection letters.

## Income/expenditure breakdown

- Keep a record of all the money you receive and all the money you spend for 3-4 weeks

# *Housing*

## Accommodation history

List all addresses for the past 5 years, including:

- a) Dates in the accommodation
  - b) Addresses
  - c) Who you were staying with
  - d) Any rent paid
  - e) Reason for leaving
- If you have been staying with friends, contact details of the friends you have stayed with over the last 6 months should be provided.
  - It is important that there are no gaps because if it is discovered that you have lived elsewhere during this period, it calls into question why you did not disclose it.

## Evidence of eviction

- a) Notices to quit
  - b) Court orders or warrants
  - c) Rent account showing arrears
  - d) Letter from friend asking you to leave. If you have been asked to leave, the letter should say when.
- If the person you are staying with refuses to provide a letter, then the local authority should be given their contact details.
  - You might not want to tell a local authority where you have been living or give the contact details of the person with whom you have been staying. It is your decision as to what information you provide, and this should be respected. However, not telling the local authority where you have been staying may lead to the local authority refusing to help you, and that it may not be possible to challenge such a decision in these circumstances.

## Unsuitable housing

- If the accommodation is unsuitable, such as being overcrowded or in bad condition, then you should take photographs as evidence.

# *Immigration*

## **If you have leave to remain/right to reside:**

- a) Biometric residence permit
- b) Passport
- c) Home Office grant letter
- d) Evidence of EU right to reside

## **If you have an outstanding immigration application:**

- a) Home Office acknowledgement letter
- b) Proof of delivery of application
- c) Copy of application, if requested. Be aware that discrepancies between the immigration application and the situation as presented to the local authority, such as a claim in the applications that a friend or family member is financially supporting you, will need to be explained.

**NB. The local authority may update the Home Office with any changes of circumstances, so immigration advice may be needed if this change could affect a person's leave to remain.**

## **If you do not have leave to remain or an outstanding application:**

- a) Evidence that an immigration adviser has been instructed
- b) Evidence of any possible applications that could be made
- c) Details of plans to instruct an adviser
- d) If known, details of any basis on which an application for leave to remain could be made, and human rights implications of return

# *Other*

## **Health complaints or disabilities**

- Where possible, supporting documentation should be provided. If any of your children have any special education needs, then details of the school and other supporting agencies should be provided. Similarly, if you or your partner have any health or disability needs, it may be helpful to provide any medical records or letters from health practitioners.

## **Absent parent**

- The local authority will want information about an absent parent and will expect the absent parent to provide some financial assistance. You should expect to explain:
  - a. What support you are currently receiving (again, be specific) and when you last received support.
  - b. What efforts you have made to obtain financial support from the absent parent and the result of such efforts.

- c. If the whereabouts of the absent parent is unknown, the local authority should be told this, as well as when they lost contact and of any effort to try and find them again.
- d. If there are good reasons why you do not want to contact the absent parent (for example, if there was domestic violence) this should be explained too.

### **Birth certificates for children**

- If you do not have access to these, please explain why (eg they are with the Home Office).

### **Evidence of domestic violence**

- This can include police reports, DASH risk assessments, and witness statements or letters of support from professional agencies as well as friends and family.