

Temporary Accommodation Policy for Homeless Applicants

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1.0 Introduction

- 1.1 Part VII of the Housing Act 1996 ('the 1996 Act') Section 188 (1) requires housing authorities to secure that accommodation is available for an applicant (and their household) if they have reason to believe that the applicant may be homeless, eligible for assistance, and have a priority need. Typically the Council will utilise a range of accommodation types to discharge this duty including accommodation within our own stock, private sector leased accommodation and bed and breakfast.
- 1.2 Section 206 (1) of the 1996 Act requires that, when discharging a duty to secure accommodation for an applicant who is homeless, or threatened with homelessness, a local housing authority must ensure that the accommodation is suitable.
- 1.3 This policy ensures that the Council meets its statutory requirements to allocate suitable temporary accommodation to applicants under its homelessness duties.

2.0 Types of temporary accommodation

- 2.1 The Council uses the following types of temporary accommodation for homeless applicants:

- Private sector leased accommodation (PSL)
- Accommodation within our own HRA stock
- Bed and breakfast
- Other nightly paid, privately managed facilities - shared facilities
- Other nightly paid, privately managed facilities - self contained
- Accommodation owned by the council (non HRA properties)
- Hostel (Wellington House or Refuge)

2.2 The Council does not have sufficient units of temporary accommodation within its owned and managed stock and as a result depends on a supply of third party owned properties to meet the demand of providing temporary accommodation for homeless households.

2.3 In addition, the Council purchases properties on the open market to use for temporary accommodation.

2.4 The Council will continually monitor the number of homeless households requiring temporary accommodation in order to try and secure a sufficient supply to meet anticipated demands.

3.0 Allocating temporary accommodation

3.1 When allocating temporary accommodation the Council will take into consideration each applicant's circumstances.

3.2 The following table provides an order of preference of how we allocate to the different types of temporary accommodation by household type.

Single / couples	Families
1) Hostel (Wellington House)	1) Non HRA property / PSL
2) Non HRA property / PSL	2) HRA stock
3) HRA stock	3) Nightly paid self-contained (emergency only)
4) Bed & breakfast	4) Bed & breakfast (emergency only)
5) Nightly paid – shared facilities	
6) Nightly paid – self contained	

- 3.3 When a private sector leased accommodation or non HRA property becomes vacant, officers will check to see if the property would be suitable for a household accommodated in bed and breakfast or nightly paid accommodation before the property is allocated to any other household.
- 3.4 The decision of who to offer what type of accommodation to will take into consideration household composition (e.g. number of household members, age/gender of children and any medical needs) and length of stay in bed and breakfast or nightly paid accommodation.
- 3.5 Due to a shortage of suitable accommodation locally there may be occasions when a household will be offered temporary accommodation in another local authority area. In these cases we will ensure the applicant is placed as close as possible to Kettering Borough.
- 3.6 We will check for accommodation within the Borough first and secondly within the County, due to better links to support services. If there is no availability, the Council will look at accommodation in the wider area.
- 3.7 If accommodation is provided outside of the Borough, then the Council will look to provide accommodation within the Borough at the earliest opportunity.

4.0 Use of bed and breakfast accommodation

- 4.1 Bed and breakfast means accommodation (whether or not breakfast is included):
- Which is not separate and self-contained premises; and
 - In which any of the following amenities is shared by more than one household:
 - A toilet
 - Personal washing facilities
 - Cooking facilities
- 4.2 Bed and breakfast is not satisfactory temporary accommodation for homeless households. Wherever possible, the use of bed and breakfast accommodation will be avoided.
- 4.3 Where it is used all households will be under regular review to ensure that as soon as alternative accommodation is available they can be

placed within it. The Council will maintain clear records of what steps have been taken to source alternative accommodation.

4.4 Use of bed and breakfast for families

4.4.1 In April 2004, the Government introduced legislation to limit the use of bed and breakfast accommodation for homeless families (The Homelessness (Suitability of Accommodation) (England) Order 2003). The law says bed and breakfast accommodation is not suitable for families with dependent children, including those who are pregnant. However, councils can use bed and breakfast accommodation as a last resort – but only for a maximum of six weeks.

4.4.2 If a family is placed in bed and breakfast as emergency accommodation or during out of hours, continued efforts will be made to find suitable accommodation during this period. It is not acceptable to wait until the six week limit has ended.

4.4.3 The Housing Options Team will conduct weekly checks to explore all options to find alternative accommodation and log all actions taken on the system. If finding alternative accommodation is proving difficult this will be escalated to the Homelessness Manager in the first instance and next to the Housing Solutions Manager if required.

4.5 Use of bed and breakfast for 16/17 year olds

4.5.1 In 2010, the Government introduced statutory guidance which said bed and breakfast accommodation is never suitable for 16 and 17 year olds and councils should ensure they have a sufficient supply of accommodation options for homeless young people.

4.5.2 The County Homelessness Protocol for 16-17 year olds is in place to ensure Northamptonshire partners work together to provide a consistent and co-ordinated response to young people who present as homeless and in need of accommodation or accommodation-related support.

4.5.3 If a 16-17 year old presents as homeless to the Council, we will try and negotiate with the family in the first instance and provide suitable temporary accommodation if needed. Occasionally this may have to be bed and breakfast if there is no alternative accommodation available but the Council will continue to monitor those in temporary accommodation and provide the appropriate support.

4.5.4 The Children and Young Persons Service at Northamptonshire County Council have 10 days to conduct their initial assessment from the point of referral to ensure the young person has the appropriate support.

4.5.5 An initial assessment will be completed by the Multi Agency Safeguarding Hub (MASH) to determine what action needs to be taken to prevent the young person from becoming homeless again.

5.0 Suitability of accommodation

5.1 The Housing Options Team will arrange temporary accommodation taking into account the statutory requirements on local authorities in respect of suitability of accommodation based on individual circumstances of the homeless applicant and their family.

5.2 The Government has issued three statutory instruments (known as Suitability Orders) which help to define suitability:

1. The Homelessness (Suitability of Accommodation) Order 1996 (S.I. 1996/3204), which covers the affordability of the accommodation for the household.
2. The Homelessness (Suitability of Accommodation) (England) Order 2003 (S.I. 2003/3326) which specifies the circumstances in which accommodation will not be regarded as suitable for certain types of households
3. The Homelessness (Suitability of Accommodation) Order 2012 (S.I. 2012/2601), in particular, paragraph 2 of the 2012 Order which requires consideration of:
 - (a) where the accommodation is situated outside the district of the local housing authority, the distance of the accommodation from the district of the authority;
 - (b) the significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household;
 - (c) the proximity and accessibility of the accommodation to medical facilities and other support which—
 - (i) are currently used by or provided to the person or members of the person's household; and
 - (ii) are essential to the well-being of the person or members of the person's household; and

(d) the proximity and accessibility of the accommodation to local services, amenities and transport.

5.3 Housing Options Team will consider the following when making an allocation of temporary accommodation:

- 1) Distance outside of the area
- 2) Affordability of the accommodation
- 3) Own Transport—including additional costs and the impact of these
- 4) Public Transport
- 5) Employment
- 6) Caring arrangements
- 7) Children's schools, including availability of school places to transfer to in the new area, any statement of special educational need or educational health care plan, and whether any child is at a pivotal point of education, i.e. GCSE or A level years
- 8) Medical needs of the household
- 9) Other factors as raised by the applicant

Evidence of the consideration of these factors must be recorded in Form A (Appendix).

6.0 Persons requiring disabled adapted properties

- 6.1 It can be particularly challenging to allocate suitable temporary accommodation to applicants who require disabled adapted properties.
- 6.2 The Council will ensure the accommodation meets the requirements of the household and options will include utilising own stock where possible or sourcing suitable ground floor accommodation from a nightly paid provider.
- 6.3 For single person households who meet the Silver Service eligibility criteria (e.g. age, support etc.), guest flats within sheltered housing schemes will be utilised, if they are available.

7.0 Overcrowding

- 7.1 It can be challenging to source appropriate accommodation for larger households. This may require households to be placed in accommodation where there is no living room or where siblings are required to share a room.

- 7.2 If this happens then we will look to move households as soon as more suitable accommodation becomes available.

8.0 Placements outside of area

- 8.1 If there is a need to place a family outside of the Borough, we will assess the level of disruption caused by the location of the accommodation with regard to employment, education, health needs distance and mobility (see sections 5.2 and 5.3 for more details).
- 8.2 If there is a need to place a family outside of the Borough, the Council will contact the Local Education Authority to make them aware of this.
- 8.3 The host local authority of the temporary accommodation will be notified by the council via email if it is within the County and in writing if it is a placement outside of the County.
- 8.4 Households will be given sufficient time to make a decision on an out of area placement offer and will be provided with information on the area. This will include contact details of the local Social Services authority and the provider of accommodation.
- 8.5 When making out of area placements the Housing Options Team will evidence how the decision was made acknowledging each household's collective and individual needs on a case by case basis.
- 8.6 When placing a household outside of the borough, the Council will consider arranging transport for the household from the Council offices to the temporary accommodation on the first day placed in the temporary accommodation and from the temporary accommodation back to the Council offices on the last day of placement.

9.0 Dealing with complaints about temporary accommodation

- 9.1 The council is responsible for making sure all temporary accommodation is suitable.
- 9.2 The council will contact third party providers to confirm that their accommodation complies with the required standards and will conduct a regular inspection of 10% of properties being used at the time for temporary accommodation.

- 9.3 The temporary accommodation offer letter will include contact details of the accommodation provider. Clients will be advised to contact the provider directly with complaints about repairs and property conditions in the first instance.
- 9.4 We will intervene in complaints about disrepair issues in temporary accommodation when they are not adequately resolved by the external provider. If complaints about disrepair issues in temporary accommodation are not adequately resolved between the client and contract provider, the council will contact the provider directly and decide the appropriate course of action.
- 9.5 If the complaint is about a council property, then this will be resolved through the council's corporate complaints process.

10.0 Rights to review

- 10.1 Applicants have the right to request a review of the suitability of their temporary accommodation when the council accepts a full duty under section 193 of the 1996 Act.
- 10.2 The right to request a review of the suitability of temporary accommodation does not apply in the case of interim accommodation secured under section 188 of the 1996 Act, while homelessness enquiries are undertaken.
- 10.3 Applicants accepted as homeless under section 193 of the 1996 Act, are advised of this in the temporary accommodation offer letter and will be notified of their right to review every time they are provided with new temporary accommodation.

11.0 Storing personal belongings

- 11.1 Under section 211(1) and (2) of the 1996 Act, housing authorities are required to protect the personal property of a homeless applicant when the council accepts a homelessness duty.
- 11.2 The council has a duty to take steps when it has reason to believe that:

- a) There is a danger of loss of, or damage to, the applicant's personal property
 - b) Because the applicant is unable to protect it or deal with it; and,
 - c) No other suitable arrangements have been, or are being, made
- 11.3 The Housing Options Team must be satisfied that the applicant meets the above criteria to decide if they are eligible for assistance with storage and / or removals.

12.0 Households with pets

- 12.1 Wherever possible and appropriate, applicants with pets should be placed in temporary accommodation where the pets can reside with them.
- 12.2 If this is not possible the applicant should make significant efforts to arrange suitable accommodation for the pet (e.g. with a family member / friend).
- 12.3 The Housing Options Team will offer advice and assistance when the applicant has exhausted all options.