



Housing Services
Temporary Accommodation
Allocation policy

Document Control

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v.2	Re-format / arising queries	27/05/20	SMT, Joe Agius - Strategy & Policy officer
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Equality analysis record

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1. Introduction

1.1 - Purpose of this policy

The purpose of this policy is to set out Havering Council's ("the Council") approach to the allocation of temporary accommodation ("TA") to households to whom it owes a homelessness duty.

1.2 - Aim of this policy

It is the Council's principal aim to ensure that eligible applicants that have been made, or have been threatened with, homelessness are allocated suitable and appropriate TA, thereby meeting both the housing need of the applicant and the Council's statutory duty. We should at all times make the best use of our TA stock and reduce costs to the council.

1.3 - Scope of this Policy

The scope of this policy extends to all Housing staff and all households in statutory need of emergency and temporary accommodation.

It does not apply to applicants for permanent Council housing.

1.4- Timescales for this policy

This policy will commence on 1 November 2020, and will be subject to review annually.

However, it may be revised before the scheduled, annual review date in order to accommodate the introduction of any necessary changes, such as legislative developments and any necessary minor amendments that may occur during the interim.

1.5- Legal context of this policy

The policy takes into account the following legal requirements:

- [Housing Act 1996](#)
- [Suitability of Accommodation Order 2012](#)
- [Homelessness Code of Guidance 2018](#)
- [Homelessness Act 2002](#)
- [Children's Act 2004](#)
- [Equality Act 2010](#)
- [Localism Act 2011](#)
- [Care Act 2015](#)
- [Homelessness Reduction Act 2017](#)
- [Data Protection Act 2018](#)

1.6 – Equalities and Diversity statement

The Council will ensure that this policy is, at all times, applied fairly to all sections of the community.

All applicants for housing will be invited to indicate if they wish to make use of the Council's translation and interpretation services, or if they require additional services

to enable them to access or understand the policy to ensure that they are not disadvantaged in any way.

They will also be invited to provide details of their ethnic origin, sexuality, disability and other equalities information. Provision of this information is not obligatory or a requirement for acceptance of an application.

Such information however, will help the Council to monitor the number and types of households with protected characteristics requiring TA, and will help ensure that service improvements evolve in line with any changing local needs.

Equalities records will be kept and monitored to ensure TA is allocated fairly. This policy will be reviewed annually to ensure it is not operated in any way that could discriminate or disadvantage against any particular group of people.

All information provided will be kept confidential and treated with respect at all times.

1.7 - Data protection statement

The Council takes personal privacy very seriously and will never share an applicant's personal data without their prior knowledge, unless required to do so by law.

For full details about how the Council protects personal data, please visit [Havering Council Data Protection policy](#).

2. Background

The Council recognises that people can become homeless at any time and for a variety of reasons. It therefore provides emergency and temporary accommodation under its duties to homeless households in accordance with Part 7 of the Housing Act 1996.

2.1 All TA is provided on an interim basis.

2.2 TA may be provided under emergency circumstances (where there is an immediate and urgent housing need, licence agreement), or under a longer-term arrangement (such as in the form of a non-secure tenancy agreement).

3. Temporary Accommodation in Havering

3.1 - Housing options

The Council offers TA to provide a short-term, interim accommodation solution until a suitable, longer-term solution is found.

3.11 The Council employs a range of housing options to help fulfil its TA housing duty to eligible applicants.

These take the form of:

- **Hostel accommodation**
- **Private-Sector Leased (PSL) accommodation**

A property that the Council leases for use by homeless households. These can be located within and outside the borough.

- **Short life accommodation**

A property purchased and owned by the Council that is currently available whilst awaiting redevelopment/demolition (usually as part of a wider, regeneration scheme).

- **Emergency room sheltered accommodation**

A form of sheltered housing for people who are normally able to live quite independently, but who now may require extra support such as the installation of an emergency alarm system, or the presence of a premises warden.

3.12 The Council will avoid the use of Bed & Breakfast (B&B) establishments to provide temporary accommodation.

3.13 In extreme situations, in order to keep applicants who are at risk of serious harm safe, such as fleeing from gangs, domestic abuse and a pandemic, the Council may consider B&B for short placements.

3.14 It is likely that in emergency circumstances, the applicant will initially be provided hostel accommodation, or, where necessary, Emergency Room sheltered, accommodation.

3.2 In-borough temporary accommodation

If suitable TA within the borough is available, priority will be given to those applicants with an existing connection to Havering.

3.21 Applicants will be placed in-borough unless it is in their best interest to be placed out of borough, or if the applicant has identified an area out of borough where they have family and support. This is to help ensure that these households are housed in TA that retains their established links with essential local services, such as primary care health treatment, social care, schools, etc.

3.22 However, exceptions to this may apply when, for example, a household member;

- has a critical or long-term medical condition where their treatment requires re-location to Havering;
- is subject to violence (such as domestic abuse, fleeing gangs, safeguarding concerns); or
- is subject to 'cuckooing'¹ or
- at risk of grooming in their current out-of-borough location.

3.3 Out-of-borough temporary accommodation

Section 208(1) of the Housing Act 1996, requires all Local Housing Authorities to secure accommodation within their own district 'so far as reasonably practicable'.

¹ Cuckooing is a form of crime, termed by the police, in which drug dealers take over the home of a vulnerable person in order to use it as a base for county lines drug trafficking.

- 3.31 Where there is however, a lack of available in-borough TA, the Council may employ out-of-borough alternatives. This may apply where an out-of-borough placement is required to ensure the safety of the household; for example, due to domestic abuse issues.
- 3.32 Individual circumstances that may affect the move to an out-of-borough placement will always be carefully considered before reaching a decision about the location of the TA, in line with the judgement made by the Supreme Court; *Nzolameso V Westminster City Council* 2015.
- 3.33 When an applicant is placed out of borough, notifications will be sent to the host borough, in line with the duties under Section 208 of the Housing Act 1996.
- 3.34 If an out of borough placement is reasonably practical or likewise where the applicant is to return to an in-borough placement, the Council will provide support and pre-plan the move with the household.

All potential TA allocations outside the borough, involving adults with care and support needs, will be preceded by a multi-agency planning discussion or meeting, to determine future support needs, how to access them and, dependent on those needs, the viability and timing of the move.

The Council will arrange a move subject to availability of suitable accommodation.

3.4 - Accommodation suitability and room/space standard

In deciding whether the TA is 'suitable', local authorities are required to take into account the provisions in:

- [Suitability of Accommodation Order 2012](#)
- [Homelessness Code of Guidance 2018](#)

- 3.41 The Council is committed to ensuring that TA offered to the eligible applicant household - including anyone who might reasonably be expected to reside with them - is suitable for occupation. That is to say that the TA offered is:
- Suitable accommodation for households with particular medical and/or physical needs. Physical access to and around the home, space, bathroom and kitchen facilities, access to a garden and modifications to assist people with sensory loss as well as mobility needs are all factors which might need to be taken into account.
 - Account will be taken of any social considerations relating to the applicant and their household that might affect the suitability of accommodation, including any risk of violence, racial or other harassment in a particular locality.
- 3.42 Accommodation that is suitable for a short period, for example accommodation used to meet an interim duty under section 188, may not necessarily be suitable for a longer period.

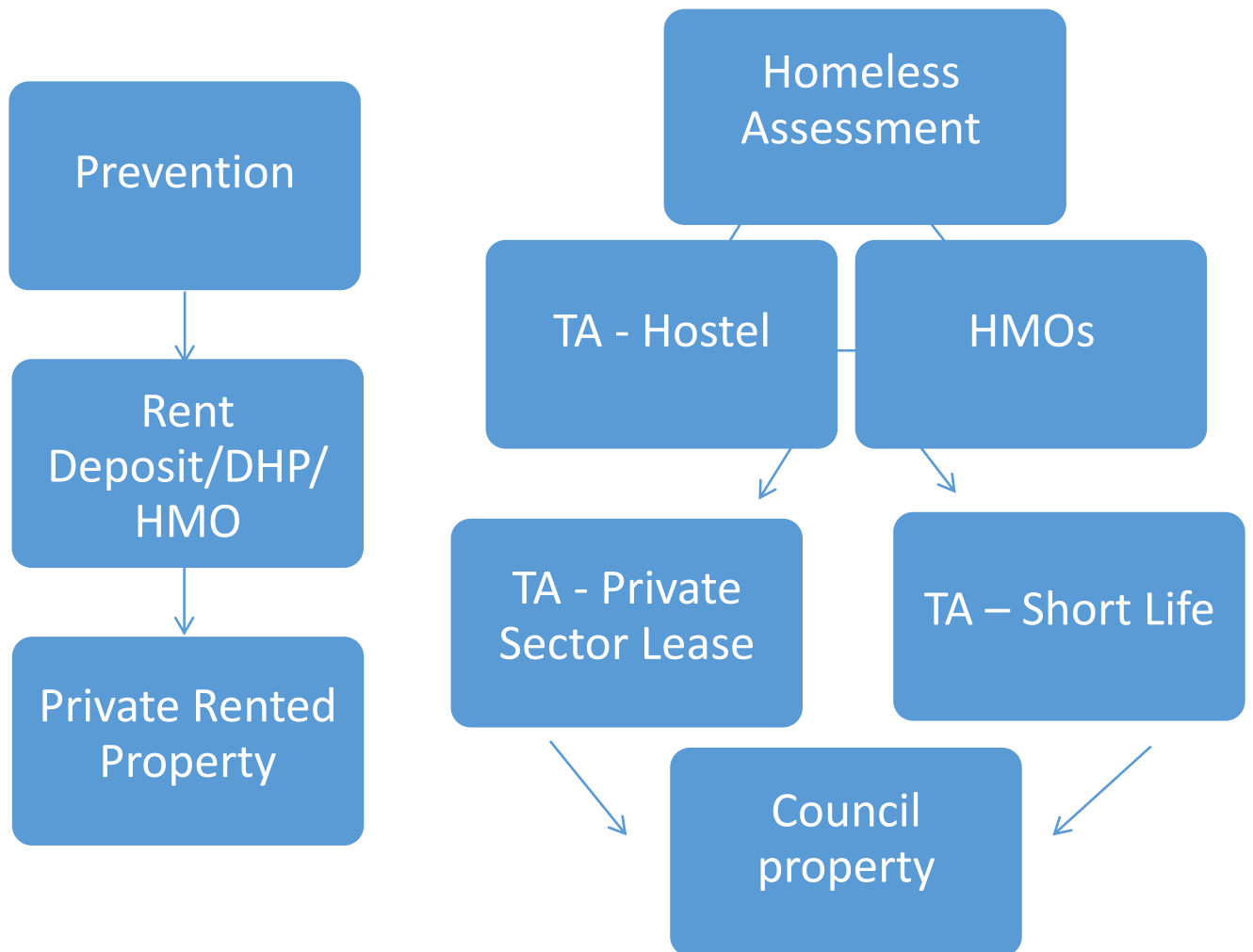
- 3.43 Following inquiries if main duty is accepted, for example, to meet a duty under section 193(2), the Council will provide alternative accommodation such as PSL or short life.
- 3.44 The Council has an obligation to keep the suitability of accommodation under review for section 193 applicants where the duty is ongoing. To respond to any relevant change in circumstances, which may affect suitability until the accommodation duty is brought to an end.
- 3.45 The Council will be alert to circumstances in which the suitability of accommodation will require more regular review because the applicant's needs are likely to change. This would include, for example, regularly reviewing the suitability of accommodation provided to applicants who are terminally ill and in need of palliative care.
- 3.46 TA offered will be considered suitable if it meets the above conditions and that of the hostels room standards (please see the Council's Hostel Policy and Lettable Standards).
- 3.47 The Council is committed to ensuring the most effective use of its limited social housing stock by making sure those properties are not being under-occupied. Consequently, the size of property offered to the applicant will be dependent on the size of the household. The following guidelines will be followed where possible:
- Separate bedroom for couples or single parents;
 - Two children per bedroom and separate bedroom for children over the age of 10 years of opposite sex
- 3.48 A room is available as sleeping accommodation if it is of a type normally used in the locality either as a living room or as a bedroom. It is not possible in TA to provide a separate living room. In hostels, shared cooking facilities may be provided.
- 3.49 No account shall be taken of a child under the age of one and a child aged one or over but under ten shall be reckoned as one-half of a unit, and there may be however occasions where, due to the availability of accommodation, when the above guidelines may not be possible to achieve. In such cases, the household will be moved to more appropriate accommodation as soon as possible.
- 3.50 Whilst the Council carries out their assessment of the applicant's duty, as aforementioned in section 3.1, the interim placement will likely to be hostel, or in extreme circumstances B&B.
- 3.51 Special consideration will be given in circumstances where extra storage for specialist medical equipment is required, or for when separate sleeping

arrangements for other members of the applicant's household for medical reasons are required.

3.52 The Housing Solutions team will complete a TA exceptional circumstances report to an Assistant Director of Housing, setting out the applicant's specific circumstances. The Assistant Director has the authority to consider if the planned placement is not suitable, therefore using an alternative placement option.

3.5 The Customer Journey into TA

The journey into TA can be summarised diagrammatically as follows:



3.6 Offer Refusal; Based on accommodation suitability

All applicants will receive one offer of TA only. Applicants have the right to request a review² of the suitability of the accommodation offered as set out in section 3.4. Such requests must be made in writing, within 21 days of the offer being made.

3.61 In order for the Council's main housing duty to continue, the applicant must accept the offer of accommodation whilst the request for review is being considered.

3.62 The Council is not under any obligation to provide alternative accommodation whilst it reviews a decision; unless there are extenuating circumstances, or if it believes that a mistake was made on their part when the original offer of accommodation was made.

3.63 If the review concludes that the accommodation offered is unsuitable, alternative accommodation will be sourced as quickly as possible and offered to the applicant. The applicant will be notified, accordingly, in writing.

3.64 If the review concludes that the accommodation offered is suitable, alternative accommodation will not be sourced and offered. The applicant will be notified accordingly, in writing.

4. Temporary Accommodation Placements

4.1 - Planned placements

Planned placements are arranged usually for existing Council tenants being **threatened** with homelessness.

4.11 Planned hostel placements are subject to a Housing Needs and Suitability Assessment. The process comprises;

- **Acceptance of a Licensing Agreement with the Council**
The Council's hostels accommodate a range of different household types. The Licensing Agreement sets out basic expectations from the new, incoming household (resident).
- **Agreement to develop and adhere to a Support plan with the Council**
Support Plans enable hostel staff and their partners³ to help identify the applicant's personal goals, such as any necessary training or support needs that will enable them to 'move on' to longer-term housing; for example, the management of household finances.

4.12 The Council will also work with the applicant to agree an action plan that will help the applicant's towards achieving the goal of securing longer-term accommodation.

4.2 - Unplanned (emergency) placements

² As per Section 202 of the Housing Act 1996

³ Housing Services work in partnership with a range of internal departments and specialist, external agencies to assist applicants with any support needs.

Hostels are used to provide emergency temporary accommodation to applicants that present as homeless after office hours.

- 4.21 Applicants qualify for emergency housing if they: a) have asked the Council for help, and b) meet the eligibility criteria.
- 4.22 Applicants will undergo a risk assessment by a homelessness duty officer who, if the applicant qualifies, will refer them to a hostel for overnight accommodation only. In extreme cases, the out of hours officer may use B&B for urgent TA.
- 4.23 Should this occur, the Housing Solutions team will contact the applicant the following day to discuss their homelessness application and if eligible, provide hostel accommodation as soon as it becomes available.

4.3 - PSL (private sector leased) handbacks

Should an owner of the PSL temporary accommodation require their property back, they will give the Council notice to terminate the lease agreement, 3 months' notice is required.

During the owners notification period the Council will seek to provide the occupants with alternative accommodation.

4.4 - Council PSL handbacks

If a PSL property requires substantive repairs, or becomes unfit for occupation, the Council will advise the owner immediately.

Following notice to end the lease agreement (3 months) from the Council and a 'notice to quit' to end the non-secure tenancy agreement (28 days), the Council will provide the occupants with alternative suitable TA.

5. Dissemination and communication of this policy

Housing Services will consult with all affected stakeholders to ensure this policy fulfils its aim to be clear and transparent.

It will be made available internally and externally in hard copy and electronic formats, as well as easy read/multi-lingual versions, copies of which will be supplied upon request.

6. Implementation of this policy

This policy will take effect from 1 November, 2020.

Responsibility for the successful implementation of this policy will be with the Council's Assistant Director of Housing Demand.

7. Monitoring and review of this policy

In the interests of continuous improvement, this policy will be reviewed annually to ensure it remains relevant, up-to-date and fit-for-purpose for the Council and the residents of Havering.

For any advice or assistance concerning this policy, please email the Council's Housing team at moveon@havering.gov.uk.