



Temporary Accommodation Policy

Contents

1.0 Scope	3
2.0 Purpose	3
3.0 Aims and Objectives.....	3
4.0 Regulatory Code and Legal Framework.....	3
5.0 Policy Outline	3
5.1 Direct Access Accommodation.....	4
5.2 Suitability	5
5.3 Management of Temporary Accommodation	6
5.4 Usage of Licences.....	6
5.5 Support Provided for Residents.....	7
5.6 Offers and Refusals.....	7
5.7 Discharge of Duty and Eviction	8
6.0 Related Policies, Procedures and Guidelines	8
7.0 Review	8
8.0 Document History and Approval.....	9

1.0 Scope

The Temporary Accommodation Policy sets out the approach that Broxtowe Borough Council takes to accommodating residents who are threatened with homelessness or are homeless.

The policy applies to both Council owned temporary accommodation, any accommodation used in partnership and also the usage of hotel accommodation.

Placements that are made through refuge accommodation for reasons of domestic abuse are not covered by the Policy.

2.0 Purpose

The purpose of the policy is to outline the approach taken to providing temporary accommodation in different circumstances and how the Council ensures that accommodation is suitable, safe and complies with our statutory duties.

3.0 Aims and Objectives

The aims and objectives of the policy are

- To clarify the approach to accommodating those eligible, homeless or threatened with homelessness and in priority need
- To ensure the effective management of temporary accommodation units
- To outline the support provided to enable residents to move on to more secure housing options where possible
- To outline the approach that temporary accommodation can have in cases of decant or other emergencies
- To ensure accommodation meets the guidance defined in legislation and within the Homelessness Code of Guidance.

4.0 Regulatory Code and Legal Framework

Housing Act 1996 Part 7, as amended by the Homelessness Act 2002

Homelessness Reduction Act 2017

Homelessness Code of Guidance

5.0 Policy Outline

5.1 Direct Access Accommodation

In circumstances where accommodation is immediately required as a client is eligible, threatened with homelessness, is homeless and in priority need, the Council can arrange and provide accommodation placements

These placements will either be

- By placement in units of the Council's own temporary accommodation. This could be either by using an existing unit of General Funded short stay accommodation or by using a unit of Housing Revenue Account funded accommodation that is transferred for usage as temporary accommodation.
- By purchase of a hotel room or rooms on a nightly basis
- By referral into accommodation that is offered by the Council to assist with rough sleeping and homelessness, such as a Night Shelter, where available and operable
- Supported accommodation available to the Council that is provided in partnership with other Council's and RSL's or support providers

The Council is committed to its statutory obligation not to use hotel accommodation for 16/17 year olds in any circumstances and for families with children only in emergencies. Government guidance outlines these placements should be no more than six weeks.

For families with children, the Council will endeavour to provide temporary accommodation within its own stock or an appropriate hostel within the Broxtowe Borough Council area. Hotel accommodation will only be used in an emergency whilst we secure a suitable placement for the households needs.

The Council will assess on a case by case basis the location of the temporary accommodation and will take into account where appropriate the risks that may be posed to the client or from the client in any placement that is made. The Council does not own any housing stock or temporary accommodation stock outside of the Broxtowe Borough, however, the Council does have access to accommodation units to assist certain client groups, such as those with support needs, outside of the Broxtowe Borough.

There are circumstances where the Council will need to place clients in hotel accommodation outside of the Broxtowe Borough, such as in cases where accommodation is required in an emergency and there is no available accommodation located in Broxtowe with whom the Council has an agreement in place with. When a placement is made out of the Broxtowe Borough, attempts will be made to identify suitable alternative accommodation within the Broxtowe Borough as soon as possible. In some circumstances, it may be more appropriate for a placement to be made outside of the area, for example, when an applicant may be at risk within Broxtowe. In such cases where accommodation placements are made outside of the Broxtowe Borough, a Section 208 Notice will be issued to the Local Authority where the applicant is placed.

Interim placements are made in accordance with Section 188 of the Housing Act 1996, whilst the Council undertakes enquiries into the circumstances that surround a

client's homelessness and Section 193 of the Housing Act 1996, where an applicant receives a positive homeless decision and is awaiting a permanent offer of accommodation. The Council follows Government guidance in attempting to ensure that families with children are not placed in hotel accommodation for a period that exceeds 6 weeks.

In certain circumstances, the Council will assist clients outside its statutory duties regarding homelessness. Such as when the Council has to make a placement in accordance with its Decant Policy or in accordance with best practice guidance regarding Severe Weather Emergency Provisions, or other similar Government guidance. Any such placements are agreed by the Housing Operations Manager, Housing Repairs Manager, Head of Asset Management or the Head of Housing.

5.2 Suitability

When deciding if a temporary accommodation placement is suitable, the Council gives consideration to Chapter 17 of the Homelessness Code of Guidance. The Council must take into account;

Needs, requirements and circumstance of each household member

This includes any identified health and mobility issues, any care or support that is provided routinely by agencies and the need to access specialist medical services routinely.

A key factor in a determination on medical issues is whether the condition itself would make the accommodation unsuitable. Such as inability to access upper floors because of stairs or to be able to access bathing/washing facilities.

The Council will also give consideration to whether the charges associated with the offer of temporary accommodation are affordable for the applicant and their household.

The location of the accommodation

The Council will consider the ability to access the workplace if in paid employment and will consider trying to avoid disruption to education, particularly at critical points such as examinations.

Where possible, the Council will avoid placing clients in isolated accommodation, far from public transport and other facilities to maintain links with schools, doctors and other key services to clients and their families to ensure the continued wellbeing of the household.

The size and facilities of the accommodation

The accommodation provided should have adequate space for the household, at least on a temporary basis, and this would be assessed by taking into account the needs, requirement and circumstances of the household.

Placements will often have fewer bed spaces than a household would be entitled to through a permanent allocation in accordance with the Allocations Policy. Refusals

by the applicant on the basis of decoration, gardens, parking or any layout or other characteristics of the property which the client has concerns are unlikely to be classed as a valid reason for refusal by the Council.

Assessments regarding suitability will be completed on a case by case basis. These assessments are made within the context of the accommodation offered and what is available to the Council at the time. The Council will take into account any potential risks that an applicant may pose to existing residents or members of the public.

5.3 Management of Temporary Accommodation

The Council's temporary accommodation units are managed by the Temporary Accommodation Officer within the Housing Options Team.

The officer is responsible for managing placements that are made by the team but also for carrying out monitoring of the accommodation to ensure it is a safe and secure environment, coordinating with other teams and contractors as appropriate.

This monitoring may include but is not limited to;

- Inspections of the internal and external environment
- Room and property inspections
- Health and Safety checks, such as the fire alarm
- Ensuring that electrical equipment is maintained and serviced
- Ensuring that inventories of rooms are kept and fixtures and fittings provided are replaced or removed when they are unsafe, beyond economical repair or beyond their notional life.

The Asset Management Service will ensure that the building is safe and is compliant with all relevant building and health and safety regulations and ensure that appliances such as gas, electric and legionella are maintained in accordance with Council policy and in accordance with statutory guidance.

5.4 Usage of Licences

Occupants of temporary accommodation sign up to a licence agreement. The licence agreement underpins the contractual relationship between the occupant and the Council in respect of the accommodation. The licence agreement includes paying the charges associated with the accommodation, appropriately maintaining the accommodation and not engaging in anti-social behaviour or criminal activity.

Should the licence agreement be breached, the Council will consider terminating the accommodation provided. If the licence breach is minor, the Council will use verbal and written warnings to try and ensure compliance with the licence agreement. If breaches are serious or repeated, a Notice to Quit will be served on the occupants. The Council is not required to attend Court to seek possession.

Pets are not permitted in any unit of temporary accommodation. Applicants that have an assistance dog will be eligible, as long as the accommodation is suitable in accordance with the guidelines in Section 5.2.

5.5 Support Provided for Residents

A risk assessment will be completed for all occupants of temporary accommodation to ensure that they receive the support they need, are referred on to support agencies or statutory agencies and so that the Council can manage any risks that are known.

Part of the role of the Temporary Accommodation Officer is to provide support to residents whilst they are in the accommodation. This support could take the form of assistance in claiming benefit, housing benefit, signposting and referring to other agencies or providing advice on the local area, which may be unfamiliar to the occupant.

The Temporary Accommodation Officer will make appropriate referrals for further support if they feel that further support is necessary and is not currently being accessed by the occupant. Where occupants are going to be housed on a permanent basis by the Council, the officer will liaise with the Neighbourhood Coordinator, Tenancy Sustainment Officer or Financial Inclusion Officer where appropriate to share information about the occupant from their time within the accommodation.

When clients are housed in accommodation with hospitality facilities, the Council will pay to ensure breakfast is included in the rate. The Council will not routinely provide any other support, either financially or in terms of food supply whilst the client is accommodated. However, this can be varied at the discretion of the Head of Housing.

5.6 Offers and Refusals

For interim placements made under Section 188 of the Housing Act 1996 whilst homelessness enquiries are undertaken, applicants do not have the right to request a review of the Council's decision regarding suitability of accommodation offered. However, applicants do have the right of review of temporary accommodation placements once accepted in accordance with Section 193 of the Housing Act 1996.

If applicants refuse offers, they will be asked to provide reasons for refusals. If the accommodation is considered suitable following a review of these reasons, the Council will not and is under no obligation to make a further offer of temporary accommodation. The applicant would need to decide whether to accept the offer or to source alternative provisions themselves. If reasons are considered valid by the Council, the offer will be withdrawn and an alternative will be considered.

Where the Council determines that homeless applicants housed under Section 188 are not owed the main homelessness duty, they will be asked to leave their interim accommodation placement following a reasonable notice period and once they have been informed of the Council's decision.

5.7 Discharge of Duty and Eviction

In cases where a positive homeless decision is made, the applicant will be made an offer of suitable permanent accommodation. When the accommodation is available and signed for, the temporary accommodation will cease.

In cases where a negative decision has been made, the duty to provide temporary accommodation will also end. Once the Council notifies the occupant of the negative decision, the Council will serve the occupant with a Notice to Quit. The occupant will be given 28 days notice in these circumstances. Should the occupant submit a review within 21 days of the decision letter, the Council will make a decision on whether to accommodate pending the outcome of the review. Accommodation is routinely provided to those that were accommodated by the Council before the decision was made. Should circumstances arise that are of concern, the Council can review this decision as it is within its discretion. The Housing Operations Manager as the reviewing officer will make this decision.

If a positive decision is made but the occupant subsequently breaches their licence agreement, the Council will take action. Depending on the severity of the breach, the Council may discharge its duty and make an alternative determination on the occupants homelessness depending on the circumstances. This could lead to an "Intentionally Homeless" determination being made.

If an occupant is found not to be occupying their temporary accommodation as their main residence following enquiries, the accommodation offer will end.

In cases where temporary accommodation has been provided that do not involve statutory homelessness, the accommodation will cease at the discretion of the Housing Operations Manager or the Head of Housing.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Allocations Policy
- Decant Policy
- Repairs Policy
- Repairs procedures
- South Nottinghamshire Homelessness Strategy
- Discharge of Duty to the Private Sector Policy

7.0 Review

This Policy will be reviewed every 3 years unless there are significant changes in legislation.

8.0 Document History and Approval

Date	Version	Committee Name
6/1/21	1.0	Housing Committee