

# Temporary accommodation placement policy

Temporary accommodation for the homeless

## 2016



Procuring and allocating  
temporary accommodation to  
homeless people

## Housing services temporary accommodation placement policy 2016 Temporary accommodation for the homeless

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# Introduction

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Local authorities have a duty to provide temporary accommodation for eligible homeless people and their families<sup>1</sup>.

Temporary accommodation provided by Bath and North East Somerset Council can include:

- Hostel accommodation occupied on a licence
- Flats occupied on an assured shorthold tenancy
- Bed & Breakfast accommodation.

The temporary accommodation provided under the terms of a tenancy or licence are commissioned from and managed by the registered provider, Curo.

We aim to provide high quality temporary accommodation located in the district, or if that is not practical, as close as possible to the district and as close as possible to where the homeless household was previously living, so they can retain links with key services, such as schools and doctors. We will try to avoid placing people in Bed and Breakfast and ensure that temporary accommodation is not in an isolated location away from public transport, shops and other facilities.

This policy explains our temporary accommodation procedure and how temporary accommodation (TA) is supplied and allocated:

- to ensure that suitable TA is available for housing applicants who are eligible, homeless, in priority need and have a local connection as well as some other homeless people.
- to ensure that suitable TA is available within the district apart from in situations when it is not reasonably practical or it is better that the TA is out of district, for example to reduce a risk of violence or break negative connections.
- to ensure that the welfare and safeguarding of children is always considered by both the Council when deciding the suitability of TA and the TA provider.

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<sup>1</sup> Housing Act 1996 Part 7

# The law

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## Housing Act 1996 (as amended)

The Housing Act states that: ‘Local authorities must secure accommodation that is available for the occupation of homeless applicants who are eligible for assistance, homeless, in priority need, unintentionally homeless and have a local connection with their district<sup>2</sup>. And that ‘Local authorities shall also secure accommodation for other categories of applicants<sup>3</sup>, but that duty is limited. They also have a power to secure accommodation in some situations<sup>4</sup> and can decide whether to exercise that power.

Section 177 of the Housing Act provides that the local authority may have regard to the general housing circumstances prevailing in its district when discharge their duty.

Section 206 of the Housing Act states that local authorities in carrying out their duty may discharge their housing functions only by securing suitable accommodation. The Code of Guidance requires local authorities to take into account the applicant’s ability to reach their normal workplace from the temporary accommodation. Disruption to a young person’s education, particularly at critical times such as examinations must also be considered in relation to suitability of temporary accommodation.

Section 208 provides that the accommodation so far as reasonably practicable shall be in the local authority’s district. The Code of Guidance for local authorities provides exceptions where there are clear benefits for the applicant of being accommodated outside of the district which include:

- Reducing the applicant’s risk of violence in the district
- Breaking negative relationships within the district such can be the case with ex-offenders and people misusing drugs or alcohol.

## Children Act 2004

The Children Act 2004 section 11 (2) requires housing authorities to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. When that function is provided by another person on behalf of the housing authority, such as a temporary accommodation provider, it must also have regard to the need to safeguard and promote the welfare of children.

Section 10 provides a statutory framework for co-operation between local authority and relevant agencies with a view to improving the wellbeing of children in the area. Wellbeing for this purpose is defined as (a) physical, mental and emotional wellbeing (b) protection from harm and neglect (c) education, training and recreation (d) the contribution made by children to society and (e) social and economic well-being. The welfare of the child has long been given a broad meaning in family proceedings, encompassing physical, psychological, social, educational and economic welfare.

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<sup>2</sup> HA 1996 s193 (2)

<sup>3</sup> HA 1996 s190 (2) s188 (1) s200 (1)

<sup>4</sup> HA 1996 s188 (3) s192 (3) s195 (8) 204 (4)

# Procurement of temporary accommodation

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The supply of TA is a combination of hostel accommodation and flats occupied on Assured Shorthold Tenancies situated within the district and B&B both in and out of district.

Housing Services work in partnership with the Council's Supporting People & Communities Team to develop, procure and manage temporary accommodation through a strategic commissioning process, with reference to statutory regulations regarding procurement. Housing Services have 100% nomination rights to the temporary accommodation units for the purpose of discharging their homelessness functions.

## Hostel and Assured Shorthold Tenancies

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The hostel has accommodation suitable for singles and couples and small families of up to 3 people in 17 rooms with shared communal facilities. The tenancies are 6 self-contained two bedroom properties and one, self-contained one bedroom property. These are family units and are for people with more than two children.

Under-occupation of accommodation is not permissible unless there are exceptional reasons.

Hostel		
4 single rooms	4 double rooms	9 family rooms

Assured Shorthold Tenancies	
1 x 1 bedroom property	6 x 2 bedroom properties

# Bed and breakfast accommodation

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We try not to use Bed and Breakfast accommodation (B&B) but if we have no alternative or it is an emergency, we aim to accommodate households in B&B within our own district for the shortest time possible.

Bath is a popular tourist destination and sometimes B&B in the district is not available at short notice. We have TA placement agreements with two Bath based B&B providers but cannot always avoid an out of district placement. We therefore also have a TA placement agreement with a Bristol B&B provider.

People placed in B&B will be provided with:

- Contact details of their housing advisor and other key contacts within the Council
- Contact details of the B&B provider
- Details of organisations offering help and advice
- A location map for the B&B

## Suitability of B&B

B&B is not suitable TA for people with family commitments or young people<sup>5</sup>. Families, pregnant women and young people aged 16 and 17 will not be placed in B&B unless there is no accommodation other than B&B available. When there is no other TA available, we may place homeless people with family commitments in B&B for a period, or a total of periods, which does not exceed 6 weeks.

We will aim to not place young people aged 16 or 17 in B&B and will work closely with children's services to ensure that we can provide a range of different types of accommodation suitable for 16 and 17 year olds who cannot live with their families, carers or guardians. These include foster care, children's homes, supported lodgings, foyers, properties with visiting support tailored to the young person's needs and other types of supported accommodation<sup>6</sup>.

## People with alcohol dependency issues

We will avoid placing people with alcohol dependency issues in B&B which has a licensed bar on the premises.

## Standard of bed and breakfast

B&B will be subject to an annual inspection by Housing Standards to ensure that the accommodation is of a suitable standard.

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<sup>5</sup> SI 2003 No.3326 Homelessness (Suitability of accommodation) (England) Order 2003

<sup>6</sup> Statutory guidance: Provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation

## Homeless at home

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Friends and relatives may be willing to provide TA for a homeless person for a few days or weeks. TA placements with a friend or family member will need to be suitable. Homeless applications made where accommodation is not reasonable to occupy may be suitable as interim accommodation depending on the circumstances of the case.

Officers need to be alert to the possibility of collusion and be satisfied that the person is homeless or threatened with homelessness. Long term arrangements with friends or family for more than 28 days would suggest that the person is not threatened with homelessness.

## Demand for temporary accommodation

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Bath and North East Somerset is one of the most expensive places to live in the country and residential wages are below the national average which makes it difficult for people on low incomes to find an affordable home<sup>7</sup>. Bath and North East Somerset has over six thousand households on the Housing Register<sup>8</sup> and in 2015/16 received 106 homelessness applications.

Nationally, the number of homeless households in temporary accommodation on March 31<sup>st</sup> 2015 and 2016 increased by 11%<sup>9</sup>. Locally, in Bath and North East Somerset, the number of homeless households in temporary accommodation increased from 13 to 21, a 61% increase.

In 2015/16 the use of Bed and Breakfast accommodation for homeless households increased by 50% but only three households were placed outside the district. Those placements occurred either because of a lack of availability within the district or the client being unsafe in the Bath and NE Somerset area.

Demand for temporary accommodation changes during the year. To manage this fluctuation and avoid leaving TA empty, vacant TA can be let on a short term basis to single people through the Council's Supported Housing Gateway. During times of high demand for TA these short term lets are terminated and the accommodation is relet to homeless people.

The tables below show the placements in temporary accommodation in the previous 3 years.

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<sup>7</sup> B&NES JSNA

<sup>8</sup> Homesearch as at 15/07/2015

<sup>9</sup> The Housing Statistical Release June 2015



**Table 1 Households in temporary accommodation by accommodation**

	2013/14	2014/15	2015/16
TA placements*	123 (average stay 49 days)	88 (average stay 52 days)	116 (average 53 days)
Of which placements in B&B	61 (average stay 21 days)	31 (average stay 14 days)	45 (average stay 21 days)
Of which placements in hostels	45 (average stay 76 days)	42 (average stay 77 days)	48 (average stay 74 days)
Of which placements in self-contained properties	17 (average stay 81 days)	15 (average stay 117 days)	20 (average stay 97 days)

\*A number of households have been placed in two types of TA e.g. B&B and a hostel so have been included twice in the above figures

**Table 2 Households placed in temporary accommodation by household type**

	2013/14	No of children	2014/15	No of children	2015/16	No of children
Households placed in TA*	81	48	65	74	90	87
Of which is a couple with dependent children or member pregnant	12	20	14	26	20	37
<i>Into B&amp;B</i>	7	12	5	8	6	13
<i>Into Hostel</i>	1	2	5	6	8	9
<i>Into self-contained</i>	4	6	4	12	6	15
Of which is a lone parent with dependent children or member pregnant	23	28	28	48	32	50
<i>Into B&amp;B</i>	12	16	10	18	13	23
<i>Into hostel</i>	6	6	14	24	10	11
<i>Into self-contained</i>	5	6	4	6	9	16
Of which is a single person	41	0	22	0	36	0
<i>Into B&amp;B</i>	30	0	12	0	26	0
<i>Into hostel</i>	11	0	9	0	10	0
<i>Into self-contained</i>	0	0	1	0	0	0
Of which is all other household groups						
<i>Into B&amp;B</i>	5	0	0	0	2	0

\*Households included in this table have only been included once.

Table 3 Households placed in accommodation outside Bath and North East Somerset

	2013/14	2014/15	2015/16
Placements in B&B	61	31 (15 families)	45 (19 families)
Of which were outside B&NES	22	2* (average length of stay 10 days)	3 <sup>+</sup>

\* Placement reason: No accommodation was available within the district and refused by Curo Choice.

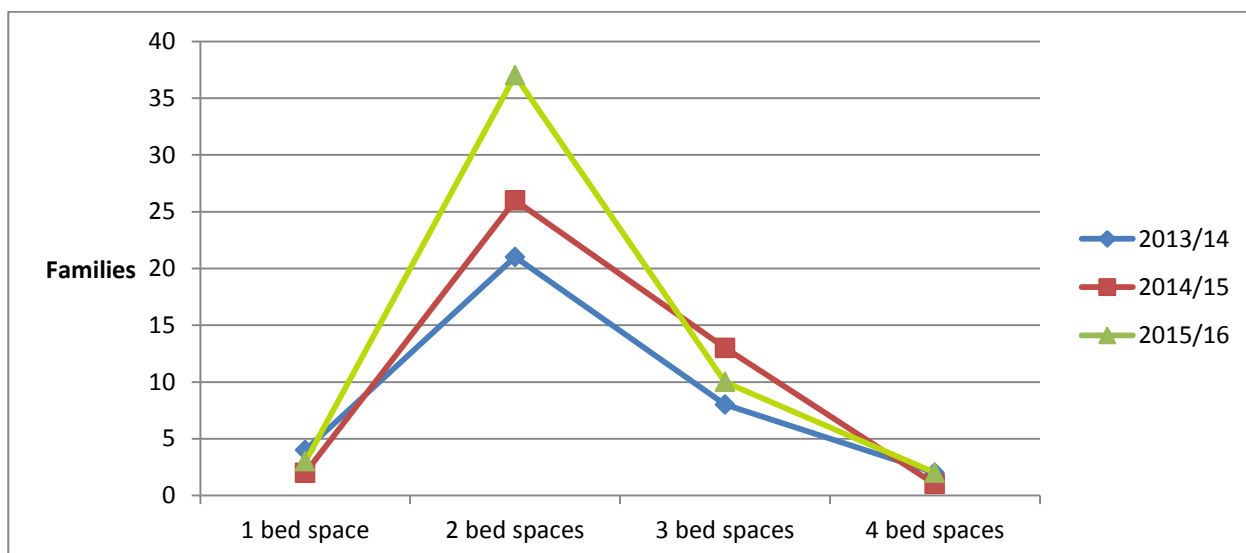
+ Placement reason: No accommodation was available within the district or fleeing domestic violence.

### Predicted demand for temporary accommodation

Demand for TA has fluctuated over the last 3 years and increased in the last two years. The impact of the increased demand for TA has meant that the number of families placed in B&B has increased from 15 to 19 since 2014.

There is a year on year increased demand for 2 bedroom TA, suitable for families or single people with dependent children as shown in the table below. The procurement of additional family TA has been considered but since the length of time families occupy B&B is reasonable there is no requirement to increase the provision of alternative TA. We will continue to focus on preventing homelessness and implementing our [Homelessness Strategy 2014-2018](#) and its ten local priorities to prevent homelessness. We will continuously monitor demand and supply and meet the accommodation needs of larger families on a case by case basis with the assistance of our temporary accommodation provider.

Figure 1 Number of bed spaces required for families living in temporary accommodation



## Out of district placements

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We will not place a person outside the district if accommodation is available within the district unless one of the following reasons applies:

We can predict that applicants with a particularly pressing need to remain in the district will come forward in the relatively near future

A person is subject to a criminal behaviour order or other order which restricts their entry to an area in B&NES

A person has been refused for accommodation by Curo Choice or B&B providers in B&NES\*

To reduce the applicant's risk of experiencing violence

To break negative relationships within the district

To reduce the risk the household presents to other people

Accommodation within the district is not suitable

It is the choice of the applicant

\* During 2013/14 Curo refused to place 4 households which was an increase of 2 on the previous year.

We will help people fleeing domestic violence find a safe place to live. Staying in an area where they have experienced domestic violence whether Bath and North East Somerset or elsewhere needs to be considered carefully. The location of temporary accommodation for homeless people in Bath and North East Somerset is not confidential.

Unless we can ensure the TA is safe we will seek accommodation for the person outside of the district they are fleeing and residents of Bath and North East Somerset will be supported to find accommodation in other local authority areas. Accommodation for people fleeing domestic violence is often a refuge which can provide short term supported accommodation with specialist advice.

If it is safe to do so people who have been placed out-side the district will be relocated to more convenient and suitable accommodation as soon as a suitable placement becomes available.

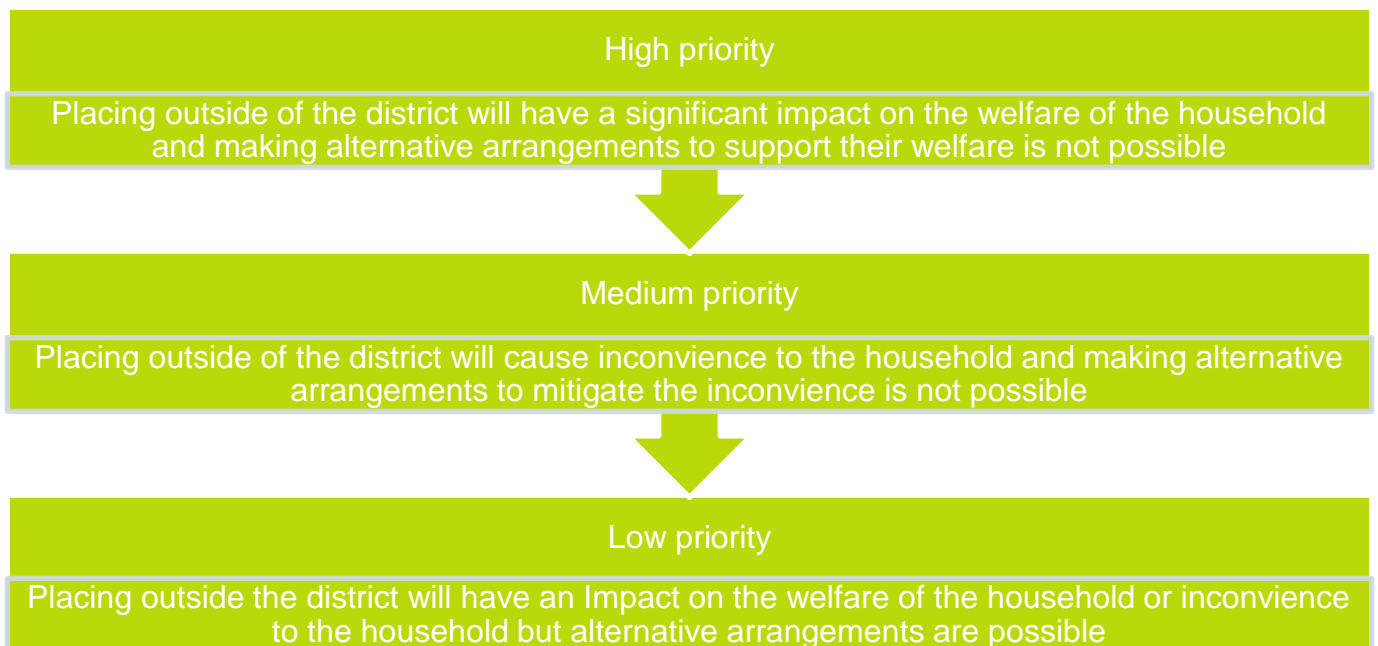
People placed outside the district will be provided with:

- Information and contact details for services provided locally such as doctor, dentist, benefit office and facilities for children
- Details of transport links and services between the bed and breakfast and our district
- Information about what financial support may be available to help with transport costs.

# Priority for placements in district

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If demand for accommodation within the district cannot be met, the following priority scale will be used to help officers decide which household will be accommodated within the district and which household will be accommodated outside the district.



## Factor to consider when placing a household out of district

Households placed outside the district will be placed as close as possible to Bath and North East Somerset. We will review households placed outside the district and when there is accommodation available within the district or nearer to the district we will try to move them.

We will not place a household out of district where it is not practical to do so. For example, if school placements are not available near the accommodation then the placement would not be practical nor would it be practical if support or medical treatment is required but not available nearby. Each individual will be given individual consideration and in making a decision the impact and disruption to the following factors will be relevant:



We will place evidence on file to support the decision made.

## Safeguarding and promoting the welfare of children

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This policy as well as the application of it will have regard to the need to safeguard and promote the welfare of children. We will carry out our functions including those carried on our behalf by Curo in a way which takes into account the need to safeguard and promotes the welfare of children.

We will identify the principal needs of the children, individually and collectively, having regard to the Children Act and make a decision about the suitability of the accommodation and whether to place a child in temporary accommodation outside of the district. Disruption to the education and other support networks may be actively harmful to a child's social and educational development, we will also have regard to the need to promote, as well as safeguard their welfare.

We will have regard to the Human Rights of children.

## Feedback from service users

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We understand the importance of obtaining feedback from service users and will send an exit questionnaire when people leave temporary accommodation.

## Temporary accommodation exit questionnaire

We use this questionnaire for important feedback from you when you leave temporary accommodation. By completing the questionnaire, you will be helping us to improve the service for other people.

1 How long have you lived in temporary accommodation?

- less than a month       one to three months       four to six months  
 seven months to one year       one to two years       more than two years

2 Which temporary accommodation have you been living at?

- Dartmouth Avenue Hostel  
 Curo self-contained flat

Bed and breakfast  
Name of provider

3 How satisfied were you with your accommodation? Please circle the relevant number.

 1 2 3 4 5 6 7 8 9 10  (1 = very unsatisfied, 10 = very satisfied)

4 How satisfied are you with the service provided?

 1 2 3 4 5 6 7 8 9 10  (1 = very unsatisfied, 10 = very satisfied)

5 How satisfied are you with the level of support you have received?

 1 2 3 4 5 6 7 8 9 10  (1 = very unsatisfied, 10 = very satisfied)

6 How satisfied were you with the opportunities you had to air your views?

 1 2 3 4 5 6 7 8 9 10  (1 = very unsatisfied, 10 = very satisfied)

7 Please tell us any concerns you have had about your stay.

8 Please tell us anything you've particularly enjoyed about your stay.

9 Have you got any questions that you would like us to answer? If so, please write your question here, along with your contact address and phone number.

Please continue overleaf if necessary  
Thank you for your feedback

## Appendix 1: Table of authorities

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Housing Act 1996 Part VII  
Human Rights Act 1998  
Homelessness Act 2002  
Housing Act 2004  
Localism Act 2011  
Homelessness (Suitability of accommodation) (England) Order 2003  
Children Act 2004  
Homeless Code of Guidance for local authorities [2006]  
Provision of accommodation for 16 and 17 year old young people who may be homeless and/or require accommodation [2010]  
Homeless (Suitability of Accommodation) (England) Order 2012

R (Sacupima) v Newham London Borough Council [2001]  
R (Castle) v Metropolitan Police Commissioner [2011]  
Huzrqat v Hounslow London Borough Council [2013]  
Nzolameso v City of Westminster [2015]