



# **Temporary Accommodation Procurement and Placement Policy**

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# **Temporary Accommodation Procurement and Placement Policy**

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# Temporary Accommodation Procurement and Placement Policy

## 1. Introduction

1.1. The purpose of this policy is to set out how the Council will procure sufficient units of temporary accommodation (TA) to meet the anticipated demand during the coming year.

1.2. This will be done in accordance with the principles and values of the Council's corporate Procurement Strategy and the contract standing order process.

1.3. For the purposes of this document, procurement includes the act of:

- acquiring properties from the Council's own housing stock,
- making short term use of properties/sites identified for future development, where financially viable,
- purchasing open market acquisitions that meet forecasted needs based on trend analysis
- development of purpose-built accommodation in collaboration with the Development and Investment Teams

1.4. This policy will ensure a focus on value for money for the Council and its residents.

This document also sets out the Council's policy for the placement of households into interim/temporary accommodation, both in and out of borough. The policy applies to all households placed into interim accommodation by the Council under Section 188 (the Relief of Homelessness Duty) and those in temporary accommodation Section 193 (the Main Homelessness Duty) arising out of the Housing Act 1996. It also applies to any accommodation:

1. Secured under a power to provide interim accommodation pending a review or appeal
2. Secured to meet any duty owed to an intentionally homeless household
3. Secured to meet any interim accommodation duty pending the outcome of a local connection referral to another local authority

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- 1.5. In accordance with the Housing Act 1996, the Council will seek to accommodate homeless households within Stevenage as far as is reasonably practicable, and with proper consideration of the suitability of accommodation for the household. To date the number of households whom the Council has assisted to find accommodation outside Stevenage is relatively small. Cases where there is a need for a household to be placed outside of the Borough will be agreed by one of the seniors or managers within the service.
- 1.6. This policy operates as an adjunct to the Council's Homelessness and Rough Sleeper Strategy and will be reviewed in conjunction with any future changes to the Strategy.
- 1.7. This policy also operates in conjunction with the Council's allocations scheme and private rented sector discharge policy.

## **2. Legal Overview**

2.1. This policy complies with:

- ✓ Sections 206, 208, and 210 of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017
- ✓ The relevant sections of the DLUHC Homelessness Code of Guidance 2018 (and all associated on-line amendments to that code).
- ✓ The Homelessness (Suitability of Accommodation) (England) Order 2012.
- ✓ The DLUHC Supplementary Guidance on the Homelessness (Suitability of Accommodation) (England) Order 2012 (November 2012). Applicants accommodated under this policy under section 193 of the Housing Act 1996 can request a statutory review of the suitability of any accommodation offered to them, in accordance with section 202 of the Act.
- ✓ Whether the accommodation is affordable
- ✓ Advice from the Courts to local authorities regarding the provision of temporary accommodation including the leading case of Nzolameso and Westminster Council.
- ✓ The Equalities Act 2010 and
- ✓ The Children Act 2004.

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## 3. Analysing the need for Temporary Accommodation

- 3.1. Establishing a detailed evidence base of the need for temporary accommodation for the next 12 months is the first aspect of defining a stock base that will deliver the units needed for the Council to meet its statutory duties and ensure a cost-effective resource that is person centred.
- 3.2. The Council will input into its temporary accommodation model, not only the detailed need profile of its homeless households, but also other key drivers such as environmental impacts, the length of stay in temporary accommodation, void turn around, reduction in Council general needs stock and move on opportunities. Given the uncertain nature of many of these factors, assumptions have to be made but, where possible, analysis will be based on detailed service statistics and data. Appendix A (final page of this document) sets out the temporary accommodation model.

## 4. Temporary Accommodation Supply Model

At present most temporary accommodation is Council owned, however there is a need to utilise nightly let provision for placements out of area where applicants are at risk remaining in the borough or where our own provision is less suitable than that which can be offered through an external party.

- 4.1. **Interim/ Temporary accommodation (also known as emergency or temporary accommodation)** – this accommodation can be self-contained or a unit with shared facilities and services, such as support, going in. The cost to the Council of providing such accommodation is usually higher than longer-term accommodation due to the provision of furnishings and increased back office and void costs associated with short-stay occupancy. In exceptional circumstances, bed and breakfast accommodation or interim accommodation with a nightly let provider.
- 4.2. **Specialist Accommodation** - accommodation for applicants with needs requiring supported housing. The Survivors Against Domestic Abuse (SADA) service support applicants to source accommodation when they are fleeing domestic abuse; this could be providing support to flee out of area and present to another

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local authority, or indeed support to flee temporarily to a place of safety whilst further options are explored in relation to returning safely to their home. There are also occasions where the applicant may have needs that would be better met in an Independent Living Scheme than in a temporary accommodation unit, as such where there is an available guest room/unit and manager approval sought, temporary placement into an Independent Living Scheme can be considered; this approach often supports further assessment of need and successful relief of homelessness.

**4.3. Private Rented Sector** – at present the Council does not use private rented accommodation as interim or temporary accommodation. The Council has carried out a risk assessment with regard to procuring new temporary accommodation through a private sector leasing scheme (PSL). However, due to the speed at which development and investment are identifying and delivering cost effective alternatives, this uncertain market option has not been pursued. Any loss sustained by the Council under a PSL scheme would be a cost to the Council's General Fund.

## 5. Maintaining Supply to Meet Demand

The Council will seek to maintain and increase the supply of temporary accommodation to meet demand as follows:

- Continue to seek ways to optimise the use of current temporary accommodation
- Continue to use additional units from the Council's general needs stock
- Explore options for using new Council developments
- Explore options to redevelop existing Council stock into temporary accommodation units e.g. repurpose larger units into multiple shared accommodation units
- Seek to increase the number of landlords engaged with Next Step Lets to support successful flow through temporary accommodation
- Continue the dialogue with Hertfordshire County Council and engaged neighbouring local authorities around joint procurement partnerships

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## 6. Meeting Quality Standards

6.1. The accommodation procured must meet appropriate levels of suitability and be fit for purpose.

## 7. Providing Value for Money

7.1. The Council seeks a balance between providing value for money in the provision of services and maintaining a level of service that meets statutory requirements whilst taking into consideration the limitations of the existing homelessness budget.

7.2. The Council aims to maximise income from its temporary accommodation through timely void turn around and effective collection of related charges. The cost of providing temporary accommodation and related services will always be in excess of possible recovery; this is due to the statutory requirement to provide affordable accommodation to persons facing multiple-disadvantage and the transient nature under which they are accommodated.

## 8. Placement of Households

8.1. Interim accommodation is usually allocated on the day that it becomes available, however where there is advanced warning of a presentation that has specific needs, the most suitable accommodation may be held open ready for placement to avoid a suitability challenge.

8.2. In an emergency, households will be placed into the most suitable and safe interim accommodation that is available at the time of the presentation. Should more suitable accommodation later become available, they will be prioritised for a move.

8.3. If a household is placed in interim accommodation outside of Stevenage, they will be treated as a priority to be moved back into Stevenage as and when a suitable property becomes available; those with children in education or with specific medical needs that can only be met in borough will be higher in priority.

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- 8.4. To make best use of its provision and to meet the service demand, the Council will move households between interim accommodation units, as and when necessary.
- 8.5. Where an accommodated household notifies the Council that their circumstances have changed, rendering the interim accommodation less suitable, the service will complete a new assessment and the household will be moved to alternative suitable accommodation as soon as possible.
- 8.6. Given most interim accommodation placements are made in an emergency, it will not be possible for the applicant to view the property before 'signing up',
- 8.7. In cases where an applicant is being discharged from hospital or has specific medical needs, we may seek the opinion of any involved occupational therapist or other medical professional, to determine the suitability of the interim accommodation offer. Any visits carried out to assess suitability prior to placement, under these circumstances, may have the customer in attendance.
- 8.8. Where there is uncertainty over suitable placement, the final decision will rest with a senior or manager within the service; they will consider this policy alongside the statutory requirements on local authorities in respect of suitability of accommodation, including Suitability Orders, and the current Homelessness Code of Guidance.

### **OUT OF AREA**

- 8.9. When placing applicants into interim accommodation the Council will aim to minimise disruption to the households taking into consideration their circumstances and needs. In addition to all of the other statutory suitability requirements, where the Council does have to consider out of area, it will also take the following into account:
- ✓ The distance from its district.
  - ✓ The significance of any disruption to employment, caring responsibilities or education.
  - ✓ The proximity and accessibility of medical facilities and other support.
  - ✓ The proximity and accessibility of local services, amenities and transport.



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- ✓ The retaining of established links with schools, doctors, social workers and other key services and support.
- ✓ The need to reach a normal workplace and the need to minimise disruption to the education of young people, particularly at critical points, such as leading up to GCSEs or equivalent.
- ✓ Recognise that, in some cases, there can be benefits to out-of-district accommodation, such as in cases of domestic violence, ex-offenders and people in need of employment and those who chose to move out of area for any other reasons.
- ✓ Any other relevant factors

8.10. The Council may also keep aside local vacant units in anticipation of applicants presenting who meet the criteria for a local placement. This has been confirmed as a reasonable practice in the 2018 Court of Appeal case for Adam and Alibkhiet v Westminster and Brent Councils

### 9. Refusals

9.1. If an applicant rejects an offer, whether under S188 or S193 of the Housing Act 1996, the Council will ask the applicant to provide reasons for the refusal. The Council will consider the reasons for refusal given and undertake further enquiries as necessary. If the Council accepts the reasons for refusal and agree the offer is unsuitable, the offer will be withdrawn and a further offer will be made.

9.2. Where applicants refuse suitable interim accommodation and the Council does not accept their reasons for refusal, applicants will not be offered further accommodation and will be required to make their own arrangements. There is no right of appeal against the suitability of accommodation offered to applicants under S188 of the Housing Act 1996 (although applicants can apply for judicial review through the courts). For applicants where the Council has accepted a rehousing duty under S193 Housing Act 1996 (s193 duty) there is a right to request a review of the suitability of temporary accommodation decision, pursuant to S202 of the Housing Act 1996.

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## 10. Governance and Annual Review

This policy is subject to Executive approval. Future targets for procurement will be reviewed annually. It is recommended that changes to the type of interim accommodation or methods of procurement will be agreed by the Strategic Director and Portfolio Holder for Housing.

### Annex A: Temporary Accommodation Modelling

