TEMPORARY ACCOMMODATION POLICY

January 2024

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Introduction

Tendring District Council aims to work with households to prevent homelessness and we encourage people to approach us as early as possible if they are threatened with homelessness or are concerned about their housing situation. The Council will do its best to help people to remain in their homes or if that is not possible, to help them to find somewhere else that is settled before they have to leave their home.

However, in some circumstances this will not be possible and households will require temporary accommodation.

The Council has a statutory duty to provide temporary accommodation to homeless applicants in certain circumstances and how to perform this duty is governed by legislation and guidance.

Purpose of policy

- To set out the Council's approach to placing homeless applicants in emergency and temporary accommodation both within the Tendring District and outside of the area. This covers the following:
    - Interim placements under section 188 of the Housing Act 1996 during the relief duty and while homeless enquiries are undertaken.
    - Placements made as 'homelessness relief' under section 189B(2) of the Homelessness Reductions Act
    - Longer term placements for those households accepted as homeless under Section 193(2) of the Housing Act and are waiting for rehousing.
- To outline how the Council supports those who approach it in need of temporary accommodation to ensure they are treated in a consistent manner and with empathy and respect
- To set out the different types of accommodation that will be used

- To set out simply and clearly the factors that will be considered to make sure that any temporary accommodation being offered is suitable and allocated fairly

- To comply with the statutory requirements, legislation, case law and good practice relating to the provision of temporary accommodation.

- To improve customer understanding and satisfaction with the temporary accommodation provided

Legal and regulatory context

There are legislative and regulatory requirements that relate to the provision of temporary accommodation and these include (but are not limited to):

Housing Act 1996

This legislation provides that the Council must secure that accommodation is available for an applicant where it has reason to believe they may be homeless, eligible for assistance and in priority need (these are all defined terms in law). This duty is known as the 'interim duty' and continues until the Council has made a final decision as to whether the applicant is owed the 'main housing duty'.

It also provides that the Council must secure that accommodation is available for an applicant where it determines that they are homeless, eligible for assistance, in priority need, not intentionally homeless, and where it has not successfully 'prevented' or 'relieved' homelessness (these are all defined terms in law) and has not referred the application to another local authority. This is known as the 'main housing duty' and continues indefinitely until the applicant accepts an offer of a settled home, or until one of another of a list of prescribed events occurs.

Any accommodation provided under these duties, whether temporary or otherwise, must be suitable.

Homelessness (Suitability of Accommodation) (England) Order 2003

This states that households containing children or pregnant women should only be housed in 'bed and breakfast' accommodation where no other accommodation is available, and even then this should not exceed six weeks.

Children's Act 2004

Local authorities have a particular duty under this legislation have regard to the need to safeguard and promote the welfare of children.

Equality Act 2010

The Equality Act 2010 provides that, in carrying out its functions, a local authority must have due regard to the elimination of unlawful discrimination, harassment and victimisation as well as the advancement of equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.

Homelessness (Suitability of Accommodation) Order 2012

This order sets out the factors that should be considered when deciding whether accommodation is suitable and these include its location, whether it would cause any disruption to employment, caring responsibilities or education as well as its proximity to medical facilities and support and local services and transport.

Homelessness Reduction Act 2017

Section 206(1) provides that all accommodation provided under Part 7 of the 1996 Act must be suitable for the applicant and their household, and the suitability requirements under section 210 apply.

Homelessness Code of Guidance for Local Authorities

The code of guidance provides further information about the suitability of the location of accommodation. The code consolidates the existing legislation, case law and good practice

This codifies the factors, borne from various legal instruments, local authorities should consider when determining whether temporary accommodation is suitable. Such factors include the standards, size, affordability, and location of any accommodation.

Homelessness (Suitability of Accommodation) (Amendment) (England) Order 2022

As further amended by the 2023 Order,, this removes the six week limitation on placements in bed and breakfast between 1 June 2022 and 1 June 2024, where there is no accommodation other than that available and where certain criteria relating to the applicant apply

When determining whether accommodation other than bed and breakfast accommodation is available for use, housing authorities will need to take into account, among other things, the cost to the authority of securing the accommodation, the affordability of the accommodation for the applicant and the location of the accommodation.

There are also specific laws and regulations that apply to the temporary accommodation provided and these include (but are not limited to):

- Schedule 3 to the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.
- Housing Health and Safety Rating System
- Gas Safety (Installation and Use) Regulations 2018
- Regulatory Reform (Fire Safety) Order 2005

Types of Temporary Accommodation

The Council uses a range of different type of temporary accommodation which are designed to cover the range of customers, likely length of occupation and overall numbers in need at that time.

This means that some accommodation will be provided directly by the Council, whilst other accommodation will be owned and/or managed by external providers.

The types of temporary accommodation available to the Council may include:

- Accommodation within the Council's housing stock
- Self-contained, leased accommodation
- Council owned temporary accommodation
- Accommodation with shared facilities such as 'bed and breakfast' accommodation and hotels
- Hostel and emergency night shelters
- Leased accommodation
- Caravans and other holiday accommodation

How the need for temporary accommodation is assessed

In cases where people have to leave their home, and have no family or friends they can stay with whilst their homeless application progresses, the Council may offer temporary accommodation. However, not every person who contacts the Council with a housing situation will be offered temporary accommodation.

Homeless applicants may initially be provided with temporary accommodation under the Council's interim duty to accommodate (section 188 of the Housing Act 1996) pending a decision as to what duty (if any) is owed in accordance to the legislation.

The Housing Solutions Officer will make enquiries into the reason why an applicant is homeless. These enquiries include, but aren't limited to:

- Speaking to a landlord to discuss the option to allow an applicant to stay in their current home beyond the notice expiry date, if it is reasonable and safe to do so
- Speaking to parents, friends or family members to discuss the option for the applicant to stay with them whilst enquiries are completed, if it is reasonable and safe to do so

The Council will ask if an applicant has anyone that they can stay with whilst their homeless application progresses.

If the Housing Solutions Officer decides that there is an urgent need for accommodation, that a household are eligible and may have a priority need, the Homelessness Accommodation Officer will find temporary accommodation for them. Temporary accommodation is usually allocated on the day the household will need it.

Once a need for temporary accommodation has been identified, the household will be given an offer letter and advice about their responsibilities and the Council's role whilst living in the temporary accommodation.

Outside of office hours

The Council operates an out of hours call out service 24 hours a day and 365 days of the year. This can be contacted by telephoning 01255 222022

If a homeless household contacts the Council outside of normal office hours and the officer assesses that a duty to provide temporary accommodation is accepted, then a hotel or other nightly let accommodation is the only option that will be provided during this time.

The household will be placed in the available accommodation and they will then be contacted further by the Housing Solutions team on the next working day.

Suitability of Accommodation

In offering any form of temporary accommodation, the Council's first and foremost priority will be the suitability of the accommodation and that it meets the needs of the household.

In coming to decisions on individual cases the Council will have regard to the Homelessness Code of Guidance, Section 208 and Section 210 of the Housing Act 1996 and relevant case law. It will also meet its obligations under the Equalities Act 2010 by showing due regard to an individual's medical conditions and vulnerabilities.

An assessment in regards to the suitability of a temporary placement will be completed on a case by case basis by the allocated Housing Solutions Officer and the Homelessness Accommodation Officer. The assessment is to ensure that any temporary accommodation offered is considered reasonable and suitable for the household, taking into account any support needs and risks that the household presents.

Location - The Council seeks to accommodate homeless applicants within the district of Tendring so far as is reasonably practicable to allow a household to maintain their existing networks, such as employment, schooling, and specialist medical care. However, the Council has to be mindful of current prevailing housing conditions and demand and pressures that affect the Council on a daily basis.

There are some circumstances in which the Council needs to place applicants in temporary accommodation outside of the Tendring district. These circumstances include if there is a risk for a person to remain in Tendring, if there are special circumstances that exclude an applicant from living in particular locations or types of accommodation, and in an emergency when there is no availability within the Tendring district.

Consideration will be made for any special circumstances submitted by the applicant that may impact on the suitability of the offer of temporary accommodation.

Where a household needs to be moved to a location for safety reasons this will always come first when deciding on temporary accommodation placements. For any risks associated with staying in a particular area, for example: violence or harassment of any nature, the Council will request written confirmation that a household are safe in the placement area. This confirmation will be requested from all relevant services (for example: Police, Social Services, Independent Domestic Violence Advisor etc) before a placement is considered.

If there are extenuating factors which are deemed to prevent a move outside of the Tendring area, these will be considered on a case by case basis.

A placement anywhere within the Tendring area, where the household's last settled accommodation was also in the Tendring area, is deemed to be suitable where transport links and accessibility/availability of essential services which are appropriate to the households needs, are concerned.

Whenever a client is placed in accommodation outside of the Tendring district, attempts will be made to identify alternative temporary accommodation within Tendring as soon as possible.

If a household is placed in temporary accommodation outside of the Tendring district, the local authority in which they are placed will be notified as quickly as possible under section 208 of the Housing Act 1996.

Accommodation will not normally be deemed as unsuitable due to its location and/or due to it being out of the Tendring area as due consideration would have been given to the above and all other relevant factors prior to making the offer.

Size, condition and facilities of the property – The Council will provide appropriate space for the household to occupy and meet appropriate levels of fitness, but due to the lack and demand for suitable and sustainable temporary accommodation, it isn't necessary for the size criteria calculated for social housing purposes to reflect that of the criteria for temporary accommodation.

Households will often be placed into accommodation that has fewer bedrooms than a household would be entitled to have on a permanent basis. Reasons for refusing a property due to things such as quality of decoration or the furniture, the layout or type of accommodation, provision of parking and lack of access to a garden will not be considered as reasons for refusing an offer.

Affordability – In all cases the Council will determine the affordability of any particular accommodation having due regard to (sections 17.46 to 17.47 of the Code of Guidance 22 February 2018, updated 27 October 2023) when assessing affordability.

The gross rental charge for accommodation may include costs for communal charges relating to heating and/or lighting, and it may also include costs which are ineligible for Housing Benefit, such as costs towards water rates and other utilities for personal use which will be payable by the household.

Accommodation will not normally be deemed unsuitable where charges apply which are ineligible for Housing Benefit as these charges relate to essential utilities and would be applicable whether paid as part of the gross charge for the accommodation, or whether paid separately to the utility companies.

Health, wellbeing and mobility factors – when offering accommodation the Council will consider health and wellbeing factors that are cited in the homeless application, and whether these factors make the accommodation unsuitable.

These factors include (but are not limited to):

- A household with severe and enduring health conditions including mobility and mental health related conditions requiring intensive and specialist medical treatment or support that is only available in the Tendring area.

- Special consideration will be made to take into account any storage requirements for specialist medical equipment and disabilities requiring separate sleeping quarters for members of the household.

- All decisions made will take account of the welfare and safety of children (Children's Act 2004) that are part of the household.

- Households with children registered on the ‘child protection register’ in the Tendring area, or families who have high social needs and where it is confirmed that a transfer to another area would significantly impact their welfare.

- Households with a child or children with special educational needs, receiving education or educational support in the Tendring area, where those needs can’t reasonably be met elsewhere.

If the applicant or a member of their household refers to medical grounds that were not identified during the initial homeless assessment, the applicant must submit a letter from a medical professional within 24 hours of the placement offer. If it isn’t possible to provide this information within the time frame, the applicant must notify the Housing Solutions Officer immediately and an extension may be given based on the reasons for the delay on a case by case basis.

The suitability assessment will be based on the impact that the accommodation being offered has on the medical issues. Problems such as depression, asthma, diabetes or back pain would not normally make a property placement unsuitable because the problems would persist in any kind of accommodation, and as due consideration would have been given to these conditions and all other relevant factors prior to making the offer.

In assessing any medical needs the Council are likely to seek advice from a professional medical adviser.

Applicants with a severe and enduring health condition requiring intensive and specialist medical treatment that is only available with the Tendring district, will be prioritised for accommodation close to where the medical care is provided. This will be subject to a medical assessment.

Applicants who are in receipt of a significant care package and range of health care options that cannot be easily transferred will be prioritised for placements inside of the Tendring district.

Applicants with a severe and enduring mental health problem who are receiving psychiatric treatment and aftercare provided by community mental health service, and have an established support network where a transfer of care would severely impact on their wellbeing, will be prioritised for placements inside of the Tendring district

People with alcohol dependency issues – we will avoid placing people with alcohol dependency in a placement which has a licensed bar on the premises.

Caring responsibilities – evidence of carers allowance or attendance allowance will be required to show significant caring responsibilities for people who are not part of the household and the need to reach people who are being cared for.

Households who consider that they need to live in the Tendring area or a particular part of the district to provide care for someone will need to obtain that persons authorisation to disclose their confidential details to the Council to verify their care needs.

Applicants who have a longstanding arrangement to provide care and support to another family member in the Tendring area and who is not part of their household, and who would also be likely to require statutory health and social care support if the care ceased, wherever possible would be prioritised for placements close to the family member.

Education – the Council understands that disruption to education can be detrimental to a child’s development.

Temporary accommodation will normally be considered suitable where it is within 60 minutes travel, by public transport, of the child's or children's current school.

Attendance at local schools will not be considered a reason to refuse accommodation though consideration will be given to whether the household contains a student with special educational needs, or a student that attends a special school, as well as students who are close to taking examinations at GCSE or A Level.

Households containing a child with special educational needs who is receiving education or educational support in the Tendring district, where change would be detrimental to their wellbeing, will be prioritised for placements in the Tendring district.

Where accommodation isn't available within a 60 minute travel distance, by public transport, it's considered reasonable to assume that the child or children up to a year 9 in secondary school, can transfer to a local school and that this wouldn't constitute a significant disruption to their education.

Households who have as part of their household a child or children who are enrolled in GCSE, AS or A Level courses in the Tendring district with exams being taken within the academic year, and are in year 11 or years 12 or 13, would be prioritised for a placement in the Tendring district.

Unfortunately the Council is unable to help with the cost of getting children to school, Essex County Council Education Department have an Education Transport policy and they may be able to offer advice. The link to the policy is provided below:

https://www.essex.gov.uk/sites/default/files/2023-08/Education-TransportPolicy%2015.08.23.pdf

Accommodation will not normally be deemed as unsuitable due to travel distance or requirements between the accommodation and the school(s) because due consideration would have been given to this and all other relevant factors, prior to an offer being made.

Employment – when making an offer of accommodation the Council will consider the needs of all members of the household who are in paid employment and the distance they are required to commute to reach their normal workplace from the accommodation that is being provided

Where practicable, any member of the household who is in employment they will not be placed more than a 90 minute commute, by public transport, from their place of employment. Consideration will also be given to the affordability of the travel arrangements needed to reach the place of employment, but unfortunately the Council is not able to help with the cost of travel.

Employment includes higher or adult education, vocational or professional training, a recognised apprenticeship, self-employment with a business registered within the Tendring district. This will also include women who are on maternity leave from employment.

It also includes any household members who have a confirmed start date to commence employment in the Tendring area.

Accommodation will not normally be deemed as unsuitable due to commuting distance or requirements between the accommodation and the usual place of work because due consideration would have been given to this and all other relevant factors, prior to an offer being made.

Furniture and goods – a household are unlikely to be able to take all of their belongings into temporary accommodation. Under section 211(1) and (2) of the Housing Act 1996, if someone is placed in temporary accommodation and there is a likelihood (not just that it is a possibility) of loss or damage to their personal property and they are unable to protect their belongings or make other arrangements to do so, the Council may have a duty to make reasonable steps to protect those possessions. The Council can make reasonable charges to do this.

The specified duties covered are section 188, section 189B, section 190, section 193 or section 195, and section 200. In all other circumstances the Council has a power and not a duty to take any steps that they feel are reasonable.

The Councils responsibility ends when it considers the belongings are no longer at risk because the household can protect them.

Pets – the Council does not have a duty to accommodate pets and is not able to accommodate pets in temporary accommodation. This doesn't apply if that pet is a registered guide dog or registered support animal and in these situations proof of registration will need to be provided. There is also no provision for accommodating non-domestic animals, but support will be provided to access appropriate re-homing options. Alternatively a household should arrange for their pets to be temporarily looked after by family, friends or a responsible agency.

Use of Caravans – Due to an increased demand for housing support along with a growing housing crisis, it has led to the Council considering unconventional solutions including the use of caravans on holiday sites. We will always ensure that any accommodation aligns with the criteria of suitability, and whilst a caravan is being used we will continue to find more viable alternatives.

Temporary Accommodation offers and refusals

As a general approach, temporary accommodation is allocated on the day that it is needed.

Consideration is given to the Code of Guidance which states that hotel accommodation is not to be regarded as suitable therefore this type of accommodation will only be used if no other accommodation is available.

Wherever possible, the Council will avoid placing the following households into hotel accommodation with shared facilities:

- Families with dependent children. The Council aims for all hotel placements to not exceed a period of 6 weeks, however, there may be exceptions to this if no other suitable accommodation options can be identified within the six week period.

- Pregnant women

- Young people aged 16-17 years of age - In the case of a 16-17 year old young person that is homeless and approaches the Council, they will be referred to Essex County Council's Children's Social Care so that appropriate accommodation and support can be provided as stated in their regulations under Section 17 of the Children's Act 1989.

Where the Council decides that households need to be provided with a temporary accommodation placement they will be made one offer of suitable temporary accommodation which should be accepted. They will be asked to accept it straight away, and under section 188 or under the Council's discretionary powers, there is no obligation upon the Council to enable clients to view the accommodation prior to acceptance.

In making the offer the households individual circumstances will be considered taking into account any factors set out in this policy. All offers of temporary accommodation will have regard to the Public Sector Equality Act.

There may also be occasions when it is necessary to move homeless households to another temporary accommodation placement to make best use of available resources. If the household refuses to move, this may result in the Council ending their duties.

Where a households circumstances change after a temporary accommodation placement is made, the Council must be informed immediately so that a re-assessment can be made if required, and the household can be moved to alternative suitable accommodation if necessary.

The final decision on which accommodation a household is placed into will lie with the allocated Housing Solutions Officer and the Homelessness Accommodation Officer in accordance with this policy and the advice of the Housing Manager can be obtained, if needed.

If an applicant refuses an offer of temporary accommodation, or fails to take up occupation of the property under any duty (which may include out of area placements), they will be asked to provide reasons for their refusal. The reasons will be considered by their allocated Housing Solutions Officer and the Officer will undertake further enquiries as necessary.

If the accommodation is still considered to be suitable and the Council does not accept their refusal, no alternative temporary accommodation will be offered. The applicant would then need to decide whether to accept the offer or to source alternative accommodation for themselves.

For placements made under section 188 of the Housing Act 1996 applicants do not have the right to request an internal review of the Council's decision as to the suitability of the offer (although judicial review can be applied for). Homeless applicants can exercise their right to review the suitability of temporary accommodation placements once accepted as homeless under section 193 of the same Act. Under section 202 and within 21 days of being notified that the offer is suitable, a review request needs to be made, after this time the only remedy is through judicial review.

Homeless applicants who question the suitability of the temporary accommodation are advised to accept the offer that has been made, and pursue a review of the suitability of the accommodation whilst they are in occupation.

If the Council accepts the reasons for refusal and agree the offer was unsuitable, a further offer will be made.

For applicants where the Council has accepted a section 193 duty and the applicant refuses a suitable offer the applicant can request a review. The continuation of the accommodation placement will be considered on an individual basis taking into account the overall merits of the review request, any new information or evidence that may affect the original decision.

Upon accepting the offer, the applicant will be expected to agree to the rules set in place for the placement, and have the means to pay for the accommodation either from their own income or by making a claim for Housing Benefit.

Temporary Accommodation Agreements

All applicants must keep to the rules of the accommodation they are staying in and keep to the relevant tenancy conditions. Depending on the type of accommodation being offered, applicants will be required to sign to confirm their agreement to the following:

- Specific rules relating to the accommodation
- A Licence agreement or
- A Temporary Non Secure Tenancy Agreement

The Council will serve the relevant Notice to end the stay if a household is found to be in breach of any part of the agreement they have signed.

The Council regularly visits the properties used for temporary accommodation to ensure they are suitable for our households and that standards are maintained. If a household is staying in a commercial hotel, a hostel or in accommodation managed by the Council, there is a requirement to sign a register to prove occupation.

If there are any safeguarding concerns about any households, the Council will request consent from the Police, Probation or other relevant agency to disclose relevant risk information to the accommodation providers prior to the placement being made. The accommodation provider is at liberty to refuse any placement.

Where an accommodation provider refuses to accept an applicant, the council will try other providers but there may be occasions when the risk presented by the client means that no providers will accept them. In this situation, the council will continue to seek temporary accommodation as required under legislation, but in doing so will also seek assistance from other agencies.

Temporary Accommodation Charges

Everyone who moves into any form of temporary accommodation will be expected to pay a nightly licence charge or a weekly rental charge, depending on the accommodation and their current circumstances. If a person is on a low income, it will be their responsibility to claim Housing Benefit or Universal Credit.

Households placed in temporary accommodation will have to make a financial contribution towards their housing costs whether they are working or are in receipt of benefits. In addition to the rental element, which may be covered by Housing Benefit or Universal Credit, this may include a contribution towards:

- associated charges such as utility bills and Council Tax. If needed, the household will be required to purchase their own TV licence.
- ‘personal contribution or ‘service charge’ recoverable by the Council which usually covers accommodation charges that are not eligible for benefits.

In situations where a homeless household does not receive full Housing Benefit or Universal Credit due to eligibility, income or saving, the applicant will be responsible for paying the difference between their maximum benefit entitlement and the cost of the accommodation.

The allocated Housing Solutions Officer will advise all applicants of the charges that apply to the type of accommodation being offered.

If an applicant fails to pay any charges associated with the placement, they will be evicted and, depending on the circumstances, the Council may have no further housing duty towards them. Applicants are not allowed to make alterations to their temporary accommodation. If any part of the accommodation is damaged, other than fair wear and tear, or any items provided are removed from or damaged in the accommodation, they will be charged the cost of replacement or repair.

Challenges to the suitability of temporary accommodation

The Council always aims to offer suitable accommodation to the applicant at the first time of offer. Applicants who have any reservations about the suitability of accommodation being offered should initially discuss the matter with the officer managing their homeless application.

There is no statutory right to review the suitability of accommodation provided under the interim duty. If an applicant refuses a suitable offer of such accommodation they may not be owed any further accommodation duty.

The suitability of accommodation provided in performance of the main housing duty is subject to a statutory right to review. Applicants owed such a duty are advised in writing of this right and how to exercise it. If an applicant refuses a suitable offer of such accommodation they may not be owed any further accommodation duty under this section.

Breach of agreements relating to temporary accommodation

At the beginning of the placement, the applicant will have been notified about the consequences of breaching the terms of their placement.

In the event of a breach of the terms of placement, the Council will issue a verbal and written final warning to the applicant or a member of their household. If this is the first breach and not of the most serious nature then the placement (or an alternative placement) will not be ended. However, a final warning will be given explaining that a further breach will result in the termination of the placement. If following a final warning, a further breach is committed, the placement will be terminated and any duty or discretionary power offered by the Council is likely to end.

If the applicant's behaviour or that of a member of their household is extreme, for example physical violence, the placement may be ended immediately. If the placement is terminated any duty or discretionary power offered by the Council will then be ended.

Length of stay in temporary accommodation

The main aim of temporary accommodation is to provide short-term, emergency housing for those who need it. However, there may be situations where an applicant and their household are in temporary accommodation for a long time. While they are in temporary accommodation, the applicant is still required to look for private rented accommodation.

Initially an applicant will stay in temporary accommodation whilst the Council makes enquiries under section 188 of the Housing Act 1996 and provided the applicant complies with the requirements relating to the placement. When a decision has been made about the homeless application, their Housing Solutions Officer will advise them of the outcome of their application and advise them of the next steps.

If the Councils enquiries show that there is a main housing duty is owed to the applicant but no accommodation is available for them to move into, they may need to remain in temporary accommodation until the Council can find longer term accommodation. Alternatively, the Council may move the applicant and their household to alternative temporary accommodation until a settled home is found.

In some situations the household may be moved to accommodation which is smaller than they need. This will be provided until a settled home is found.

If the Council is able to offer the applicant, a settled home this may be a:

- Council property
- Housing association property
- tenancy in the private sector

The Council is offered properties to rent from private landlords and they may match the applicant to a private rented property. This will represent a suitable offer and the Council's final offer of accommodation. The Council will then have discharged their duty to house the applicant and the temporary accommodation placement will be brought to an end.

Social housing is often viewed as a home for life. However, many housing associations now offer fixed term tenancies, which can range from two to six years in length. The tenancy will then be reviewed towards the end of the fixed term and, if the household's circumstances have changed, they may be asked to move out of the property at the end of the fixed term.

To be considered for social housing, an applicant will need to join the Council's Housing Register and their Housing Solutions Officer or the Allocations Team will advise how to make an application.

Full details of the Council's Allocations Policy can be found at Revised Housing Allocations Policy -December 2019 (003).pdf (tendringdc.gov.uk)

The Council will work with other professionals and support agencies when providing support to a household in temporary accommodation. For example, the Council may contact health professionals to monitor the wellbeing of any children and offer advice regarding schools and local playgroups.

Storage of belongings

If an applicant is homeless and placed into temporary accommodation, they will be responsible for arranging the storage of their furniture and personal belongings if the temporary accommodation is not big enough to store everything. A household can arrange storage with a private storage company at their own expense, or perhaps friends or relatives may be able to help with storage.

Ending temporary accommodation placements

If the Council decides not to provide the applicant with housing (this is called 'not owed a main duty'), either because they are not eligible, not in priority need or because they became homeless on purpose (intentionally), they will be notified of the decision and given advice to help them secure other accommodation. They will also be given a reasonable period of notice to leave the temporary accommodation that has been provided for them.

The notice period will have regard to the need to safeguard and promote the welfare of any children in the household. If there are dependent children in the household, the cessation of temporary accommodation will always be notified to Essex County Council Children's Services for assistance under Section 17 of the Children's Act 1989

Where the Council decides homeless applicants housed under Section 189B of the Housing Act 1996 are not owed a main homelessness duty, they are not protected under the Protection from Eviction Act 1977 and do not have security of tenure.

The other circumstances in which applicants will be asked to leave temporary accommodation are:

- they find their own alternative accommodation

- they accept a private rented sector offer of accommodation
- they refuse a private rented sector offer of accommodation
- they accept a Part 6 offer of accommodation via the Council's Housing Register
- they refuse a Part 6 offer of accommodation via the Council's Housing Register
- the accommodation is lost due to a breach of the licence, tenancy agreement or other rules in place, for example because of rent arrears or antisocial behaviour.
- they become ineligible for housing assistance
- they voluntarily vacate the accommodation or fail to use the property as their only principle place to stay.

If the Council decides they do have a duty to provide the family with a property, the household will be helped to move to longer-term accommodation as soon as a suitable property becomes available.

When leaving temporary accommodation, the applicant and their household must remove all of their belongings on the day that they leave. If belongings are left in the accommodation, the Council will store them for no longer than 28 days and the cost of this storage will be recharged to the applicant. After this period of time, the Council will dispose of any belongings if it judged that its duty to protect them has ended and it has been unable to trace the household or if they have not been collected

Management and safety in temporary accommodation

All of the temporary accommodation used by the Council will be overseen by the Council's Homelessness Accommodation Officers. As well as regular contact with the accommodation providers, they will also carry out random weekly and monthly checks which will include;

- room inspections
- checks of internal communal areas
- health and safety checks

All of the multi occupancy temporary accommodation properties used by the Council have CCTV in place that monitors both external areas around the building, as well as internal communal areas .This CCTV is monitored by the accommodation provider who will notify the Council of any issues that may arise or in the case of an emergency, alert the police.

Households in temporary accommodation must adhere to the rules that have been issued to them, or their licence agreement if issued. If residents do not adhere to the licence agreement or the rules in place, they will be issued with a warning letter. If the first warning is not adhered to they will be issued with an eviction notice.

However, the Council may also use immediate eviction powers in cases of serious antisocial behaviour or in situations where it is believed that other residents, members of the public, a contractor or our staff are at serious risk of harm. If the warning is issued because of a serious breach, for example: any form of verbal or physical abuse, an applicant and all members of

their household will be asked to leave the accommodation immediately. Depending on the situation if they fail to leave either the Police, or a security company will be called by the Council to assist in the removal of those people.

If the allocated Housing Solutions Officer or Homelessness Accommodation Officer becomes aware of any safeguarding concerns, the Officer should immediately speak to a Senior Housing Manager or Housing Manager who will advise on the next steps.

Funding Temporary Accommodation

The costs of providing temporary accommodation is accounted for within the General Fund and this is subject to ongoing review and amendment to take into account any significant changes to legislation and/or operating environment.

Alongside the money committed from the Council's General Fund budget to fund homelessness services, funding has been awarded by Department for Levelling Up, Housing and Communities to support prevention and reduction of homelessness and rough sleeping.

Depending on the resources available, consideration will be given to increasing the portfolio of accommodation to meet expanding demands on current temporary accommodation

Monitoring and Resources

The Council continuously monitors the number of households in temporary accommodation to ensure that appropriate provision in available. This also ensures that budgetary pressures can be monitored and reported on.

In addition, the Council will also monitor the length of stays in temporary accommodation and the number of placements outside of the district.

The Council is also required to report on its bed and breakfast usage to the DLUHC and to work towards a plan to work towards the elimination of bed and breakfast accommodation.

Equalities statement

The Council recognises that it delivers its homelessness services to communities within which there is a wide social diversity, and is committed to providing equal opportunities and valuing diversity.

Through the management of its homelessness service, the Council and its partners or agents will treat all customers fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.

Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability and age is not acceptable.

The Council will tackle inequality, treat people with dignity and respect and continue to work to improve services for all service users

The legal framework for the Council's approach is provided by the Equality Act 2010 and specifically by the Public Sector Equality Duty, under which a public authority must work consciously to eliminates discrimination, harassment, victimization and to advance equality of opportunity and foster good relations between people with differing characteristics

To enable customers to have clear information and equal access to our repairs and maintenance service information will be made available in a range of appropriate languages and formats, when requested.

Complaints

If for any reason an applicant is not satisfied with the service that has been provided, they can make a complaint in accordance with the Council's Housing Complaints Policy. This can be viewed via the link below https://www.tendringdc.gov.uk/how-make-complaint-about-council-landlord

Review of Policy

The Policy will be monitored and reviewed on an annual basis or more frequently as changes in legislation or regulation dictate.

Changes will be made to the document under the authority delegated to the Corporate Director (Operations and Delivery) in consultation with the Portfolio Holder responsible for Housing.

Below are links to the support organisations that can offer help and guidance:

https://www.summitservices.org.uk/ advocate for residents in our local area who may be living with a mental health illness or long-term health condition.

https://www.cvstendring.org.uk/ Community Voluntary Services Tendring

https://www.peabodygroup.org.uk/our-work/care-and-support/outreach-services/ provide one-to-one support, advice and information to help with a range of issues, including housing and welfare, wellbeing, debt and isolation. They work closely with specialised agencies to connect people to services that work for them

https://healthwatchessex.org.uk/ can help people access, understand, and navigate health, social care and wellbeing services in Essex.

https://www.thenextchapter.org.uk/ offer free and confidential services to support people who are currently experiencing or have previously experienced domestic abuse.

https://www.phoenix-futures.org.uk/ Phoenix Futures is dedicated to helping individuals, families, and communities recover from drug and alcohol problems

https://www.tendringdc.uk/content/disrepair The Private Sector Housing Team provide a range of services for people living in privately owned or privately rented homes within the Tendring District. Some of the issues they deal with include disrepair, illegal eviction and houses in multiple occupation.