

Proposed Revised Placement Policy for Temporary Accommodation and Private Rented Sector Offers.

Scope	<p>This policy explains how the Council will meet its statutory duties in locating accommodation, in accordance with Part VII of the 1996 Housing Act and the Homelessness Code of Guidance.</p> <p>It describes how officers will determine the suitability of temporary accommodation and provide detail as to how offers will be made into private rented accommodation as we expand our relationships with landlords in the private rented sector. This policy will apply to both existing and future applicants.</p>
Approved by	Slough Borough Council Cabinet
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Document owner – Corporate	Director of Housing
Document owner – Portfolio Holder	Cabinet Member for Housing
Review	It is proposed keep the policy under constant review. Updates will be based on any changes in legal or local context.

1 Introduction

Slough Borough Council is committed to using all its resources and creativity to make the experience of homelessness as stress free and as short an experience as possible. The Council is determined to enable everyone to eventually access a stable, secure, and decent home regardless of tenure. This is in the context of a severe shortage of rented accommodation in Slough and the wider Southeast region generally.

This policy covers two elements:

- **The use of short-term temporary accommodation**
- **The increased use of the private rented sector to provide a sustainable solution for people experiencing homelessness.**

This policy sets out how the Council determine the suitability of accommodation for households placed into either the private rented sector or temporary accommodation. The severe shortage of housing, rising rental costs, and growing pressures on local government funding mean that for most households in the future there is the potential need to move out of the borough and often away from Slough and the southeast of England.

This policy will apply to all those households that have been accommodated by the Housing Accommodation Service. The policy does not cover households who have secured their own accommodation in the private rented sector as the Council will not have been able to assess the suitability of accommodation in these circumstances. The policy may be amended according to changing levels of need or changes in legislation. Any changes will be approved either by the Cabinet Member for Housing or Cabinet depending on the nature of the proposed amendment.

1. Temporary Accommodation Offers

Temporary accommodation (TA) is not a long-term solution for residents. Hotel accommodation is reserved for emergency purposes only. The aim is that no household should spend longer than is necessary in temporary accommodation. Currently temporary accommodation occupation can expect to be for a period of over 3 years. This is unacceptable from the perspective of providing a stable decent home environment and a cost pressure perspective for the Council.

The objective of this policy initiative is to reduce time spent in temporary accommodation to less than 12 months over the next two financial years. The Council aim to ensure that the accommodation we offer, meets the needs of the household, and meets the suitability criteria set out below. Officers will usually only make one offer of temporary accommodation to a household, usually as an emergency response or where we have been unable to secure a suitable and affordable home. The household would normally be expected to accept it

immediately. The policy foresees that such accommodation may be out of borough in the future to achieve the objectives of providing longer term sustainable and decent homes for homelessness clients. Transport to such out of borough accommodation will be paid for by the Council.

1. Moving from one temporary accommodation property to another

In some cases, a household living in temporary accommodation may have to move to a different unit of temporary accommodation. Depending on the type of the accommodation and changes in the housing market, the Council may expect the households to move with short notice. In that case, we will give one offer of suitable alternative accommodation. If the household refuses the offer, we will not offer further accommodation and our duty to the household will come to an end.

2. Private Rented Sector Offers

At present the Council has only a limited amount of activity aimed at placing clients into the private rented sector (PRS). The Council's aim is to significantly increase the number of such placements and to prevent and relieve homelessness through assisting households to stay in their existing accommodation by way of more proactive preventative activities. This will also include PRS Leasing schemes which will be introduced during 2024/25

Where such a placement has not been possible and a household is either in temporary accommodation or will lose their existing accommodation, we will begin to assist them into a suitable private rented home as quickly as possible. This means that we will arrange for a private rented sector landlord to make an offer of an assured shorthold tenancy in the private rented sector for a period of at least 12 months. We will evaluate each offer both regarding needs of the household and the nature of the accommodation to be offered.

A maximum of two reasonable offers of affordable private rented housing will be made. Individual circumstances will be considered in making these offers, including time scale, affordability, household preferences and needs. An acceptance of any suitable offer will end the Council's statutory duty. When a second suitable offer is made, the household will be notified in writing and the Council's statutory duty will be formally ended, whether the offer is accepted or refused. This reflects the need to be robust about reducing live cases and working more strictly to the regulatory and statutory duties imposed on the Council.

If the household wants a certain type of property in the private rented sector or in a specific area, we will advise them to conduct their own search. This enables households to choose the property they want to live in. If they should subsequently find a property and it meets the suitability criteria, we will assist them in securing the tenancy. Households must not sign any tenancy agreement before Officers determine that the property is suitable, and the tenancy complies with certain conditions.

3. Suitability

The Council obviously needs to ensure that the accommodation offered is suitable for the households. In determining whether a property is suitable we will balance the needs of the household with the nature of the accommodation being considered. **A key factor in determining location is the availability of suitable affordable housing.**

Changes in the housing market, combined with a lengthy freeze on Local Housing Allowance (although this will cease from April 2024) have meant that there is very little accommodation available within Slough and the Southeast of England. **Most households in future therefore will be made an offer of affordable private rented accommodation in other parts of the country where Local Housing Allowance aligns closely with average rents.**

The extreme shortage of affordable accommodation within Slough and the Southeast means that the Council will prioritise some households ahead of others for the limited number of properties that become available.

The proposed factors considered to prioritise households are set out at 3 below.

3.1 Size of Accommodation

Accommodation must be of an appropriate size for household. The Council will calculate the number of bedrooms that a household will need by following the steps below **in order**:

Step 1: One bedroom for the applicant, and partner/spouse (if any)

Step 2: One bedroom for any additional adult couple

Step 3: One bedroom for any two additional people of the same sex

Step 4: One bedroom for any two additional people of the opposite sex aged nine and under

Step 5: One bedroom for any additional person

This calculation will not be used where there are safeguarding issues or concerns. In these circumstances the size of property will be determined by the Housing Allocations Manager, Housing (People) Services following a case conference and recommendations from the social worker from Adult Social Care or Children Services.

3.2 Standard of Accommodation

All properties offered must meet the necessary requirements of compliance and fitness standards. The Council will ensure the property certification is up to date in all respects and that it has adequate heating and ventilation and free from damp and mould. Periodic inspections will be made and a report on condition and standards submitted to the Council where appropriate.

3.3 Affordability

Before making an offer of accommodation, the Council will assess each household's income and expenditure. This is to ensure that the household can afford to pay the rent for the property.

We will aim to secure properties for rent within or close to the prevailing Local Housing Allowance rate as far as reasonably practicable so that they are affordable for people receiving housing benefit/ universal credit. Given the context of rising rents in Slough the Council will need to procure accommodation out of Slough to ensure a greater number of affordable accommodation.

In cases meeting the criteria set out in the Discretionary Housing Payments (DHP) Policy, The Council may award a time limited DHP to pay for shortfalls in Housing Benefit/ housing element of Universal Credit and Local Housing Allowance. The DHP Fund is a short-term emergency fund, awarded whilst the household takes action to resolve their housing problems in the longer term. This can include taking steps to find work; or taking steps to maximize their welfare entitlements in other ways.

3.4 Location

For residents reliant on benefits to cover their housing costs there is an extremely limited supply of properties. We will support households to move to accommodation outside of Slough in the following situations:

- Where there is an ongoing threat to the safety of a household if they remain in Slough. The Housing and Community Safety Team in partnership with the Housing service are in the final stages of approving a new Safe Homes Strategy. This will aim to provide a compliant strategy for consideration by member shortly and identify the Councils detailed approach to dealing with victims of violence.
- Where there is no suitable affordable accommodation within Slough available.

The nature of the housing crisis means that procurement activity will be focused on those areas of the country where Local Housing Allowance will still cover much of the rent.

The Council will support residents wishing to stay in or around Slough in finding their own accommodation through an improved Private sector Landlord referral service which is currently being established and expected to become operational in April 2024.

Section 208(1) of Housing Act 1996 states "so far as reasonably practicable a local housing authority shall in discharging their housing functions under this Part secure that accommodation is available for the occupation of the applicant in their district." This means that so far as reasonably practicable a local authority must try and provide accommodation in the local authority's area. The Homelessness Code of Guidance for Local Authorities also provides guidance regarding the suitability of out of borough placements. The current state of the housing market,

with the gap between benefits and rents increasing rapidly, mean that there is little or no accommodation that is affordable to low-income households within Slough and the Southeast.

The limited number of properties that the Council secures either as temporary or permanent housing in or around Slough will be reserved for households meeting the criteria set out below.

The Council will consider the factors below when determining the suitability of the location of the accommodation. The household may be asked to provide additional or updated information relating to their current circumstances to assist the Council in its determination.

In considering these factors the overriding issue is the availability of housing that is affordable to the household. For most households this will be the main factor in determining the suitability of an offer of accommodation.

Officers will refer to these factors when we explain to a household why they are being offered accommodation, and why an alternative was not offered if there is more than one property available.

3.1.1. Employment

When a member of the household or someone who is reasonably expected to live with the household, is in paid employment, the Council will consider the need to reach their normal workplace from the accommodation being considered. This also applies to people who have a confirmed start date of employment or are enrolled on a work readiness programme in Slough.

The Council will give priority for accommodation in Slough and its vicinity to households where a member of the household or someone who is reasonably expected to reside with the household, is in paid employment and a move out of Slough would result in termination of this employment with no prospects of finding employment in any new location.

3.1.2. Caring responsibilities

The Council will consider caring responsibilities on an individual basis when determining what would be a reasonable location for the household to live.

The Council will consider households with members who are registered carers in receipt of carer's allowance and provide care for a member of the family who is not part of the household but who resides in Slough. We will give priority for accommodation in Slough and its vicinity to the carer's household if the person being cared for would require statutory health and social support if the care ceased.

3.1.3. Education

The Council will take the age of the child and the stage of their education into consideration. If households include children who will take statutory exams within an academic year, Officers will aim to assist them in finding accommodation

within a reasonable travelling distance from their school. This includes children enrolled in GCSE, AS or A level courses (or Advanced British Standard) or post vocational qualifications in schools based in Slough. Households that include children who are not taking statutory exams within an academic year may have to move further away. In such a case, officers would advise that the children change schools.

The Council will give priority for accommodation in Slough and its vicinity to households with children taking statutory exams within the academic year. The Council will also give special consideration to households with children with Special Educational Needs and Disabilities (SEND) who are receiving educational support from Slough Council.

We will give priority for accommodation in Slough and its vicinity if changing school would be detrimental to their education and well-being (for example, if they could not receive special educational needs support elsewhere). In some specific cases the family could benefit from a coordinated move to another area if a move would allow the family to live closer to specialist educational support. Housing services will work in partnership with children's and education services to determine this.

3.1.4. Children subject to a child protection plan

The Council will consider any cases where children are subject to a child protection plan on an individual basis. Social workers will advise on these cases, in order that the Council consider all safeguarding concerns and determine whether the household should be prioritised to stay in the borough. In some cases, the children may benefit from a move out of the borough, as that could eliminate the threat to their well-being.

3.1.5. Adults in education

The Council will consider the needs of any adult in the household who is in education. This includes adults in higher or adult education, vocational and professional training, or a recognised apprenticeship.

3.1.6. Medical facilities, medical and health issues

The Council will consider individual medical and health needs. We will consider any ongoing treatments and the implications of transferring to healthcare providers closer to new accommodation.

When determining suitability regarding the household's medical needs, Officers will consider whether the medical condition itself makes the housing and location offered unsuitable. If the household cites previously unidentified medical grounds as the reason for refusing the accommodation, Officers will ask the household to submit evidence within a reasonable period.

The Council will give priority for accommodation in Slough and its vicinity to households with members who meet at least one of the following conditions:

- **have a severe and enduring physical or mental health condition requiring regular specialist care that a move from Slough and its vicinity would significantly disrupt the individual or family**
- **have an enduring physical or mental health problem where a loss of local support network would severely impact their well-being**

3.1.7. Services, amenities, and transport

The Council will consider accessibility to local services, amenities, and transport.

3.1.8. Wider community support networks

The Council understand that some households rely on local support networks in their daily lives more strongly than others. The nature of the support varies. It includes but is not limited to childcare, membership of a religious community, or support for recovering drug addicts. Officers will consider any such circumstances on an individual basis. Therefore, officers will consider situations where a loss of local support networks would be significantly detrimental to the wellbeing of the household.

4. Support for Households

The Council will offer all households who move out of the borough and its vicinity relocation support. This is when households are moving further away than a neighbouring borough. The level of support will depend on the individual and collective needs of the household and the location. This may include financial support to enable a permanent move.

Relocation support may include information on:

- local schools
- Special Educational Needs support
- local childcare
- local GPs
- housing benefit as well as any other benefits the household may be entitled to
- information on their new local council, Council Tax, registering to vote and relevant local services
- community care services and social groups
- where relevant, information on local employment opportunities
- guaranteeing rent payments to landlords for up to a year where a resident is not able to provide evidence of income

5. Right to Review

Households have a statutory right to request an internal review regarding decisions we make on several issues. One of these is suitability of accommodation. If the outcome of the review is in the household's favour, this means that the decision to end our duty is set aside and we will then make a further offer of accommodation.

If the household is not satisfied with the outcome of the review, they can appeal to the County Court, but only if the Council has made a legal error when making the decision. An appeal must be brought within 21 days of notification. If the applicant has not been notified of the outcome within the prescribed time, an appeal must be brought within 21 days of when they should have been notified.

The following reasons are unlikely to be considered as acceptable reasons for refusal:

- the quality of decoration/furniture
- provision of parking
- lack of access to a garden
- any medical condition that is not directly impacted by the accommodation offered
- geographical location

6. Tackling fraud

It is an offence for any resident to knowingly make a false statement intended to induce the Council to believe that they or any others are entitled to accommodation. Where we suspect that a fraud may have been committed, this matter will be investigated and may lead to criminal proceedings being instigated.