



Temporary Accommodation for Homeless Applicants – Procurement and Allocation Policy (December 2019)

Amended: November 2020, December 2022

Introduction

The Supreme Court's decision in the case of *Nzolameso v City of Westminster* - April 2015 provided that, ideally, local Housing Authorities should have, and keep up to date, a policy for procuring suitable temporary accommodation for homeless applicants and for allocating that accommodation. This policy has been developed to explain the Council's approach to providing suitable temporary accommodation.

Whilst it is not possible to predict how long households will stay in temporary accommodation the average stay in 2022 / 2023 was 34 weeks from moving in to being successful securing another form of settled accommodation. This figure will be updated on an annual basis.

Legal Background

The Council has a duty under Section 188 (1) of the Housing Act 1996, as amended, to ensure that interim accommodation is available for eligible applicants who are homeless and in priority need. When the Council receives a homeless application it has a duty to assess the applicant's circumstances to decide what help, if any, they are entitled to and make enquiries.

In some cases there is a requirement to provide interim accommodation pending enquiries and on completion of these enquiries the Council may decide to accept a Section 189B (2) homeless relief duty. This duty lasts for 56 days and at the end of that time the Council may then decide that the applicant is owed the full homeless



duty under Section 193 (2) of the Housing Act 1996. The Council is required to continue to accommodate the applicant in suitable temporary accommodation until such time as that duty comes to an end.

Any offer of accommodation must be considered as suitable for the applicant and the applicant's household and wherever possible the Council should provide accommodation in its own area. A number of factors are considered when determining suitability and these are as follows:

- Affordability
- The Standard of the Accommodation
- Location

The Council must also have regard to its duties under the Children Act 2004 and the assessment of the needs of children in households placed form part of the overall assessment. Where appropriate, and with consent, a referral will be completed and sent to Surrey County Council's Children's Services to notify them that a household has been provided with temporary accommodation by the Council.

Accommodation Available

The Council has the following accommodation available within the borough of Surrey Heath:

- 32 units at Lawrence Lodge, Old Dean Road, Camberley, GU15 4JY.
- 12 units at Darwin Court, Watchetts Road, Camberley, GU15 2AF.

These 44 units are provided by Accent Housing and the Council has 100% nomination rights to each unit.

Lawrence Lodge



3 of the 32 units at Lawrence Lodge are classified as ‘double units’ meaning they are larger and have exclusive access to three rooms. The remaining 29 units are single rooms. All units at Lawrence Lodge have shared access to kitchen, bathroom and laundry facilities. The double units also have their own WC. Lawrence Lodge comprises of both ground floor and first floor units.

Single rooms at Lawrence Lodge are deemed as being suitable for households of up to 4 household members, where the household consists of up to 2 adults and up to 2 children. No household containing at least 3 children will be provided with a single room at Lawrence Lodge (see Appendix 1).

A double unit at Lawrence Lodge has exclusive access to three rooms. These units are deemed as being suitable for larger households with at least 3 children. The minimum household size for consideration for a double unit will be households of at least 1 adult and 3 children. The maximum household size considered as suitable for a double unit at Lawrence Lodge will be households of up to 7 household members (see Appendix 1).

Darwin Court

All 12 units at Darwin Court are self-contained one-bedroom flats. Darwin Court comprises of both ground floor and first floor units, with the ground floor units being wheelchair accessible.

The units at Darwin Court are considered as being suitable for households of up to 6 household members, where the household consists of up to 2 adults and up to 4 children (see Appendix 1).

At September 2019 the Council’s experience is that the accommodation procured through Accent Housing is sufficient to meet demand. This assessment is based on previous, current and anticipated use. This will be reviewed annually or at any intervening time when demand changes.



When the Council's temporary accommodation with Accent Housing is fully occupied or not available, it will be the priority of the Council to secure alternative accommodation as close to the borough as possible. This will be booked on a night by night basis to ensure value for money. This out of area accommodation will be in the form of Bed and Breakfast or other nightly paid accommodation provided by proprietors the Council have a long term working relationship with and will only be used until accommodation becomes available in one of the schemes detailed above.

When there are no vacancies in this accommodation the Council will first seek vacancies in nightly paid accommodation used by other Local Authorities, before widening the search to general Bed and Breakfast providers.

Nightly paid accommodation may also be used where a household presents in an emergency with no belongings to move into the Accent Housing provided accommodation in order to give them time to arrange essential items. There will also be some instances when Accent Housing will not accept a nomination from the Council to one of their properties and Bed & Breakfast will need to be used in these instances.

Bed and Breakfast Accommodation

Bed and Breakfast accommodation with shared kitchen and bathroom facilities is not regarded as suitable accommodation for any household with children under 18 or expecting a child. When there is no other accommodation available the Council may use Bed and Breakfast with shared facilities and households should not stay for a period of time that exceeds 6 weeks. The Council is open to challenge if shared Bed and Breakfast accommodation is used for longer than 6 weeks in these circumstances.

Other forms of accommodation offered to the Council includes self-contained properties on a nightly paid rate. These may be used for larger families or where



there is a vulnerability or medical issue that requires self-contained accommodation to be provided. More information about Bed and Breakfast accommodation can be found in the Council's Interim Accommodation Policy.

Suitability of Accommodation

Affordability

When allocating emergency accommodation the Council will look at the weekly income of the household, this will include all welfare benefits (including disability benefits awarded for all household members). A weekly expenditure of essential items will be taken into consideration (travel costs, food) and support will be provided to the applicant to submit a claim for Housing Benefit.

Where the only accommodation available is out of area and the applicant may experience financial hardship an affordable payment plan will be put in place as well as ensuring the applicant is moved to more affordable accommodation as early as possible.

The Council reviews the charge made for Bed and Breakfast on annual basis. The charge is based on Department for Work and Pension (DWP) rates for rent and accommodation costs to ensure that the calculation is both affordable and the methodology transparent.

Standard of Accommodation

The standard of the accommodation used by the Council will be monitored in various ways. The Homelessness Code of Guidance states that as a minimum the Council should ensure that any accommodation is free of category I hazards and is fit for human habitation, however a Council is not under a duty to carry out a full inspection and hazard assessment under the Health and Safety Rating System.

Accent Housing provide the 54 units of accommodation in the borough of Surrey



Heath and have a full-time Customer Partner managing the stock. The provision of the accommodation is subject to a Service Level Agreement (SLA) agreed between the Council and Accent Housing. Any repair issues / resident concerns will be reported to Accent Housing within 1 working day of the Council being notified to allow Accent Housing time to resolve this issue. Any on-going concerns will be escalated to the Housing Services Manager to liaise directly with the Customer Partnership Manager at Accent Housing.

Due to the shared nature of the accommodation at Lawrence Lodge it is subject to the Council's five-year inspection regime for non-licensable Houses in Multiple Occupation. A non-technical annual inspection will also be carried out by the Housing Services Manager from the Council and the Customer Partnership Manager from Accent Housing to ensure the accommodation continues to be fit for human habitation.

When Bed and Breakfast placements are made and the Council receives any report of poor conditions or management it will be followed up within 1 working day of the complaint being received. The Council will notify the proprietor of the Bed and Breakfast of the nature of the complaint and agree a resolution. Where a proprietor fails to act on a complaint that renders the accommodation unsuitable it will be immediately escalated to the enforcing authority and the applicant offered alternative accommodation elsewhere.

Accommodation inspection sheets will also be completed by Council officers and support staff when visiting Bed and Breakfast accommodation.

Whilst there is no separate category of temporary accommodation when a Council is fulfilling their Section 193 duty, the Council or a person to whom the duty is owed, can take into account the period of time which that accommodation is going to be available when considering suitability.

Location



When assessing the suitability of the location of accommodation either within the Surrey Heath area or outside the borough, the Council will assess the impact on the applicant and their household. The Council will consider factors such as employment, schooling, childcare and access to transport (private or public). The primary consideration will be to safeguard the on-going wellbeing of any children or vulnerable adults included in the applicant's household.

Where it is not reasonably practicable to secure accommodation within the borough of Surrey Heath and an applicant and their household may have to be accommodated outside of the borough. In these circumstances the Housing Solutions Team will notify all services working with the applicant or any member of their household (if consent to share has been received). The location of the accommodation will also be provided and a request made that services continue to support the applicant or household member for the time they are accommodated outside of the borough.

The Council will also consider whether the applicant or a member of their household is at risk of violence in a particular area before making any offer of accommodation. This will be supported by Police inquiries and information from other professional agencies working with the applicant or their household members.

Inquiries will be completed with medical professionals to establish the suitability of any offer made and how it may impact on any diagnosed medical conditions. The extent of any disruption or capacity to continue to receive medical treatment will also be considered at the time of any offer of accommodation. Although individual circumstances must be considered it is considered as generally reasonable for people to have to travel to up to 1 hour to attend specialist appointments.

At all times the Council agrees to keep an applicant updated as to the timeframe they are likely to be accommodated outside of the borough.

When households are placed in Bed and Breakfast these placements will be monitored by the Council on a weekly basis and alternative accommodation options considered at every possible opportunity.



Allocation of Accommodation managed by Accent Housing

When units of accommodation are available with Accent Housing these will be considered in the first instance as they are within the borough. The Council's Case Officers will allocate these units based on the size of the unit against the size of the applicant's household.

When a household requires a specific type of accommodation due to a medical need (eg. ground floor accommodation for a wheelchair user) priority will be given against other homeless households who may already be placed in Bed and Breakfast accommodation. This is to ensure the stock available is used in the most suitable way.

When there is no accommodation available in Borough and a nightly paid out of area placement is being considered the Council will always work with the homeless household to see what other accommodation would be available on an emergency basis which would not affect the status or progress of their homeless application.

Support

Once an offer of temporary accommodation is made to an applicant they are also offered additional floating support to help them manage whilst in accommodation if needed. This support is provided by the Council's in-house Housing Support Service, who provide support to help prevent homelessness and promote independent living.

The Housing Support Service provides a one-to-one Support Worker who will work with an applicant to create a tailored support plan with coping strategies to empower independent living. This bespoke help can help to address a wide range of issues and develop daily living skills.

Referrals will only be made with the consent of the applicant.



The Council’s Housing Support Service will provide support to people placed both within the Surrey Heath area and in emergency Bed and Breakfast placements outside of the Surrey Heath area.

Right to Request a Review of Suitability

Applicants owed the full homeless duty under Section 193 (2) of the Housing Act 1996 have the right to request a review of the offer of temporary accommodation if they believe it to be unsuitable for them or their household.

Applicants can ask for a review under Section 202 of the Housing Act 1996 and this review will be undertaken by an officer more senior to the original decision maker.

There is no right of review of a decision on the suitability of accommodation secured under the Council’s interim accommodation duties and such decisions are subject to judicial review in the High Court.

Appendix I – Household Sizes

The indicative household sizes will be considered in light of each households’ individual needs and taking into consideration such issues like health needs etc.

Lawrence Lodge – Single Unit

Scenario	Household Size
Applicant	1
Applicant & Partner	2
Applicant, Partner + 1 Child	3
Applicant, Partner + 2 Children	4
Applicant + 1 Child	2
Applicant + 2 Children	3



Lawrence Lodge – Double Unit

Scenario	Household Size
Applicant + 3 Children	4
Applicant + 4 Children	5
Applicant + 5 Children	6
Applicant + 6 Children	7
Applicant, Partner + 3 Children	5
Applicant, Partner + 4 Children	6
Applicant, Partner + 5 Children	7

Darwin Court

Scenario	Household Size
Applicant + 2 Children	3
Applicant + 3 Children	4
Applicant + 4 Children	5
Applicant, Partner + 1 Child	3
Applicant, Partner + 2 Children	4
Applicant, Partner + 3 Children	5
Applicant, Partner + 4 Children	6

