

Placement policy

Temporary accommodation and private rented sector offers



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SECTION 1

1. Aims of policy

- a. This policy relates to the allocation of temporary accommodation (Part VII Housing Act 1996) and private rented sector offers (PRSO). This policy applies to all those households accommodated by the Housing Demand Service. The policy does not cover households who have secured their own accommodation in the private rented sector as the council cannot assess the suitability of accommodation in these circumstances.
- b. To minimise the adverse impacts of temporary accommodation by promoting tenancy sustainment, supporting access to education, healthcare, and support services, and facilitating timely move-on into settled housing.

SECTION 2

2. Purpose of this policy

- a. The purpose of this Policy is to enable council officers involved in the placement of households in accommodation. This document is primarily for use to guide officers making placements in temporary accommodation; the same principle will apply for the use of private sector offers.

SECTION 3

3. Legal framework

- a. The policy complies with:
 - i. The Housing Act 1996, as amended by the Homelessness Act 2002 and The Homelessness Reduction Act 2017
 - ii. The Localism Act 2011
 - iii. The Equality Act 2010
 - iv. The Homelessness (Suitability of Accommodation) (England) orders 1996, 2003 and 2012

- v. Supplementary guidance on the homelessness changes in the Localism Act 2011 and the Homelessness (Suitability of Accommodation) (England) Order 2012
- vi. The Homelessness Code of Guidance
- vii. The Homelessness and Rough Sleeping Strategy 2027
- viii. The Housing Allocation Scheme
- ix. The Children Act 1989 (in particular, section 17)
- x. The Children Act 2004 (in particular, section 11)

SECTION 4

4. Policy statement

- a. Ealing Council is committed to securing suitable temporary accommodation for homeless households, where required under section 188 or section 193 of Part 7 of the Housing Act 1996 (as amended). This is in the context of a severe shortage of affordable rented accommodation in Ealing and across London more generally. Our aim is to provide accommodation within our borough wherever possible, but unfortunately this is not always achievable.
- b. The council will place households with family commitments in bed and breakfast accommodation as a last resort. Where the council cannot avoid this, we will strive to reduce the length of time families spend in such accommodation.

SECTION 5

5. Demand and supply

- a. As per section 208 of the Housing Act 1996, and paragraph 16.7 of the Homelessness Code of Guidance, as far as reasonably practicable, the council seeks to accommodate homeless households in Ealing and always considers the suitability of the accommodation, considering the circumstances of the individual household. However, due to an acute shortage of affordable housing locally, and rising rental costs, an increasing number of households, it is likely that we will have to place many outside the borough, as it will not be

reasonably practicable to provide accommodation in Ealing. The application of housing benefit caps, Local Housing Allowance (LHA) rates within the borough, welfare reform, universal credit, and restrictions on overall benefit entitlement, has further restricted the number of properties that are affordable to homeless households in Ealing, particularly for larger families.

- b. When determining whether it is reasonably practicable to secure accommodation in Ealing, as opposed to simply what is reasonable, the cost of the accommodation is a relevant and proper consideration. The reality is that the demand for housing greatly exceeds the supply, rent levels remain high, and affordability remains a primary obstacle, not only in securing PRSO accommodation but also when securing all forms of temporary accommodation in the borough.

SECTION 6

6. Suitability of accommodation – factors to consider.

- a. **Accommodation available in the borough:** If suitable accommodation is available in the local authority area, we will house applicants in Ealing, allowing them to maintain any established links with services and social/support networks. However, when there is a lack of suitable accommodation, or when there are higher priority households awaiting accommodation in the borough, we will use out of borough placements to meet the council's housing duty (see section 7 on the criteria for prioritising households for local accommodation below). Due to the shortage of accommodation locally, the council may consider bed and breakfast in/outside of the borough suitable for short-term interim placements. We will consider the availability of support services and mitigation measures when assessing the suitability of out-of-borough placements.
- b. **Affordability:** 'Affordability' has been defined in this policy as: 'the household must have its equivalent level of income support or income-based jobseeker's allowance (whether claimed or not) available to spend on reasonable living costs after the cost of accommodation has been deducted from the household's income.' Due regard will be paid to the code of guidance when assessing affordability.

- c. **Size and location of the property, and the availability of support networks in the area:** Accommodation must provide adequate space and room standards for the household and be fit to inhabit - to ensure that the property is suitable in terms of space and arrangement considering the relevant needs, requirements, and circumstances of the household, for example, relating to health or mobility issues. In deciding on the suitability of the property, consideration would be given to the length of time needed to complete any necessary repairs, and whether it is reasonable to complete these while the property is occupied. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden are unlikely to be acceptable reasons for a refusal.
- d. **Health factors:** The council will consider health factors, such as the ability to climb the stairs, care and support provided by other statutory agencies or the need to access any specialist medical services only available in Ealing. The key test in determining the impact of medical issues is whether the condition makes the housing offered unsuitable. Some medical circumstances would not normally make a property unsuitable, as the problems would persist in any accommodation.
- e. **Education:** Attendance at local schools will not be considered a reason to refuse accommodation, although there will be some priority for special educational needs and for students due to take public examinations very soon, when deciding in-borough placements.
- f. **Proximity to schools and services:** The council will consider the proximity to schools, public transport, primary care services, and local services in the area where accommodation is located.
- g. **Employment:** The council will consider the need for applicants to reach their normal workplace, if they are in paid employment.
- h. **Special circumstances:** The council will consider any other reasons for refusal made by the applicant and decide if the offer is suitable.
- i. **We will only make one offer of suitable accommodation having considered:**
- outcome of the suitability assessment with the applicant as outlined in section 6 of this policy

- criteria set out in section 7.3 of this policy.
- j. **If a suitable property is refused unreasonably:** This will result in discharge of the council's housing duty.
- k. **Legal right of the applicant to request a review:** If the applicant is not satisfied with the decision, they can request a legal review, as set out in section 8.

Support for households in temporary accommodation

- a. The council recognises that temporary accommodation placements, particularly those made outside the borough, can create disruption for households and families. The council will seek to minimise these impacts through appropriate support, advice and partnership working.
- b. Where available, households placed in temporary accommodation may be offered support services designed to promote tenancy sustainment, improve wellbeing, reduce disruption, and support successful move-on into longer-term housing solutions.
- c. This support may include housing advice, welfare and income maximisation support, school and GP registration assistance, safeguarding referrals, advice on employment and skills, move-on planning, and access to specialist support services.
- d. The council may work with partner authorities and commissioned providers, including temporary accommodation visiting support services, to help households sustain accommodation, access essential services, maintain contact with support networks and achieve positive housing outcomes.
- e. The council will seek to prioritise support for vulnerable households, including families with children, households with health conditions, care experienced young adults, households with safeguarding concerns and households placed in emergency or out-of-borough accommodation.

SECTION 7

7. Criteria for prioritising placements inside/outside of Ealing.

- a. As the borough faces increase in demand, there is pressure to house applicants outside the area. It is, therefore, necessary to make decisions about the suitability of placements for individual households and to balance these against the type and location of temporary accommodation and private rented accommodation offered. In many cases housing outside of the borough will be more sustainable for the household in the long term, with lower rents allowing them to better meet their subsistence and household costs - avoiding rent arrears.
- b. The aspiration remains to place to house all households in accommodation in the borough (zone A). However, where there is insufficient accommodation to meet demand on any given day, the criteria set out below will be used to prioritise allocation.

Zone 1 – Accommodation in the borough of Ealing

- c. Priority for available in-borough accommodation will be given to households assessed by the council as having a particular need to be housed within the London Borough of Ealing. We will consider households who satisfy one or more of the following criteria set out for zone 1 below as a priority for accommodation within the borough.
- d. An 'in-borough' priority does not guarantee an in-borough placement but, if suitable and affordable accommodation is available within that area on the day of placement, it gives that household priority over others who do not have this assessed priority. If no 'in-borough' accommodation is available, the council will offer accommodation as close to the borough as possible.

Zone 2 – Accommodation within a 90-minute travel distance of Ealing

- e. Priority for accommodation close to the borough is defined as accommodation located within a specific travel distance of the London Borough of Ealing by public transport. This will apply to applicants or their household members who satisfy one or more of the criteria set out for zone B below.

- f. Such priority does not guarantee a placement within the suggested travel distance of the London Borough of Ealing by public transport, but, if suitable and affordable accommodation is available within that area, the household will have priority over others without that assessed priority. If no accommodation within a specific travel distance from Ealing is available, the council will offer accommodation as close as possible to the borough.

Zone 3 – Accommodation in any area including outside of London

- g. If applicants do not meet the criteria for zones 1 or 2, the council will offer properties that are located more than a 90-minute travel distance, by public transport, from the London Borough of Ealing.

Zone	Location	Priority Group
1	Accommodation in the London Borough of Ealing	<ul style="list-style-type: none"> Households with one child (or more) who has an Education Health and Care Plan (EHCP) and attends a specialist educational setting in Ealing. Households where one person (or more) has a severe and enduring physical condition requiring intensive and specialist medical treatment where this treatment is only available in Ealing. Households where one person or more is in receipt of a significant care package administered by the council, and/or the NHS, which cannot be transferred to another area.

Zone	Location	Priority Group
2	Accommodation within a 90-minutes travel distance of Ealing	<ul style="list-style-type: none"> Households where one person or more is in permanent and settled employment, continuously employed for a period of 6 months and for 16 hours or more per week - meeting the Department for Work and Pensions guidelines on reasonable travel times for employment. Women who are on maternity leave from employment, continuously employed for a period of 6 months and for 16 hours or more per week prior to their commencement of maternity leave. Families with children due to take GCSEs, AS, A Levels or BTEC exams (or equivalent/ key stage of education). Households with 1 child, or more who is the subject of a child protection plan; or families who are currently helped by children's services where it is confirmed and accepted by the housing service that a transfer to another area would significantly impact on their welfare. Ealing's care experienced young adults (CEYA) under the age of 25 and who have an assigned personal assistant.
3	Accommodation in any area including outside of London	<ul style="list-style-type: none"> Households not meeting the criteria for zones 1 or 2. Households where the risk of gang and drug-related or any other form of violence makes a move outside of London preferable.

Zone	Location	Priority Group
		<ul style="list-style-type: none"> Households who are interested in relocating outside of London.

SECTION 8

8. Right to Review

- a. Households have a statutory right to request an internal review regarding decisions we make on several issues. One of these issues is the suitability of accommodation.
- b. 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 make a further offer of accommodation.
- c. 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.

SECTION 9

9. Reviewing the Policy

- a. The policy will be monitored and reviewed regularly in consultation with the lead member for genuinely affordable homes to ensure its effectiveness. We will make amendments to this policy as and when required.

SECTION 10

10. Equalities statement

- a. The council is committed to promoting fair and equal access to services and equal opportunities in employment, to the procurement of goods, and as a community leader. The council has established policies, procedures, and day-

to-day practices to promote an environment which is free from unlawful and unfair discrimination, while valuing diversity.

- b. 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 take action to ensure nobody using our premises or services receives less favourable treatment or is disadvantaged by requirements or conditions that cannot be justified. The council will tackle inequality, treat all people with dignity and respect, and continue to work to improve services for all service users.
- c. 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 eliminate discrimination, harassment, victimisation - advancing equality of opportunity, and fostering good relations between people with different characteristics.
- d. In terms of the placements policy, we will hold and review the data of protected characteristics to ensure that we have made allocations in a fair and consistent manner.

SECTION 11

11. General Data Protection Regulation, and Data Protection Act 2018

- a. The Housing Service recognises the commitment to ensure that all data is:
 - i processed lawfully, fairly and in a transparent manner
 - ii collected for a specific and legitimate purpose and not used for anything other than this stated purpose, or as provided for in our privacy and fair processing notices
 - iii accurate, where necessary, kept up to date and any identified inaccuracies amended or removed without undue delay
 - iv stored for as long as required
 - v secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction, or damage.

- b. You can find further information about the council's commitment to the General Data Protection Regulations on our website.