



TEMPORARY ACCOMMODATION PLACEMENT POLICY

LONDON BOROUGH OF EALING

TEMPORARY ACCOMMODATION PLACEMENT POLICY

1. INTRODUCTION

Ealing Council (referred to as the Council) has a duty to provide temporary accommodation (TA) for households that approach the Council as homeless and who meet the eligibility criteria set out in the Housing Act 1996, Part VII as amended by the Homelessness Act 2002. This Policy covers:

- Provision of interim accommodation under S188 of the Housing Act 1996
- Provision of temporary accommodation under S193 of the same act.
- The offer of a private rented sector offer to discharge its housing duty under S193 (7AA) – (7AC) Housing Act 1996 as amended by S148 (5) - (7) Localism Act 2011.
- The offer of a private rented sector offer as a Qualifying Offer to accepted homeless cases preceding 9th November 2012 Localism Act.
- The transfer of applicants in temporary accommodation into alternative temporary accommodation

This Policy does not cover the placement into permanent social housing as a secure or assured tenant, which is covered by the Housing Allocation Policy. The TA Placement Policy should be read in conjunction with the TA Acquisitions Policy, which sets out the activities of the Council in obtaining suitable accommodation for use as both TA to meet ongoing duty and for ending a homelessness duty into the private rented sector. Whilst the Council will have regard to this policy when allocating temporary accommodation to applicants, the Council retains the discretion to take into account any particular personal circumstances of an applicant or the household when allocating accommodation.

Along with many other London Councils, Ealing is experiencing a significant increase in households requesting assistance with housing, which results in the provision of interim and/or temporary accommodation to meet their housing needs. In parallel to increased local household demand, the Council is experiencing increasing difficulty in acquiring suitable temporary accommodation and private rented sector accommodation for a number of reasons including, but not limited to, welfare reform changes including LHA reductions and benefit capping; significant private rented sector rent increases, above LHA levels; reducing social housing lets affecting throughput; more stringent mortgage application criteria and general shortage of properties to buy and rent. The Council is dependent upon a constant supply of accommodation to meet the needs of households who have been required to leave their previous accommodation and need emergency assistance, often without forewarning and not allowing the household to find alternative accommodation. This has led to the Council being required to place households into shared facility accommodation such as Bed and Breakfast type accommodation and into accommodation outside of Ealing Borough, in some cases out of London.

The Council will wherever reasonably practicable try and secure suitable accommodation in the Borough of Ealing, to allow households to maintain their existing networks such as employment, schooling, medical care, family and social support. The Council will work with households to find alternative accommodation, whilst being mindful of current prevailing housing conditions pressures that affect the Council on daily basis, and taking into consideration the individual needs of households requiring assistance, either on that day or currently waiting to transfer.

2. TEMPORARY ACCOMMODATION ASSESSMENT PROCESS

Each household is individually assessed by a Council Officer. A set of guidance notes and relevant forms support this policy to ensure a consistent approach. The Council is mindful of having regard to the Homelessness Code of Guidance, Homelessness (Suitability) Order and complying with other relevant legislation and case law. The criteria set out on our suitability recommendation form is not exhaustive as it allows for exceptional circumstances to be taken into consideration, but also allows Officers to collate relevant information and determine a suitable accommodation pathway to meeting the household's temporary housing needs. The same assessment can then be used to offer alternative accommodation in the private rented sector where the Council wishes to assist a household under its prevention duties or powers so reducing the need for placement into temporary accommodation, or where the Council is able to discharge its housing duty with a suitable private rented sector offer of accommodation.

All households that the Council place in TA have some form of assessed housing needs, however some households with more complex or multiple housing needs require a specific placement, for example in Borough only or a certain floor level. The offer of TA must be considered suitable, and this includes the cost of the TA and the extent to which the accommodation is affordable for the household. Based on the information provided by the applicant and available for the Council to assess, key elements of the household will be considered which includes, but is not limited to location of employment, schooling and support networks; any medical conditions and medical treatment including frequency; access to local amenities including services and transport and the distance from the Borough, and frequency of visits and accessibility to it if placed outside of the Borough.

Where there is a shortfall between market rents payable by the Council and the amount of benefit payable towards an occupants rent/charge for a property the Council is likely to incur financial loss. The shortfall would be a significant cost to General Fund resources. The Council has an obligation to control these costs where-ever possible. We will therefore identify accommodation that meets the suitability criteria above and minimises any financial loss to the Council.

The Council must have regard to its obligations to safeguard and promote the welfare of children under its Children Act 2004 (S11) duty when exercising functions under Part VII

Housing Act 1996. The Council recognises that children's welfare can be affected by decisions on allocation of temporary accommodation. When the housing needs of a household with children are being assessed the Council will seek to identify the particular welfare needs of those children and to take those needs into account when arranging TA.

The Council identifies those in the greatest need of remaining in borough and has split the temporary accommodation priorities into 3 separate areas, which are

- Zone 1 Offer of accommodation within Ealing Borough
- Zone 2 - Offer of accommodation within the West London Boroughs, including London Boroughs of Hillingdon, Brent, Harrow, Hounslow, Hammersmith & Fulham and Royal Borough of Kensington & Chelsea and/or within 45 minutes travel time (on public transport or private vehicle) to the nearest boundary of Ealing Borough, which can include West London Boroughs and other Boroughs inside and outside of London.
- Zone 3 - Offer of accommodation in any other area, which may be inside or outside of London.

As stated, wherever possible, and unless it is in the household's best interests or at the household's request, the Council will aim to place in the Borough. However if there are insufficient placements available the Council will prioritise households taking into consideration their housing needs.

The following households may be prioritised for placement in Zone 1, where accommodation in Ealing would likely to be suitable in the longer term due to the household's circumstances.

1. Households with one or more persons with a severe and enduring medical condition which requires ongoing intensive specialist medical treatment that is only available within Ealing or in a specialist hospital within London and is of a long term nature, i.e. more than 6 months treatment and requiring frequent (i.e. 3 times or more per week) visits to the specialist hospital.
2. Households with one or more persons with a severe and ensuring diagnosed mental illness and are receiving intensive treatment and aftercare services by local CMHT, and have an established support network and care plan which the Council accepts cannot be transferred to another area.
3. Households with one or more persons in receipt of a significant care package administered by the Council and/or the NHS, which the Council accepts cannot be transferred to another area.
4. Households where one or more persons has a longstanding care responsibility for a family member who resides in Ealing, evidenced by a Carers Assessment and/or receipt of carers allowance and confirmed by Social Services that there are no other suitable arrangements available to replace the existing care arrangement.

5. Households where one or more persons is in permanent and settled employment within the Borough for the past 12 months to the homeless application, working a minimum of 16 hours (one person) or 24 hours (2 persons). Working household members are expected to be able to commute and consideration of 60 minutes commuting time from home to work is reasonable within London.
6. Households with children in their final year of Key Stage 4 education (normally Year 11) with primary exams to be held within the next 6 months. Children will be expected to utilise public transport to attend school.
7. Households with one or more children with a statement of special education needs or with a severe and enduring learning disability in receipt of specialist schooling within the Borough, and where the Council accepts that a move to alternative schooling would be considered detrimental or where no suitable schooling arrangements can be offered.
8. Households with one or more children on the Council's Child Protection Register, and subject to a Child Protection Plan administered by Ealing Social Services

The above list is guidance for Officers, and other special circumstances will be considered as part of the assessment. The decision of which zone will be evidenced by the assessment of suitability form and supporting documentation from the case file, and may not be purely upon what the applicant reports.

Unfortunately this will not guarantee a placement into a property in Zone 1 as the supply of available TA changes on a daily basis, along with those needing assistance that are approaching the Council or already in TA awaiting a move to more suitable accommodation.

Households not prioritised for placement in Zones 1 or 2 (i.e. Zone 3) could still be placed in Ealing Borough or within West London if accommodation is available and not required for, or would not be suitable for, households who are prioritised for a placement in Zones 1 or 2. Where the Council has to place households in Zone 3 it will seek to place them in whichever available accommodation is closest to where they were previously living.

Where households are placed in Zones 2 or 3, the Council will endeavour to move them to Zone 1 or 2 if availability of suitable accommodation and competing priorities allow.

A key consideration will be the household's ability to afford the TA offered to them without financial support from Council funds. The cost of TA is high as the nature of the accommodation means increased wear and tear as households move in and out of the accommodation, alongside the prevailing market rents within Ealing that are often above the levels of Local Housing Allowance levels. A financial assessment will be undertaken, and it will be clearly advised to households what their repayment responsibilities are, including any additional weekly rent that is outside of any anticipated Housing Benefit payment.

It may be that a household meets the criteria of one of the 8 groups for prioritisation in Zone 1, but is affected by Welfare Reform changes such as the Benefit Cap and there may be no accommodation available within the zone that is suitable based on the full rent. The Council will consider the household's ability to pay the rent charged for the accommodation, and will set an amount that the household will be required to contribute to ensure the property is suitable. This will be especially relevant to larger households. In addition, households will be asked to propose areas outside of Ealing Borough which they would be interested in where accommodation is generally cheaper and more available. The Council is required to meet both its statutory obligations whilst minimising the cost to the General Fund by acquiring accommodation as close as possible to subsidy level, securing best value for money, acquiring good quality accommodation and management services and maintaining long-term control over costs where-ever possible, which requires the Council to offer properties both inside and outside of the Borough minimizing subsidy shortfall.

3. TEMPORARY ACCOMMODATION TRANSFER SYSTEM

The Council maintains a Temporary Accommodation transfer list, for households that may need to be moved to alternative temporary accommodation. The transfer list is maintained by the TA Allocations Team within Housing Demand Department and is based on transfer requests made by Council Officers, primarily those within same department. Priority is determined by the Band below in which a household is placed. Within the Bands, the time in TA is taken into consideration, so households that have been waiting the longest will be considered first, and offered accommodation if it is suitable for their housing needs, which runs on similar principles to the Council's Housing Allocation Policy. Households are advised that they have a responsibility to inform the Council of any changes in their household circumstances which may require a transfer to alternative accommodation, e.g. members of the household have left and they no longer require the current sized TA.

The priority guidance for a transfer within temporary accommodation is below.

Band 1	Households with children or pregnant for over 5 weeks in shared B&B accommodation Households with an identified and evidenced risk to life. Priority to be agreed by Senior Manager only.
Band 2	Households who have been assessed to live in Zone 1 but currently residing in TA in Zone 2. Households in TA under occupying their current accommodation as a result of a change in circumstances. Households in TA leased accommodation where the lease expires in the next three months or where an emergency handback of the property is required, including regeneration properties. Households with children or pregnant in shared B&B for over 4 weeks.
Band 3	Households in unsatisfactory properties, e.g. property condition deemed unsuitable by Regulatory Services or Housing Demand. Households in TA wanting to move outside London where current TA causing financial difficulty Homeless at Home Households that need to be moved from expensive TA to more affordable TA, including households that are affected by the Benefit Cap Households moving from hostels managed by the Council's Hostel Team into alternative TA, so freeing up an in-borough hostel space.
Band 4	Households in TA leased accommodation with lease ends within 6 months. Households with children or pregnant in shared B&B accommodation for up to 4 weeks
Band 5	All other households requesting a Transfer who have not been prioritised in Bands 1 -4

TA will be allocated in accordance with this policy and the above priority bands, but where non-B&B TA becomes available to be allocated, unless the Council considers that exceptional circumstances exists, preference within bands will be given to households owed the full accommodation duty under s.193 Housing Act 1996.

The Council will have regard to priority guidance in this policy when allocating temporary accommodation but does retain discretion to allocate particular properties outside of the banding priorities where exceptional circumstances require it.