

Temporary Accommodation Lettings Framework

1. Introduction

If you have approached Southwark Council for housing advice and assistance and the council has been unable to help prevent you from becoming homeless, despite your co-operation, then the next step could be that you are offered temporary accommodation (TA).

The requirements for the provision of temporary accommodation are set out in the Housing Act 1996 as amended ('HA96'). This policy also takes into account the legal requirements on local authorities in respect of suitability of accommodation, including Suitability Orders, case law, and the Homelessness Code of Guidance 2006.

2. Deciding on the right accommodation for you

When you ask for help with housing, we ask about your circumstances so we can decide how best to help you. For example, we will ask about:

- What factors are putting you at risk or causing you to be homeless.
- Where your children go to school and whether they have any special educational needs
- Whether your children have exams in the next six months
- Whether you or your children have a disability or any health needs
- What GP or hospital you are registered with and what treatment you are receiving
- Whether you work and how much you earn
- What benefits you are claiming
- What local services you are accessing, particularly whether you are getting support from social services
- Whether you are providing or receiving longstanding care and support for or from a relative or family member who does not live with you.

When we offer you temporary accommodation, we use the information you have given us to match you up with a suitable property. Due to shortages of affordable properties available within Southwark, unless you fall into one of the categories set out in the scheme as having higher priority for a Southwark home, it is likely that we will offer you accommodation outside the borough. We will always ensure that any home we offer you is suitable for your specific needs.

3. The types of accommodation offered

In most cases, while we work with households to resolve their homelessness, those eligible for temporary accommodation will initially receive Relief Stage temporary accommodation. This is 'emergency' housing booked for you on a nightly basis. This could for example be a letting in the private rented sector or in one of our council temporary accommodation hostels. Wherever possible, this will be self-contained. For adults without dependent children this may be bed and breakfast accommodation. The Council will avoid placing families with dependent children; pregnant women; and, young people aged 16/17 in bed and breakfast accommodation except in emergency situations where no other suitable accommodation is available, in the rare instances where this is necessary, the Council will move these households to more suitable self-contained accommodation as soon as possible and within six weeks.

If we have still not resolved your homelessness situation during the 56 day Relief Period and if the Council decides it has a duty to house your household (section 193 HA96), you will be moved to longer-term accommodation as soon as a suitable property becomes available. You are likely to remain in this accommodation while you wait for your 'final stage' home which could be a private rented council or housing association home. Due to the high number of people waiting for council and housing association homes in Southwark the wait to move into these properties is likely to be 2-4 years.

4. How the council finds temporary accommodation

The council's **Accommodation Procurement Policy for Homeless Households** sets out how we obtain temporary accommodation and why an increasing amount of temporary accommodation is located out of Southwark.

5. Where the temporary accommodation is located

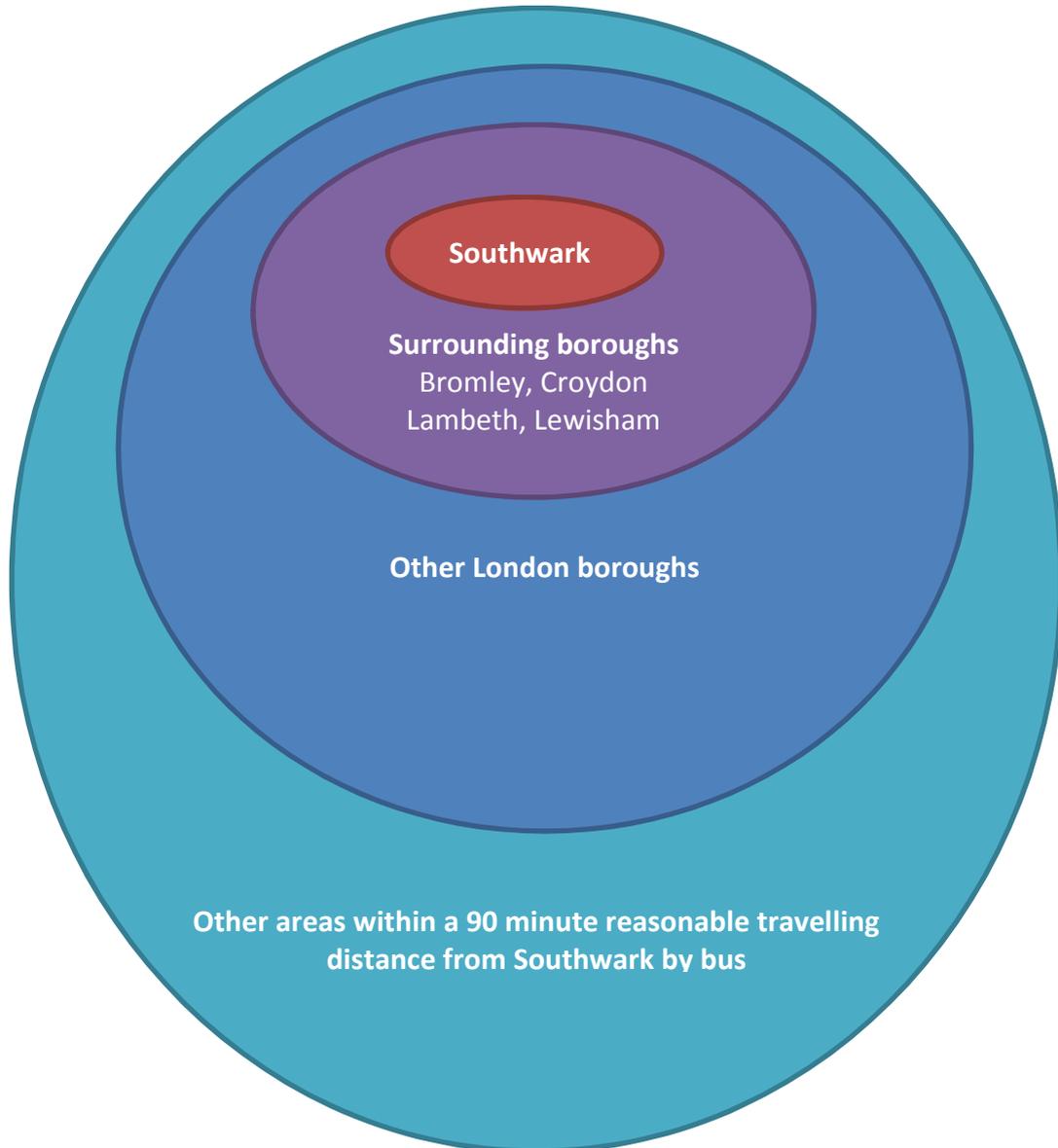
The council aims to offer accommodation within the borough. However, Southwark is one of the most expensive places in the country to live and this means that there is not enough affordable temporary accommodation available here for everyone. Where it is not possible to offer you accommodation in-borough, we will offer you a home that is as close as reasonably practicable to where you were living before you became homeless.

Since 2013, the number of households approaching the council because they are homeless has doubled. This is due to a number of factors such as Welfare Reform impacting households through the Benefit Cap, frozen Local Housing Allowance rates and the rising rental costs in London generally. Prior to this, in 2011/12 Southwark had 293 households placed in out of borough temporary accommodation, but by August 2018 this had increased to 1,129 placements although only 1% of these were outside of London (but within one hour's travelling distance from Southwark).

Our in-borough properties have people living in them already and they only become available when someone moves out. To meet rising demand, the

council has had to obtain new temporary accommodation, much of which is located out of borough but within reasonable travelling distance from Southwark. Therefore, in many cases, newly homeless households will be offered accommodation out of the borough.

Where we search for temporary accommodation



6. Deciding who gets which property on any given day

Every day, our Temporary Accommodation Placement team gets a list of all the properties that are available from our various suppliers. These could be 'nightly booked' properties that we use as emergency housing, or longer term 'stage 2' accommodation, and they could be located in Southwark, in other boroughs or out of London.

Next, the team looks at the list of people who are currently waiting for an offer of temporary accommodation and matches each available property with the household whose needs match it. The team has a list of everyone waiting which includes information about how long they have been waiting and details of their particular circumstances and needs – such as what size, type, location of property would be suitable for them.

There are a huge number of factors to consider when allocating a property – how big is it, does it have stairs, where is it located, is it 'nightly booked' or 'longer term', how close it is to public transport links – the list goes on. Our team takes all these issues into account when making an offer. Whilst we would like to offer everyone a property in Southwark, there simply aren't enough homes available here to do that. Therefore, we usually offer any available in-borough properties to households who have been assessed as needing an in-borough offer. Level access properties will usually be offered to those who have severe mobility needs or where someone uses a wheelchair.

On the rare occasions that we receive a property that is in particularly short supply, such as a very large home or a longer term, in borough home **and** we do not have a family who has been assessed for that type of home waiting, we may decide to hold that property back until a family that really needs it comes to our attention. This is because we know that it may be a long time before another property of that type becomes available again and given the heavy demand we face from homeless families who need housing, it is very likely that in the next few days a family will come in whose need for that particular home are greater than those waiting today.

Examples

Every household's circumstances are different and we assess everyone on a case by case basis taking into account the full range of needs that the household has. As noted, our aim is to offer properties in Southwark wherever we can but that in many cases, this may not be reasonably practicable due to a shortage of supply and requirements of suitability (including affordability).

The following are **examples** of the types of households who we would assess as needing to be housed in-borough, as needing accommodation within a specified travelling distance to Southwark and those who could be housed anywhere.

Band 1: Southwark and surrounding boroughs

- Children with a Statement of Special Educational Need, Child In Need or Child Protection Plan receiving such a significant package of care from a variety of providers that transferring them elsewhere will create significant risk to the safety and sustainability of the caring arrangements.
- Households with complex needs who are engaged with services and where a move out of borough may severely disrupt this engagement thus creating significant risk to the safety and sustainability of the caring arrangements.
- Households who have a longstanding arrangement to receive care and support from another family member in Southwark who is not part of the resident household and where it is likely statutory health and social support will be required if the care is ceased.
- Households who have a longstanding arrangement to provide care and support to another family member in Southwark who is not part of the resident household and would be likely to require statutory health and social support if the care ceased. Any other special circumstance will also be taken into account.

Band 2: Southwark or the rest of Greater London

- Applicants who have been continuously employed in Greater London for a period of six months, and for 16 hours or more per week. Women who are on maternity leave from employment and meet the above criteria would also be prioritised for placements in Greater London.
- Applicants who have as part of their household, a child or children who are enrolled in public examination courses in Southwark, with exams to be taken within the next six months. Wherever practicable we will seek to place such households within 90 minutes travelling distance of their school or college and we acknowledge this time will be via a journey by bus due to affordability of transport.
- Any other special circumstance will be taken into account.

Band 3: Southwark or within reasonable travelling distance from Southwark

- Non-working households.
- Households with children at nursery, primary or secondary school, who are not sitting public exams.
- The household is receiving services locally but support could be transferred to another area without severely disrupting caring arrangements.

Vulnerabilities

Our scheme sets out how we determine who gets priority for in-borough temporary accommodation, when there is not enough available for everyone.

The council has a duty to have regard to the need to safeguard and promote the welfare of children. If your child has a statement of Special Educational Need or is currently the subject of a Child In Need or Child Protection Plan, we will liaise with Children's Services to ensure that any offer we make is suitable and meets your child's needs. Where your child is currently in a public exam year, we will ensure that any accommodation offered is within reasonable travelling distance of school so they can continue their studies uninterrupted.

We also have a monthly liaison meeting with Children's Services where we discuss the needs of those families we know are threatened with homelessness so we can jointly plan how best to meet their housing and support needs in the future.

The council recognises that in many cases it may be in the best interests of children to remain at existing schools where they are settled. Unfortunately due to the difficulties in procuring accommodation referred to above it is not always possible to offer accommodation which avoids the need for parents to consider moving their child's school and we have to prioritise the needs of the most vulnerable children.

If your children are not sitting a public exam and do not have any special needs, you may decide that moving your children to a school nearer your temporary accommodation may be preferable to travelling back and forward, recognising that the current shortage of affordable homes means the average household spends three years in temporary accommodation before moving to a permanent home. Section 14 of the Education Act 1996 requires that all local authorities provide school places for all resident children. Once moved to your new address, you can apply for a school place from the local council – in most cases the relevant forms are available on the council's website. If you need help with this, please tell us and we will be happy to assist.

7. Temporary accommodation offers and refusals

Applicants will be given two offers of suitable interim or longer-term temporary accommodation and they will be asked to accept the second offer straight away. There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. In making the offer, the household's individual circumstances will be considered, taking into account the factors set out in section 2 of this policy and the Council's criteria on out of borough placements (section 6).

If an applicant is dissatisfied with an offer of temporary accommodation (which may include out of borough placements), they can lodge a complaint and provide their reasons. The complaint will be fully investigated within 15

working days (full details of the council's complaints process is available on our website at www.southwark.gov.uk/council-and-democracy/complaints-comments-and-compliments/making-a-complaint). This applies to new applicants to whom the Council has an interim duty to accommodate under Section 188 (1) of the HA96, those where the Council exercise their discretion to accommodate under Section 188 (3) of the HA96, as well as those seeking a transfer from existing temporary accommodation

If an applicant refuses the second offer and the Council is satisfied that the offer was suitable then applicants will not be offered further accommodation and the Council may discharge its temporary accommodation duty towards them and the households will be required to make their own arrangements. There is no right of appeal against the suitability of accommodation offered to applicants under Section 188 HA96 (although they can apply for judicial review through the courts).

This also applies to all customers who are provided with temporary accommodation by the Council pursuant to its relief duties under S.189B HA96.

If an applicant is accepted as homeless and is owed a rehousing duty under Section 193 of the HA96, they can request a statutory review of the offer pursuant to Section 202 HA96 of accommodation (including subsequent offers where they are required to move to) within 21 days of the offer. The applicant can make representations in support of their review and the Council will consider the reasons given and undertake further enquiries as necessary. If the Council accepts the reasons for the review and agree that the offer is unsuitable, the offer will be withdrawn and a further offer of accommodation will be made. If a customer rejects an offer of accommodation and the Council determines that the accommodation is suitable, the Council will discharge its full housing duty towards the applicant and they will be required to make their own arrangements.

If the applicant is resident in emergency accommodation, they will usually be asked to vacate the property within 7 days and advised that no further assistance will be provided. If they are already in longer-term temporary accommodation, the current housing provider should be advised that the duty has been discharged.

Where applicants whom the Council has accepted a s193 duty refuse a suitable offer and submit a review request, they will only continue to be accommodated during the review period in exceptional circumstances. Each case 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, and the personal circumstances of the applicant and the potential impact of the loss of accommodation.

8. Properties for rent on property search websites

You would have been issued with a Personal Housing Plan (PHP) when you approached our service for assistance. The PHP is a live document that sets out what steps you can take to prevent homelessness and may include advice about where to look for properties to rent.

If you would like to move to a private sector flat, please talk to us about this as we may be able to help you with a deposit and checking that the property is appropriate and safe.

Southwark has on-going relationships with a variety of temporary accommodation providers and the majority of our available stock comes from these providers. Procuring temporary accommodation in this way allows us to obtain 'economies of scale' and best value from these arrangements.

We do not do 'bespoke searches' of property websites when trying to find temporary accommodation for our clients. This is not reasonably practicable given the inefficiency of this method. For example, we would have to check each property for quality before offering it to you, and most private landlords are unwilling to afford us the time to do this. Many landlords are not willing to let their properties to local authorities or those claiming benefits. We tend to find that many properties advertised are not actually available – rather the provider is offering an 'example' property to the market to attract the prospective tenant to their service. Finally, the majority of private rented accommodation available on the open market in Southwark very expensive and beyond the budget of those claiming benefits.

9. The Southwark Choice Based Lettings flyer

The properties you may have seen advertised via our Choice Based Lettings are 'final stage' social rented homes. When we accept a duty to provide you and your family with accommodation, we add you to a housing register for these homes. You get placed in a priority band based on your circumstances and use this priority to 'bid' for the properties you see advertised. Each property is then allocated to the bidder with the highest priority who has been waiting the longest.

There are not enough of these homes to go around and most people wait several years before they are able to successfully bid for one. Your temporary accommodation is where you live while you wait. If we offered you one of these properties immediately, you would be jumping the queue of people who had been waiting much longer than you, and they may never get a permanent home. Obviously this would be very unfair.

If you would like a paper copy of any of the policies referred to here, please contact Housing Solutions on 0207 525 4089 or in writing to 25/27 Bournemouth Road, London SE15 4UJ or by email lan.swift@southwark.gov.uk