

Private Rented Sector Offers Policy for Homeless Households

Section 1: Introduction

1. The Localism Act 2011 (sections 148 and 149) introduced provisions which enable the council to bring its statutory housing duty under section 193 of the Housing Act 1996 as amended (HA96) to an end, by making an offer of a private rented sector tenancy rather than a social housing tenancy.
2. Amendments under the Homelessness Reduction Act 2017 extend the powers in the HA96 to encourage local authorities to embed an approach to use private sector accommodation to discharge its Prevention Stage and Relief Stage duties to homeless households and households threatened by homelessness.
3. For the purpose of this policy document the “PRSO” definition covers PRS offers being made during the Prevention Duty, Relief Duty and for accepted homeless cases.
4. There are detailed provisions in homelessness legislation governing the types of offer that can be made by the council in connection with carrying out or ending its prevention, relief and main housing duties. The nature and effect of an offer of private sector accommodation to an applicant will be fully explained in writing when the offer is made.
5. This policy sets out the basis on which the council will use these powers.
6. The policy should be read in conjunction with:
 - The Temporary accommodation lettings framework – this sets out how homeless households will be prioritised for private rented sector properties in different locations.
 - The Accommodation Procurement Policy for Homeless Households – this sets out the council’s approach to procuring private rented sector properties including those for PRSOs.

Section 2: Who private rented sector offers (PRSOs) will be made to

7. The council’s policy is that a PRSO may be made to any homeless household where the law allows it.
8. Paragraphs 1 and 2 set out the legislative framework where this can be applied.
9. The council will use the powers set out in the Homelessness Reduction Act to make PRSO offers to Prevention Stage and Relief Stage homeless households and households threatened with homelessness.

10. The council will use the powers set out in the Localism Act to make PRSO offers to accepted cases i.e. statutory homeless households to which the council owes the full housing duty (Section 193 HA96).
11. The number of households that will be made a PRSO each year will depend on the supply of suitable private rented sector properties.
12. The following groups will ordinarily be excluded from PRSOs:
 - a. Households eligible for sheltered housing¹ - as it is unlikely that this type of housing can be provided in the private rented sector.
 - b. Households that need wheelchair adapted properties – as these can be hard to procure in the private rented sector.
 - c. Any household which the council determines would be unable to manage a private rented sector tenancy depending on each household's individual circumstances.
13. Exceptions may also be made for other households in respect of whom there is a compelling reason why a PRSO would not be appropriate. A decision will be taken after a consideration of each household's individual circumstances.
14. The following **general principles** will apply when making private rented sector offers:
 - **Two suitable offers will be made.** Duty will be discharged to households that refuse the second suitable offer although households will have the right to challenge this through a statutory review.
 - **Support to move may be offered.** In the main this will focus on households that are relocating from London and will be tailored to the individual needs of each household and may include help to: transfer any care and support packages, access to employment support, enrol children in schools, register with a GP and to access other local services. Support to other households that are not moving outside London may also be offered in some circumstances and the need for it will be assessed on a case by case basis.
 - The principles behind the accompanying *TA Lettings Framework* and the *Accommodation Procurement Policy for Homeless Households* will be applied when making private rented sector offers for available properties to appropriate households. Generally, this means we will only place households somewhere that is deemed suitable for them and we will seek to acquire properties within or as close to Southwark as is possible. Households will get a reasonable amount of time to accept each offer and a chance to view the accommodation, or where this is less practical because the accommodation is further away, information will be provided and virtual viewings or recordings will be made available where possible.

Section 3: Reviewing and monitoring the policy

15. The policy will be reviewed after it has been in operation for twelve months and the outcome will be reported to the Cabinet Member.

¹ These are generally people aged 60 or older but some young people may be eligible