

Placement Policy for temporary accommodation and private rented sector offers

Scope	This policy explains how we will meet our statutory duties in finding accommodation, in accordance with Part VII of the 1996 Housing Act and the Homelessness Code of Guidance. It describes how we determine the suitability of temporary accommodation and also of private rented sector offers. This policy applies to both existing and future applicants.
Approved by	
Approval date	
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Document owner – Corporate	Director of Housing and Regeneration
Document owner – Portfolio Holder	Cabinet Member for Social Housing
Review	We will keep this policy under constant review. We will update it based on any changes in legal or local context. The last review has been undertaken in April 2023.

1. Introduction

Enfield Council is committed to using all its resources and creativity to make the experience of homelessness rare, brief and non-recurring. We are determined to enable everyone to access a stable, secure and decent home regardless of tenure. This is in the context of a severe shortage of rented accommodation in Enfield and in London generally.

This policy covers two elements of our strategy:

- Our use of short-term temporary accommodation
- Our use of the private rented sector to provide a sustainable solution for people experiencing homelessness

This policy sets out how we determine the suitability of accommodation for households we place into either the private rented sector or temporary accommodation. The severe shortage of housing, rising rental costs, and growing pressures on local government funding mean that for most households this will mean moving out of the borough and often away from the southeast of England.

This policy applies to all those households who have been accommodated by the Housing Advisory Service. The policy does not cover households who have secured their own accommodation in the private rented sector as the Council will not have been able to assess the suitability of accommodation in these circumstances.

This Policy may be amended according changing levels of need or legislation. Any changes must be approved by the Cabinet Member for Social Housing.

2. Temporary Accommodation Offers

Temporary accommodation is not a long-term solution for residents. In particular hotel accommodation is reserved for emergency purposes only. Our aim is that no household should spend longer than six months in temporary accommodation. We aim to ensure that the accommodation we offer, meets the needs of the household and meets the suitability criteria set out below.

We will usually only make one offer of temporary accommodation to a household, usually as an emergency response or where we have been unable to secure a suitable and affordable home. The household will be expected to accept it on the date it is made. The accommodation is likely to be out of borough. Transport to the accommodation will be provided or paid for by the Council.

2.1. Moving from one temporary accommodation to another

In some cases, a household living in temporary accommodation may have to move to a different unit of temporary accommodation. Depending on the type of the accommodation and changes in the housing market, we may expect the households to move with very short notice. In that case, we will give one offer of suitable alternative accommodation. If the household refuses the offer, we will not offer further accommodation and our duty to the household will come to an end.

3. Private Rented Sector Offers

We aim to prevent and relieve homelessness through assisting households to stay in their existing accommodation. Where this has not been possible and a household is either in temporary accommodation or will lose their existing accommodation, we will assist them into a suitable private rented home as quickly as possible. This means that we will arrange for a private rented sector landlord to make an offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months. We will evaluate each offer both with regard to needs of the household and the nature of the accommodation to be offered.

A maximum of two reasonable offers of affordable private rented housing will be made. Individual circumstances are considered in making these offers, including time scale, affordability, household preferences and needs. An acceptance of any suitable offer will end the Council's statutory duty. When a second suitable offer will is made, the household will be notified in writing and the Council's statutory duty will be formally ended, whether the offer is accepted or refused.

If the household wants a certain type of property in the private rented sector or in a specific area, we will advise them to conduct their own search. This enables households to choose the property they want to live in. If they find a property and it meets the suitability criteria, we will assist them in securing the tenancy. Households must not sign any tenancy agreement before we determine that the property is suitable, and the tenancy complies with certain conditions.

4. Suitability

We need to ensure that the accommodation we offer is suitable for the households we seek to place. In determining whether a property is suitable we will balance the needs of the household with the nature of the accommodation being considered. A key factor in determining location is the availability of suitable affordable housing.

Changes in the housing market, combined with the freeze on Local Housing Allowance mean that there is very little accommodation available within Greater London and Southeast England. Most households will be made an offer of affordable private rented accommodation in parts of the country where Local Housing Allowance aligns with average rents.

The extreme shortage of affordable accommodation within the Southeast means that we will prioritise some households ahead of others for the limited number of properties that become available.

The factors considered to prioritise households are set out at 4.4 onwards.

4.1. Size of Accommodation

Accommodation must be of appropriate size household. We calculate the number of bedrooms that a household will need by following the steps below **in order**

Step 1: One bedroom for the applicant, and partner/spouse (*if any*)

Step 2: One bedroom for any additional adult couple

Step 3: One bedroom for any two additional people of the same sex

Step 4: One bedroom for any two additional people of the opposite sex aged nine and under

Step 5: One bedroom for any additional person

This calculation will not be used where there are safeguarding concerns. In these circumstances the size of property will be determined by the Housing Coordinator following a case conference and recommendations from a social worker from Adult Social Care or Children and Family Services.

4.2. Standard of Accommodation

All properties offered must meet the requirements set out in Enfield Council's Minimum Property Standards. These are set out at Appendix 1 – Minimum Standards

4.3. Affordability

Before making an offer of accommodation, we will assess each household's income and expenditure. This is in order to ensure that the household can afford to pay the rent for the property.

We will aim to secure properties for rent within the Local Housing Allowance rate as far as reasonably practicable so that they are affordable for people receiving housing benefit/ universal credit. Given the context of rapidly rising rents in Enfield, we need to procure accommodation out of London in order to continue to provide affordable accommodation.

In cases meeting the criteria set out in our Discretionary Housing Payments (DHP) Policy, we may award a time limited DHP to pay for shortfalls in Housing Benefit/ housing element of Universal Credit and Local Housing Allowance. The DHP Fund is a short-term emergency fund, awarded whilst the household takes action to resolve their housing problems in the longer term. This can include taking steps to find work; or taking steps to maximize their welfare entitlements.

4.4. Location

For residents reliant on benefits to cover their housing costs there is extremely limited supply of properties. We will support households to move to accommodation outside of the London Borough of Enfield:

- Where there is an ongoing threat to the safety of a household if they remain in Enfield
- Where there is no suitable affordable accommodation within Enfield available

The nature of the housing crisis means that our procurement activity will be focused on those areas of the country where Local Housing Allowance will still cover the

majority of the rent. We will support residents wishing to stay in or around Enfield in finding their own accommodation through our Find Your Own Home Scheme.

Section 208(1) of Housing Act 1996 says “so far as reasonably practicable a local housing authority shall in discharging their housing functions under this Part secure that accommodation is available for the occupation of the applicant in their district.” This means that so far as reasonably practicable a local authority must try and provide accommodation in the local authority’s area. The current state of the housing market, with the gap between benefits and rents increasing rapidly, mean that there is little or no accommodation that is affordable to low-income households within Greater London and the Southeast.

The limited number of properties that the Council secures either as temporary or permanent housing in or around Enfield will be reserved for households meeting the criteria set out from 4.4.1 onwards.

We will consider the factors below when determining the suitability of the location of the accommodation. The household may be asked to provide additional or updated information relating to their current circumstances to assist the Council in its determination.

In considering these factors the overriding issue is the availability of housing that is affordable to the household. For most households this will be the main factor in determining the suitability of an offer of accommodation.

We will refer to these factors when we explain to a household why they are being offered particular accommodation, and why an alternative was not offered if there is more than one property available.

4.4.1. Employment

When a member of the household or someone who is reasonably expected to live with the household, is in paid employment, we will consider the need to reach their normal workplace from the accommodation being considered. This also applies to people who have a confirmed start date of employment or are enrolled on a work readiness programme in Enfield.

We will give priority for accommodation in Enfield and its vicinity to households where a member of the household or someone who is reasonably expected to reside with the household, is in paid employment and a move out of Enfield would result in termination of this employment *with no prospects of finding employment in the new location*.

4.4.2. Caring responsibilities

We will consider caring responsibilities on an individual basis when determining what would be a reasonable location for the household to live.

We will consider households with members who are registered carers in receipt of carer’s allowance and provide care for a member of the family who is not part of the household but who resides in Enfield. We will give priority for accommodation in

Enfield and its vicinity to the carer's household if the person being cared for would require statutory health and social support if the care ceased.

4.4.3. Education

We will take the age of the child and the stage of their education into consideration. If households include children who will take statutory exams within an academic year, we will aim to assist them in finding accommodation within a reasonable travelling distance from their school. This includes children enrolled in GCSE, AS or A level courses or post 16 vocational qualifications in schools based in Enfield. Households that include children who are not taking statutory exams within an academic year may have to move further away. In such a case, we would advise that the children change schools.

We will give priority for accommodation in Enfield and its vicinity to households with children taking statutory exams within the academic year. We will also give special consideration to households with children with Special Educational Needs and Disabilities (SEND) who are receiving educational support from Enfield Council. We will give priority for accommodation in Enfield and its vicinity if changing school would be detrimental to their education and well-being (for example, if they could not receive special educational needs support elsewhere). In some specific cases the family could benefit from a coordinated move to another area, if a move would allow the family to live closer to specialist educational support. Housing services will work in partnership with children's services to determine this.

4.4.4. Children subject to a child protection plan

We will consider any cases where children are subject to a child protection plan on an individual basis. Social workers will advise on these cases, in order that we consider all safeguarding concerns and determine whether the household should be prioritised to stay in the borough. In some cases, the children may benefit from a move out of the borough, as that could eliminate the threat to their well-being.

4.4.5. Adults in education

We will take into account the needs of any adult in the household who is in education. This includes adults in higher or adult education, vocational and professional training, or a recognised apprenticeship.

4.4.6. Medical facilities, medical and health issues

We will take into account individual medical and health needs. We will consider any ongoing treatments and the implications of transferring to healthcare providers closer to new accommodation.

When determining suitability with regard to the household's medical needs, we will consider whether the medical condition itself makes the housing and location offered unsuitable. If the household cites previously unidentified medical grounds as the reason for refusing the accommodation, we will ask the household to submit evidence within a reasonable time period.

We will give priority for accommodation in Enfield and its vicinity to households with members who meet at least one of the following conditions:

- have a severe and enduring physical or mental health condition requiring regular specialist care that a move from Enfield and its vicinity would significantly disrupt
- have an enduring physical or mental health problem where a loss of local support network would severely impact their well-being

4.4.7. Services, amenities and transport

We will consider accessibility to local services, amenities and transport.

4.4.8. Wider community support networks

We understand that some households rely on local support networks in their daily lives more strongly than others. The nature of the support varies. It includes but is not limited to childcare, membership of a religious community, or support for recovering drug addicts. We will consider any such circumstances on an individual basis. Therefore, we will take into account situations where a loss of local support networks would be significantly detrimental to the wellbeing of the household.

5. Support for Households

We will offer all households who move out of the borough and its vicinity relocation support. This is when households are moving further away than a neighbouring borough. The level of support will depend on the individual and collective needs of the household and the location. This may include financial support to enable a permanent move.

Relocation support may include information on:

- local schools
- Special Educational Needs support
- local child care
- local GPs
- housing benefit as well as any other benefits the household may be entitled to
- information on their new local council, Council Tax, registering to vote and relevant local services
- community care services and social groups
- where relevant, information on local employment opportunities
- guaranteeing rent payments to landlords for up to a year where a resident is not able to provide evidence of income

6. Right to Review

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

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. If the applicant has not been notified of the outcome within the prescribed time period, an appeal must be brought within 21 days of when they should have been notified.

The following reasons are **unlikely** to be considered as acceptable reasons for refusal:

- the quality of decoration/furniture
- provision of parking
- lack of access to a garden
- any medical condition that is not directly impacted by the particular accommodation offered
- geographical location

7. Tackling fraud

It is an offence for any resident to knowingly make a false statement intended to induce the Council to believe that they or any others are entitled to accommodation. Where we suspect that a fraud may have been committed, this matter will be investigated and may lead to criminal proceedings being instigated.