West Suffolk Temporary Accommodation Procurement and Placement Policy

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1. Introduction – purpose and scope

1.1 This policy sets out how West Suffolk Council will procure sufficient units of temporary accommodation and how households are placed in temporary accommodation, including placements within and outside West Suffolk. It is an appendix to West Suffolk Council's Homelessness Reduction and Rough Sleeping Strategy.

1.2 It covers:

- introduction and statutory context
- procurement of temporary accommodation
- placement of households in temporary accommodation
- offers, refusals and reviews
- support and resettlement
- households with pets
- temporary accommodation costs
- ending placements and discharging duties

- storage and protection of personal belongings
- safeguarding
- equality and diversity
- data protection and information sharing, and
- complaints.

1.3 The procurement of temporary accommodation to meet anticipated demand will follow the principles of:

- achieving value for money for the council and its residents
- providing suitable accommodation for households in housing need, and
- complying with the council's contract procedure rules.

1.4 Temporary accommodation is procured for households in the event that homelessness cannot be prevented. It is required for the purposes of:

- accommodating new statutory accepted homeless applicants
- accommodating households while homelessness cases are investigated, and
- reducing the use of nightly paid - bed and breakfast accommodation as households experience improved outcomes when placed in temporary accommodation, or more settled accommodation. Furthermore, temporary accommodation is more cost effective than nightly paid.

1.5 The council aims to procure sufficient temporary accommodation to accommodate homeless households within the local authority area as far as reasonably practicable or as close to where they were previously living. Temporary accommodation is usually provided on an ongoing short-term basis. The council understands the resources available for use, the difficulties in procuring sufficient units of temporary accommodation at affordable prices and the need to procure accommodation in nearby authorities.

1.6 Emergency accommodation is procured on a nightly paid basis in bed and breakfast accommodation or hotels. It is used for short periods, usually at a point of housing crisis. Due to increasing demand, it is not always possible to procure sufficient emergency accommodation within West Suffolk. Where emergency accommodation is needed outside the district, the council will seek accommodation in a neighbouring district where possible to minimise the distance. The household will be identified as requiring an in-area placement and will be prioritised for a move.

1.7 Placement of households in temporary accommodation applies to placements made both within West Suffolk and outside the district.

1.8 The council has a duty to provide temporary or interim accommodation for households who approach the council as homeless and meet the criteria set out in Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002. This includes S.208 referrals received from other local authorities.

1.9 This policy covers both interim placements made under Section 188 of the Housing Act 1996 while homelessness enquiries are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 of the same act. Within this document, placements under both duties are referred to as temporary accommodation placements.

1.10 The council is dependent on a supply of temporary accommodation to meet the needs of households who have been required to leave their previous accommodation and have not been able to secure alternative accommodation themselves or while the council works with them to prevent their homelessness. In some cases, households have not been given warning to leave their current accommodation and therefore may require emergency assistance to source such accommodation. The council must have options in place to deal with such emergencies.

1.11 In accordance with the Housing Act Section 208 and paragraph 16.7 of the Homelessness Code of Guidance, the council will, wherever reasonable and practical, try to secure suitable accommodation within West Suffolk to allow a household to maintain their existing networks, such as employment, schooling, medical care as well as family and social support. The council must be mindful of current prevailing housing conditions as well as demand and pressures that affect the council on a daily basis, whilst considering the individual needs of the households requiring assistance.

1.12 While the council will have regard to this policy when allocating temporary accommodation, the council retains its discretion to consider any personal circumstances of an applicant or the household when allocating accommodation.

1.13 This policy operates in conjunction with the Home-Link Lettings Policy, the policy for discharging the homelessness duty into the private rented sector and the West Suffolk Asset Management Strategy Summary.

1.14 If you have any queries about this policy, please contact West Suffolk Council Customer Services by email at customer.services@westsuffolk.gov.uk or by telephone on 01284 757605.

2. Procurement of temporary accommodation

2.1 This section sets out the current levels of homelessness, the need for temporary accommodation, types of temporary accommodation provided and how the council will look to meet demand.

Homelessness in West Suffolk

2.2 The council maintains its own stock of temporary accommodation and has access to temporary accommodation in the district area. In addition, the council has procured additional temporary accommodation, usually in an emergency, from other providers and some of these are out of the area.

2.3 Understanding the need for temporary accommodation: please see Appendix B of the Housing, Homelessness Reduction and Rough Sleeping Strategy for data on homeless applications, homeless acceptances, reasons for homelessness, number of households in temporary accommodation and the reasons for homelessness.

2.4 Please see section 1, identifying current and future levels of homelessness, in Appendix B of the Homelessness Reduction and Rough Sleeping Strategy. It sets out factors that contribute to people becoming homeless, those most

likely to become homeless or be threatened with homelessness and the factors that may affect future levels of homelessness.

Supply of temporary accommodation

2.5 The council will continue to focus on preventing homelessness and, wherever possible, will provide longer-term accommodation before an applicant becomes homeless. However, it is sometimes necessary to use interim or temporary accommodation before longer-term accommodation becomes available, either during the homelessness relief duty or after the 56-day relief duty period ends, pending the discharge of any duty owed.

2.6 The types of temporary accommodation currently used by the council are set out below:

- **Interim and emergency accommodation:** this is normally in the form of hostels, most of which have shared facilities and is provided within the district. In a small number of cases, this can also be nightly paid accommodation which is located outside of the district with either shared facilities or self-contained.
- **Temporary accommodation:** provided by either West Suffolk Council or a third-party provider usually within the district.
- **Specialist accommodation:** different types of supported housing are available for particular groups, including young single homeless people, rough sleepers, people with mental health needs or substance misuse needs, households requiring refuge accommodation, and younger families. Allocations to these schemes are determined by Housing Related Support, registered providers or the agencies running the schemes, as appropriate. The Housing Related Support contract is managed by Suffolk County Council.

2.7 The council only uses nightly paid bed and breakfast accommodation for emergency or temporary accommodation where no suitable alternative is immediately available.

2.8 The council will explore ways to maintain the supply of good quality temporary accommodation that provides value for money to meet demand by:

- seeking to increase the number of landlords engaged in the West Suffolk Lettings Partnership
- seeking to reduce the reliance on spot purchased nightly paid accommodation and bed and breakfast as far as possible by increasing the number of temporary accommodation properties available
- seeking to expand the range of properties available either in partnership with registered providers or, where value for money can be demonstrated, in the private rented sector
- continuing to explore options for purchasing properties on the open market, subject to business cases and in accordance with the council's Asset Management Strategy, and
- exploring options for working with lettings agencies.

2.9 The council has increased its provision of temporary accommodation in recent years and will continue to monitor its requirements and take action accordingly. The long-term aim is to reduce reliance on spot purchased nightly paid accommodation and to procure accommodation on a longer-term basis

whilst maintaining sufficient flexibility to allow for demand fluctuation and avoid a costly over-supply of temporary accommodation.

Meeting quality standards

2.10 All temporary accommodation must meet appropriate suitability and quality checks. Where appropriate, the council carries out spot checks on nightly paid units. The West Suffolk Landlords Forum meets quarterly to discuss the latest regulations, good practice and landlord obligations. The council also reviews the current accommodation offer and future needs through monthly meetings on property management, registered providers, providers and service level agreements.

3. Placement of households in temporary accommodation

3.1 Use of temporary accommodation

3.1.1 The council aims to work with households to prevent homelessness and proactively encourages households to approach the council as early as possible if they are threatened with homelessness or concerned about their housing situation. The council always aims to help people remain in their homes or, where that is not possible, to help them find settled accommodation before they are required to leave. In some circumstances this will not be possible, and the council may have a statutory duty to provide temporary accommodation in line with legislation. This policy does not cover housing management lettings or the allocation of accommodation where social care statutory duties apply outside homelessness legislation. This policy sets out how the council will meet its statutory responsibilities to provide temporary accommodation for:

a. Interim temporary accommodation, which is made under Section 188 of the Housing Act 1996, during the relief duty while homelessness enquiries are undertaken.
b. Temporary accommodation placements for households accepted as homeless under the main duty under Section 193 of the Housing Act 1996.
c. Temporary accommodation placements made under Section 190 of the Housing Act 1996 following a decision that a household became homeless intentionally. If the council accepts a duty to provide temporary accommodation, the council will consider the needs of the household as part of their homelessness assessment. This will include factors in relation to the suitability of temporary accommodation and identify any risks to help determine a suitable temporary accommodation placement.

3.1.2 All offers of temporary accommodation will comply with legislation, including the Homelessness (Suitability of Accommodation) (England) Order 2012 and give regard to the Homeless Code of Guidance for Local Authorities.

3.1.3 Temporary accommodation is a form of housing assistance that local authorities in England may provide to homeless households who are eligible for assistance, in priority need, and are not intentionally homeless. The provision of temporary accommodation is governed by Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

3.1.4 The policy has had regard to relevant legislation and guidance, including the Homelessness (Suitability of Accommodation) (England) Order 2012; the Homelessness Code of Guidance for Local Authorities; the Localism Act 2011; Section 11 of the Children Act 2004; Sections 23 and 42 of the Care Act 2014; the Domestic Abuse Act 2021; the Equality Act 2010; and associated case law.

3.1.5 Nzolameso v Westminster City Council (2015) established that a local authority must not make an offer of accommodation outside the applicant's district of residence unless it is satisfied that no suitable accommodation is available within the district and has taken account of the impact of the location on the applicant and their family, particularly in relation to education, health and social networks. The Supreme Court judgment set out requirements local authorities should consider when allocating temporary accommodation to homeless households, including:

- a requirement that local authorities need to explain their decisions in regard of the location of the temporary accommodation offered
- each local authority should have, and keep up to date, a policy for allocating temporary accommodation to homeless households
- the policy should reflect the authority's statutory obligations, under both the Housing Act 1996 and the Children's Act 2004
- where there is an anticipated shortfall of accommodation in the district, the policy should explain the factors to be considered when making decisions on where a household is placed.

3.1.6 The Supreme Court also proposed that each local authority should have a policy for procuring sufficient units of temporary accommodation, to meet anticipated demand for the coming year.

3.1.7 The key factor to consider when assessing medical issues is whether the condition itself would make the accommodation unsuitable, for example offering a flat above the ground floor to a household member without the ability to climb stairs.

3.1.8 Consideration will be given to whether the accommodation is affordable for the applicant and their household. Where affordability concerns are identified, the Council will support the applicant to maximise their income and consider alternative accommodation options that are more affordable and sustainable.

3.2 Location of accommodation

3.2.1 Factors to be considered include the ability to access the workplace if in paid employment, avoiding disruption to the education of young people, in particular those who are at critical education points such as those close to sitting GCSE examinations.

3.2.2 Where possible the council will avoid placing applicants in isolated accommodation away from public transport, shops, and other services or facilities for them to maintain established links with schools, doctors and key services to ensure the wellbeing of the family is maintained.

3.3 Size and facilities of accommodation

3.3.1 The accommodation provided should have adequate space for the household and this would be assessed by considering the needs, requirements and circumstances of the household as outlined above.

3.3.2 Households requiring temporary accommodation will often be placed into accommodation that has fewer bedrooms than a household may be entitled to on a permanent basis. The condition of the decoration, furniture in the property (where applicable), the layout or type of accommodation, provision of parking and lack of access to a garden are extremely unlikely to be classed as acceptable reasons for refusals of offers.

3.3.3 Assessments about suitability of temporary accommodation placement will be completed on a case-by-case basis to ensure that any temporary accommodation offered is considered reasonable and suitable for the household involved. These assessments are made within the context of the accommodation and resources that are available to the council.

3.3.4 The individual needs and requirements of a household will be assessed by the housing advisor alongside the Accommodation Team to confirm that the allocated accommodation is suitable. Consideration will also be given to any risks that an applicant may pose to existing residents or members of the public.

3.3.5 Wherever possible, attempts will be made to identify suitable accommodation within the council owned accommodation, local registered provider stock or in the private rented sector.

3..36 Circumstances may arise which require short-notice placements of households into emergency temporary accommodation, and the options available can be very limited. In these cases, nightly paid bed and breakfast accommodation may be the only option available to fulfil the council's temporary accommodation duty. In addition, if an applicant contacts the Housing Solutions team outside office hours and requires emergency accommodation, bed and breakfast accommodation is likely to be the only available option.

3.3.7 If there are any safeguarding concerns about any households, the council will request consent from the police, probation, social care or other relevant agency to disclose relevant risk information to the accommodation provider prior regarding the placement being made.

3.4 Bed and breakfast accommodation

3.4.1 Where a young person aged 16–17 is homeless, the council's joint protocol between Suffolk County Council Children's Services and the Housing Solutions Team will ensure that, through the appropriate assessment, the needs of homeless 16 and 17 year olds are appropriately met, whilst fulfilling statutory duties under the legal framework.

3.4.2 The council aims for all bed and breakfast placements not to exceed six weeks, in accordance with the Government's Plan to End Homelessness. There may be exceptions where no other suitable accommodation can be identified within that six-week period. The council's average length of stay in B&B from 01/09/25 to 31/08/26 was 16 days (this includes all household types). For households with children the average length of stay in B&B for the same period was 13 days.

3.4.3 The council has no statutory obligation to provide or pay for the provision of food or to provide cooking facilities, although breakfast may be included as part of a hotel or bed and breakfast booking where this provision is available. There are usually no cooking facilities provided at hotels or bed and breakfast accommodation. Some hotels or bed and breakfasts will provide access to a microwave at their own discretion. As a minimum, a kettle will be provided in each room.

3.4.4 Whenever a household is accommodated in bed and breakfast accommodation, action will be taken to identify alternative temporary accommodation as quickly as possible.

3.5 Other types of temporary accommodation

3.5.1 The council commissions supported housing, including specialist young people's units and shared supported housing for people who have been found to be rough sleeping. This accommodation includes provision commonly referred to as hostels. As the council seeks to expand its temporary accommodation portfolio, other types and models of temporary accommodation will be considered.

3.6 Accessible temporary accommodation

3.6.1 The council will provide temporary accommodation units within the council owned temporary accommodation portfolio that are wheelchair accessible. The accommodation will aim to provide external arrangements for the entrance, internal circulation space, door and corridor widths, and usable living spaces including the kitchen, bathroom, and bedroom space where this is possible.

3.6.2 The council will identify accessible accommodation where it is needed when making a placement in hotels or bed and breakfast.

3.7 Out-of-district placements

3.7.1 Wherever possible, the council will seek to provide temporary accommodation within West Suffolk.

3.7.2 There are circumstances in which the council needs to place households into bed and breakfast accommodation outside of West Suffolk, such as in cases where accommodation is required in an emergency and there is no availability located within West Suffolk with whom the council has agreements in place. The council will seek to procure accommodation in neighbouring boroughs or districts in the first instance.

3.7.3 Whenever an applicant is placed outside of West Suffolk, attempts will be made to identify alternative accommodation within the district as soon as possible.

3.7.4 In some circumstances, it may be more appropriate for a placement outside of the area to be arranged, for example where an applicant may be at risk within West Suffolk.

3.7.5 West Suffolk will notify the household's GP, Health Visitor and relevant schools when placed into temporary accommodation.

3.7.6 The suitability of temporary accommodation will need to remain under review once a placement has been made. The council will respond to any relevant change in circumstances that may affect suitability until such time as the accommodation duty is brought to an end.

3.7.7 When making hotel and bed and breakfast placements, the Temporary Accommodation Team will give consideration specifically in relation to the impact of placing multiple vulnerable households in one location and the potential impact this may have on individuals and the surrounding community, alongside the necessity of fulfilling statutory homelessness duties, the overall availability of suitable accommodation, and the overarching priority to avoid out-of-borough placements wherever feasible.

3.8 Offers and refusals

3.8.1 The council will make one suitable offer of temporary accommodation to meet the Section 188 duty owed to the household. If the offer is made before the council has decided the household's homelessness application and the household refuses it, the household will need to make its own arrangements until a final decision is made. If the council subsequently accepts that a Section 193 duty is owed, the council will make a second and final offer of temporary accommodation where it is needed. If the household refuses that offer, the council has no duty to make any further offer of accommodation. When a household accepts a temporary accommodation offer, they will be expected to agree to the rules for the placement.

3.8.2 If an applicant refuses an offer of temporary accommodation, they will be asked to provide a reason for their refusal which will be considered by the housing advisor. If the accommodation is still considered as suitable the council will be under no obligation to offer any further temporary accommodation. The applicant would then need to decide whether to accept the offer or to source accommodation themselves.

3.8.3 If the specified reasons for refusal are considered valid, the offer would be withdrawn, and alternate temporary accommodation options would be considered.

3.8.4 Where the council decides that homeless applicants housed under Section 188 are not owed the main homelessness duty, they will be asked to leave their interim accommodation placement following a reasonable notice period, once being informed of the council's decision in respect of their homeless application. The length of the notice period will vary depending on the households individual circumstances.

3.9 Rights to a statutory review

3.9.1 The legislation that sets out whether there is a statutory right to the review the suitability of accommodation applies as follows:

- **Interim duty (under Section 188)** - There is **no** statutory right to review the suitability of accommodation provided under the relief duty (although judicial review can be applied for). If the offer of a suitable offer of temporary accommodation is refused, the council may not offer any further temporary accommodation as there is no duty owed.

- **Main duty (under Section 193)** - The suitability of accommodation provided in the undertaking of the main housing duty is subject to a statutory right to review. Households owed such a duty will be advised in writing of this right and how to exercise it. Under Section 202 of the Housing Act 1996, a review request should be made within 21 days of being notified that the offer is suitable. After this time, the only remedy is through judicial review.

3.9.2 If temporary accommodation is refused and, upon review, the council is satisfied that the accommodation is suitable, the council will notify the lead household member(s) in writing that they are no longer owed the main duty. No further offer of temporary accommodation will be made, and the council will discharge its duty under the Housing Act 1996.

3.9.3 If the council accepts the reasons for a refusal and agrees the offer was unsuitable, a further final offer will be made.

3.10 Terms and conditions relating to the temporary accommodation and what is expected of households

3.10.1 At the start of a temporary accommodation placement, the lead household member(s) will be asked to sign an agreement in person, setting out the rules and conditions laid down by the council. The lead household member(s) will be notified about the consequences of breaching the terms of their placement.

3.10.2 Depending on the type of accommodation being offered, households will be required to sign to confirm their agreement to the following:

- Terms and conditions - specific rules relating to the hotel accommodation.
- A license agreement – used for the occupation of accommodation in pursuance of the council's functions under Part 7 of the Housing Act 1996.

3.10.3 If there is a breach of the terms of a placement provided by the council, including a bed and breakfast or hotel placement, and this is the first breach and is not of the most serious nature, the placement may not be ended. The council will issue a verbal warning and record this in the case notes. If a second breach occurs, a written warning will be given, explaining that any further breach may result in a final written warning. If a further breach is committed, it is likely that the relevant notice will be issued to terminate the placement.

3.10.4 Any reasonable adjustments in terms of the suitability of the temporary accommodation or where it is identified additional support would benefit the household will be considered. The aim will be to support the household to understand their rights and responsibilities and the consequences if they do not comply with the accommodation agreement.

3.10.5 If the lead household member(s) behaviour or that of a member of their household is extreme, for example, physical violence or significant damage, a Notice to Quit may be served without prior warnings and the placement may be ended.

3.10.6 For households under main duty (Section 193), if the loss of temporary accommodation is caused by a deliberate act or omission, they may be found intentionally homeless. This means the council would have no duty to offer a long-term home.

3.10.7 The council reserves the right to use its discretion in what constitutes a less or more serious breach and the actions taken to manage this, as long as it complies with legislation, is fair and consistent in the approach.

3.10.8 The council may recharge the lead household member(s) where the council has to recover incurred costs in relation to (but not limited to):

- where the lead household member, a member of the household or a visitor has caused damage to the temporary accommodation
- where fittings and furniture provided by the council or a third-party provider are lost, sold or otherwise disposed of
- where fines are incurred and charged to the council due to the behaviour of the household, members of the household or visitors.

3.11 Households absent from temporary accommodation

3.11.1 The council will proactively look for signs where households are not using their temporary accommodation, subletting, or for serious breaches of the agreement.

3.11.2 Where there is reason to believe that the household is not using their temporary accommodation, all efforts to contact the household will be made. There may be valid reasons, for example where an individual has been admitted into hospital etc.

3.11.3 Appropriate notice will be served where there are reasons to believe the temporary accommodation is not being used. If the placement is in a bed and breakfast or hotel the household's placement will be ended. Where there are safeguarding concerns relating to not being able to contact the household, for example a suspected missing person, appropriate action will be taken in line with safeguarding policies and local procedures. Children and Adult Safeguarding Policy 2019 and Guidelines for working with vulnerable people

3.11.4 Local procedures will set out how the temporary accommodation service will respond to concerns where a person cannot be contacted and there may be concerns relating to their safety and welfare; this will include, for example, liaising with other agencies, deciding if and when a missing person report should be made, making appropriate safeguarding referrals and ensuring the appropriate records of decision-making when the council make a decision to end a temporary accommodation placement in accordance with legislation.

4. Support and resettlement

4.1 The council will ensure that support, as detailed in section 4.3 below, is available to households in temporary accommodation throughout their stay. This will help households achieve a prompt and successful move into a more permanent home. Households may be allocated a named Council Resettlement or Tenancy Support Officer, who will work with them to ensure their temporary accommodation agreement conditions are met and support them with their individual personal housing move on plan.

4.2 The support team will aim to adopt a person centred, strength-based approach of the individual ensuring they lead in identifying their own goals and support needs and have shared accountability to achieve the desired outcome of settled housing. The service will aim to empower individuals, draw on their strengths and capabilities, promote and improve their quality of life by facilitating timely access to necessary support, thus reducing the risk of repeat homelessness, and enhancing housing stability, leading to better outcomes for the household.

4.3 Support will be delivered with compassion and empathy, without judgement. Practical support may include:

- support in understanding rights and responsibilities whilst in temporary accommodation
- help in maximising benefits that the household may be entitled to
- Ss provision swiftly and minimise educational disruption
- former tenant rent payment plans being established at outset of the placement
- links established with the Income Team regarding Housing Benefit claims for occupancy charges
- links established with other agencies where needed for example Social Care, Children's Services, Domestic Abuse Services, Mental Health, drug and alcohol support
- support to register with Health Care, which includes linking in with Gateway Primary Care, which specialises with helping hard to reach and vulnerable groups
- support to register on the council's housing register (where eligible) and support to provide necessary documents required
- earlier conversations regarding private rented sector or direct applications to Housing Associations to help moving on from temporary accommodation
- discussing any changes in circumstances in the suitability of the temporary accommodation placement.

4.4 Regular visits by the Resettlement and Support Officers, or similar commissioned support roles to all temporary accommodation will also assist with:

- identifying any potential 'hidden' support needs or issues a household may be facing, which would not necessarily be picked up over phone contact
- discovery of temporary accommodation property abandonments
- quicker identification and action on property issues, for example disrepairs, damp, mould or intentional damage
- addressing any issues relating to the use of the temporary accommodation property or hotel/bed and breakfast placement.

5. Households with pets

5.1 Legally, pets are not considered part of the household, and the council does not have a duty to accommodate pets in temporary accommodation. Households are encouraged to make alternative arrangements for all pets while they are in temporary accommodation, which the council can support with. In certain circumstances, the council may be able to signpost applicants

to fostering services for pets or provide support with kennelling costs where this would help to prevent homelessness or facilitate access to accommodation.

5.2 However, the council recognises that households may have no alternative options available for their pets and understands that pets can play an important emotional and supportive role in the household. Although it is not always possible to make provisions in temporary accommodation for pets, the council will be sensitive to this matter and give careful consideration to individual household circumstances on a case-by-case basis and understanding the needs of other households at the temporary accommodation provision.

5.3 Under the Equality Act 2010, the council will consider any reasonable adjustments required for households with an assistance dog.

6. Temporary accommodation costs

6.1 Temporary Accommodation must be affordable to be considered suitable. The household should be able to afford the costs of accommodation from their income after essential expenses, such as reasonable living costs and child support payments.

6.2 The Temporary Accommodation Service will support households to ensure they understand their responsibilities and that their income revenue is maximised.

6.3 The council will advise the household of the charges that apply to the type of accommodation being offered at the sign-up. The charge is calculated as a daily charge for all council temporary accommodation properties, hotel, bed and breakfast and nightly charged private temporary accommodation. This will be explained when the placement is being made.

6.4 The cost of the temporary accommodation, or occupancy charge, can be paid by using the lead household member's housing benefit payment.', depending on the household's income. Assistance will be given by the Temporary Accommodation Service to make housing benefit claims in a timely manner.

6.5 In situations where a homeless household does not receive full housing benefit due to eligibility, the lead household member will be responsible for paying the difference between their maximum benefit entitlement and the cost of the accommodation charge. Where a household is not entitled to housing benefit, they will be responsible for the full cost of the temporary accommodation.

6.6 Households residing in temporary accommodation owned by the council will be informed if they are responsible for the payment of their personal gas and electricity utility use or service charges, and how to pay for this for the duration of their placement in that accommodation. Information will be provided when the household signs the temporary accommodation agreement. Failure to pay these charges may result in:

- the placement being ended following a reminder letter, formal written warning and final written warning being issued
- the Home-Link account being suspended.

6.7 Households will be responsible for obtaining and paying for their own television license. We do not provide Wi-Fi in temporary accommodation.

7. Ending Temporary Accommodation Placements and Discharging Duties

7.1 When the council makes a decision to end its duty to provide temporary accommodation, the council will notify the lead household member(s) as detailed below:

a. The council may discharge its duties to continue to provide temporary accommodation under Section 188 Housing Act 1996, by serving reasonable notice. Reasons why the council may discharge its duty under Section 188 include but are not limited to: where a household has breached the terms and conditions of any type of temporary accommodation, or where they have been found not to be in priority need following a homelessness investigation.

b. The notice is excluded from the requirement to issue 4 weeks' Notice to Quit. The council will use its discretionary powers to decide on what reasonable notice will be given, on a case-by-case basis.

7.2 The council may discharge its duties to provide temporary accommodation under Section 193 Housing Act 1996 under the following circumstances:

- Accepts an offer of suitable accommodation, and the council gives notification in writing of the possible consequences of refusal or acceptance.
- Refuses an offer of suitable accommodation, and the council gives notification in writing of the reasons for the offer, the possible consequences of refusal, and the right to request a review of the suitability of the accommodation.
- Is homeless intentionally from the temporary accommodation provided by the council, and the council gives notification in writing of the reasons for the decision, the possible consequences of the decision, and the right to request a review of the decision.
- Ceases to be eligible for assistance, and the council notifies them in writing of the reasons for the decision, the possible consequences of the decision, and the right to request a review of the decision.
- Withdraws the application for assistance, and the council notifies them in writing of the possible consequences of withdrawal.

7.3 Under Section 193A, the main housing duty can be discharged where the applicant accepts a private rented sector offer that is a periodic assured shorthold tenancy, meets the relevant standards and is affordable for the household. The council must give notification in writing of the possible consequences of refusal or acceptance and the right to request a review of the suitability of the accommodation.

7.4 Where the council discharges its duty by using the private rented sector as a suitable settled offer of accommodation, the same regard to making a suitable temporary accommodation offer must be considered as set out in the Homelessness (Suitability of Accommodation) (England) Order 2012.

7.5 Where the main duty is discharged by a suitable offer of accommodation being refused a minimum of 28 days' notice will be given by serving a Notice to Quit. The same notice period will be given for households staying in a hotel or bed and breakfast.

7.6 On expiry of the Notice to Quit served, the council is required to obtain a possession order and eviction notice from the court before taking any action to evict the household.

7.7 If a household is in a hotel or bed and breakfast accommodation and has been asked to leave by the establishment due to a breach of the rules set out in the agreement, the council will consider placing the household in alternative suitable temporary accommodation, after thoroughly investigating the nature of the breach. Following this, the council will conclude if the breach constitutes a finding of intentionality. If so, the lead household member(s) will be notified of the intentionality decision, and a minimum 28 days' Notice to Quit will be served.

7.8 Where the council discharges its duty due to the household refusing a suitable offer, or when deemed to be intentionally homeless and there are children in the household, the Housing Advisor will notify the council's Children's Services for assistance under Section 17 Children Act 1989 subject to consent from the household. A referral to Children's Services may also be made without the household's consent where there are safeguarding concerns.

7.9 Where the council discharges its homelessness duty, support will continue whilst households are within the notice period of the temporary accommodation. Where alternative accommodation has not been secured, support will continue to focus on any alternative housing options available. Officers will give regard to individuals' vulnerabilities and continue to identify any additional support, liaise with any agencies involved and make appropriate referrals to support services subject to the individual household member's consent.

7.10 Where there is a vulnerable adult in the household subject to consent, the service will liaise with Adult Social Care and make a referral where appropriate, in order for social care to determine if there is a duty under the Care Act 2014. A referral to Adult Care may also be made without the consent of household members where there are safeguarding concerns.

7.11 All referrals should be made at the earliest opportunity to ensure there is an effective multi-agency approach.

8. Storage and protection of personal belongings

8.1.1 A household may not be able to take all their belongings into temporary accommodation. Under Section 211 of the Housing Act 1996, when a household is placed in temporary accommodation and there is a likelihood (not just that it is a possibility) of loss or damage to their personal property and they are unable to protect their belongings or make other arrangements to do so, the council may have a duty to take reasonable steps to protect those possessions. The personal property of the household includes personal property of any person who might reasonably be expected to reside with them. There are two ways in which the council can perform its duty to protect property:

- moving it to a particular location requested by the lead household member(s)
- securing with personal property, by arranging its storage until relevant duties are discharged.

8.1.2 Household income and affordability should determine if households are able to pay or make a contribution for their own removals and storage.

8.1.3 The council can make reasonable charges, including a charge for disposing of property in particular circumstances.

8.1.4 The council's responsibility ends when it considers that the belongings are no longer at risk because the household can protect them. This will normally be where the household has been offered or found accommodation where they can receive their possessions.

8.2 Personal belongings when there is no forwarding address

8.2.1 Due to limited storage and cost implications, the council is not able to store household's personal belongings indefinitely. Therefore, the council is in effect giving notice at the start of the placement and at the end of the placement regarding what will happen if there is no forwarding address or contact.

8.2.2 The council will make reasonable steps to contact the household, where possible.

8.2.3 The council may use its discretionary powers to store personal belongings beyond the 28-day notice date when considering any special circumstances.

9. Safeguarding

9.1 Safeguarding is everyone's responsibility. This policy makes an explicit link between homeless households in all temporary accommodation and safeguarding in respect of children, young people and vulnerable adults placed into temporary accommodation. In particular, considering the factors the council must take into account when determining the suitability of accommodation secured under the Housing Act 1996 as set out in the Homeless Code of Guidance for Local Authorities (Ministry for Housing, Communities and Local Government).

9.2 The Temporary Accommodation Team will take full ownership of their safeguarding responsibilities for children, young-people and vulnerable adults. Appropriate action will be taken when required to ensure children, young people and adults are helped and protected. This will be achieved by:

- ensuring appropriate officers are trained in child and adult safeguarding, domestic abuse and trauma informed practices
- ensuring that the workplace culture enables effective practice in safeguarding, and that everyone understands the council's corporate children and adults safeguarding policies
- officers are encouraged to practice concerned curiosity
- regular staff supervisions, and reflective learning sessions and workforce development opportunities
- comprehensive record-keeping of practice and decision-making

- management oversight of decision-making
- making appropriate referrals to agencies and services that clearly state what is being requested
- having due regard to any equality matters, including the need to take steps to take account of household members who may have a disability.

9.3 The Temporary Accommodation Team will also identify household's areas of need and any associated risks, which includes safeguarding, before making a suitable placement. The factors considered include, but are not limited to:

- risks to the applicant or members of the household
- risk to other residents living in the same location/establishment, for example hotel or bed and breakfast
- risk to staff
- risk to community safety and any safeguarding implications

9.4 The Temporary Accommodation Team will:

- practice effective multi-agency working together with partners, for example, attending multi-agency meetings which include, social services, domestic abuse service, area housing, community safety and Suffolk Police, which focuses on managing risks in the community, linking in with suitable temporary accommodation placements

- ensure that there are regular visits and keeping in touch with households living in temporary accommodation, including hotel and bed and breakfast establishments. Effective, person centred support will be provided to households to assist with their Personal Housing Plan, including support to link into health services, schools and support to help with swift move on from temporary accommodation to more settled housing

- ensure where a household has been placed out of area, the council will notify the host local authority as soon as possible of the placement through a Section 208 notification and at the latest 14 days of the accommodation being made available to the household.

9.5 The council's Safeguarding Lead will attend the Suffolk Safeguarding Adults Board (SAB) as a full member. The SAB is a multi-agency strategic partnership made up of senior and lead officers within adult social services, criminal justice, health, housing, community safety and voluntary organisations. It coordinates the strategic development of adult safeguarding across Suffolk and ensures the effectiveness of the work undertaken by Partner Agencies in the area.

10. Equality and diversity

10.1 The council aims to ensure its policies and procedures are fair and transparent. The council will apply this policy fairly and give equal treatment in accordance with the Equality Act 2010 regardless of age, disability, gender, sexual orientation, transgender status or gender reassignment, race and religion or belief, or make reasonable adjustments wherever possible to ensure equality of access to suitable temporary accommodation for those with protected characteristics. All members, employees, and agents of the council

must seek to eliminate discrimination and promote equality, diversity, inclusion, and good relations between all groups.

10.2 An Equality Impact Assessment has been carried out in respect of this policy and recognises that this policy does set out consideration for households with certain protected characteristics in relation to the suitability of a temporary accommodation placement. This includes households with children or who are pregnant should not be in a hotel/bed and breakfast placement longer than 6 weeks. Consideration includes households that have health factors and that have care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Suffolk.

10.3 This policy recognises the importance of creating an inclusive and supportive service that will cultivate empathy and compassion and understand the needs of individuals.

10.4 The council recognises that the likelihood of becoming homeless and the experience of homelessness can vary disproportionately depending on factors like ethnicity, disabilities and sexual orientation. The council will record and monitor data to gain insights on the impact of this policy on diverse household(s) and contribute towards the needs analysis of future temporary accommodation needs.

11. Data protection and information sharing

11.1 All data will be held in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 (GDPR).

11.2 The council may investigate or formally verify any of the information provided in connection with the assistance of temporary accommodation. In order to progress with the placement of temporary accommodation and ongoing support, it may be necessary to share information provided internally with other services or other organisations' that may assist with the provision of temporary accommodation. These may include but is not limited to:

- Suffolk County Council – Adult Social Care or Children's Services
- West Suffolk Council – Housing Benefits, Income Team
- relevant agencies appointed by the homeless household.

11.3 The council is under a duty to protect public funds and may use the information provided for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes. The above information will need to be communicated with the associated household at the time their personal information is obtained in the form of a Privacy Notice.

12. Complaints

12.1 If for any reason a household is not satisfied with the service that has been provided, it can make a complaint in accordance with the council's Corporate Complaints Policy. This link provides details of how a complaint can be made. Details of how to make a complaint will also be included in any correspondence setting out decisions made under this policy.

Information on how to make a complaint will be provided on request or when it is considered that this information will be of assistance.

12.2 The council recognises that vulnerable people may need additional support when raising concerns informally or when making a complaint under this policy and will also signpost people to the support available locally through groups such as Citizens Advice.

12.3 Once the council's formal complaints process has been exhausted, the Local Government and Social Care Ombudsman can be approached to review and investigate complaints about this policy.

12.4 Any such complaint will be treated seriously and will (if necessary) be reflected in subsequent reviews of this Policy or in amendments to the way that services are delivered.