

## Temporary Accommodation Procurement and Allocation Policy

<b>Issue details</b>	
<b>Title:</b>	<b>Temporary Accommodation Procurement and Allocation Policy</b>
<b>Version number</b>	<b>Version 2.0</b>
<b>Officer responsible:</b>	<b>Housing Solutions Manager</b>
<b>Authorisation by:</b>	
<b>Authorisation date:</b>	

<b>History of most recent Policy Changes – Must be completed</b>			
<b>Date</b>	<b>Section</b>	<b>Change</b>	<b>Origin of change (eg change in legislation)</b>
15.01.25	2.1.3	'Homelessness Strategy' amended to 'Preventing Homelessness & Rough Sleeper Strategy'	Wording
15.01.25	2.2.2	Reference to our own stock used as temporary accommodation amended from one HMO to two HMO's	Change in circumstances
15.01.25	2.2.2 and 2.5.1	References to former contract with third party formerly providing temporary accommodation (Gissage House) removed	Change in circumstances
15.01.25	2.2.2	Reference to temporary accommodation sourced via RP's (registered providers) removed	Wording
15.01.25	2.3.5	'Exceptional circumstances such as severe medical or mental health needs will always be considered by the Housing Options Manager' amended to 'Exceptional circumstances will always be considered by the Housing Options Manager'	Wording
15.01.25	2.3.7 and 2.8.1	'Clients' amended to 'applicants'	Wording
15.01.25	(was) 2.5.3	Former entry removed – was considered unnecessary – wording as follows: 'Where	Wording

		it is not possible to secure accommodation within the district, and accommodation has been secured outside of the district, we will take into account the distance of that accommodation from our district. Where accommodation which is otherwise suitable and affordable is available nearer to our district than the accommodation which has been secured, the accommodation which has been secured is not likely to be suitable unless we have a justifiable reason or the applicant has expressed a preference	
12.11.25	2.3.2	Second sentence added for clarification.	Clarification
12.11.25	2.4	Section added to clarify assistance towards applicants fleeing domestic abuse	Clarification
12.11.25	2.6.1	For EDDC owned stock wording amended from 'non secure licence agreement' to 'licence or non-secure tenancy'	Clarification
05.01.26	2.2.3	Elaboration on responsibilities towards applicants with family commitments and 16/17 year olds	Clarification

## **1 Why has the council introduced this policy?**

It is good practice to have a written policy on the procurement and allocation of temporary accommodation, as highlighted in case law – Nzolameso v City of Westminster April 2015.

## **2 What is the council's policy?**

### **2.1 Background**

- 2.1.1 This policy sets out how we will procure temporary accommodation and how we will meet our responsibilities to provide temporary accommodation to eligible people who are considered to be homeless and we have reason to believe priority need as required by s188 of the 1996 Act.
- 2.1.2 The Council has a statutory duty to provide temporary accommodation to homeless applicants in certain circumstances as set out in legislation.
- 2.1.3 This policy should be read in conjunction with our Preventing Homelessness & Rough Sleeper Strategy.
- 2.1.4 The policy has been written taking into account current legislation and guidance and will be amended to include changes to legislation / guidance where necessary in future.

### **2.2 Procuring temporary accommodation**

- 2.2.1 We will ensure that there is sufficient temporary accommodation available to allow us to fulfil our duties to households faced with homelessness.

## 2.2.2 Within the district we have:

- Accommodation in our own housing stock if suitable and available at the time of need, this includes two HMO's property specifically for use as temporary accommodation
- A list of bed and breakfast accommodation within the district that will accept referrals from us, but this is only used in an emergency when nothing else is available as it is very expensive
- Available private lets in the area.

2.2.3 We can only place applicants with family commitments in shared facility bed and breakfast accommodation for a maximum of six weeks. Therefore, we use B&B accommodation to discharge a duty to secure accommodation for applicants with family commitments only as a last resort and then only for a maximum of six weeks. Applicants with family commitments means an applicant: (a) who is pregnant, (b) with whom a pregnant woman resides or might reasonably be expected to reside or (c) with whom dependant children reside or might reasonably be expected to reside. There is no legal time limit for single people staying in bed and breakfast. Although there is a statutory order restricting the use of B&B accommodation for 16 and 17 year olds unless in an emergency.

2.2.4 We rarely place people outside the district but there are times and certain circumstances when it is necessary to do so. If necessary we can use suitable bed and breakfast accommodation outside the district.

## 2.3 Allocating temporary accommodation

2.3.1 We will work to prevent homelessness and keep people in their homes wherever possible or assist them to find alternative accommodation prior to them becoming homeless. Where this is not possible and people become homeless, or are already homeless, we will work together to relieve homelessness as soon as possible.

2.3.2 We will only use temporary accommodation where absolutely necessary and only for as short a period of time as possible. We will use our own properties wherever possible and will use one of the other options in the event we do not have a suitable property available.

2.3.3 All applicants will be assessed to establish the type and location of temporary accommodation which should be offered. Staff will review the options available at the time and offer the most suitable accommodation.

2.3.4 Staff will complete an assessment form for single person households and the risk assessment will be considered to ensure placements are safe and appropriate.

2.3.5 Exceptional circumstances will always be considered by the Housing Options Manager.

2.3.6 We will:

- place clients within the district if at all possible and where reasonably practicable
- consider the location of the accommodation when assessing its suitability for the client

- place clients as near to their existing support network (family, work, schools) as possible
- try to minimise disruption to children's schooling, particularly at critical points of a child's education
- use accommodation which is close to shops, public transport and other facilities wherever possible.

2.3.7 We reserve the right to move applicants between different units of temporary accommodation if necessary. We will try as much as we can to avoid moving applicants but it may at times be necessary so that we can make best use of the limited temporary accommodation we have available.

2.3.8 We keep detailed records of where people have been placed and our reasons for placing them in that particular accommodation.

## **2.4 Domestic Abuse**

2.4.1 Support will be available for applicants fleeing domestic abuse. In instances where applicants are fleeing domestic abuse we will carry out a risk assessment and assessment of need in order to determine the safest and most appropriate temporary accommodation placement from the options available. We will source a refuge placement where this is the best option or will source accommodation out of the district where there are safety concerns.

## **2.5 Allocation of temporary accommodation outside of the district**

2.5.1 We usually have sufficient temporary accommodation within the district but we do sometimes have to place outside the district when temporary accommodation may not be available, particularly during the holiday seasons and summer months, or where individuals have more complex needs.

2.5.2 Accommodation options within the district are limited and while we will try to place applicants with very specific needs within or as near to the district as possible, we may in some circumstances have to look further afield for suitable placements.

2.5.3 We will try to secure accommodation that is as close as possible to where the applicant was previously living. We will take into account the significance of any disruption with specific regard to employment, caring responsibilities or education of the applicant or members of their household. Where possible we will seek to retain established links with schools, doctors, social workers and other key services and support.

2.5.4 We will accommodate within our area so far as this is reasonably practicable. 'Reasonable practicability' imports a stronger duty than simply being reasonable. But if it is not reasonably practicable to accommodate within our area we will, where possible, try to place the household as close as possible to where they were previously living. There will be some cases where this does not apply. For example where there are clear benefits in placing the applicant outside of the district, because of domestic violence or to break links with negative influences within the district, and others where the applicant does not mind where he/she goes or actively wants to move out of the area.

## **2.6 Type of agreement**

- 2.6.1 The type of tenancy agreement or licence used will depend on the type of temporary accommodation available:
- EDDC owned stock – non secure licence agreement
  - B&B – no licence or tenancy agreement but there is a set of standard rules which must be signed and followed.

## **2.7 Pets**

- 2.7.1 Pets may be allowed in some temporary accommodation at the discretion of the landlord.
- 2.7.2 Where applicants have pets but cannot take them to the temporary accommodation we will assist with finding and securing alternative accommodation for the pet(s). We will not pay to board any pets.
- 2.7.3 If there is an assistance dog (such as guide dog for the blind) then this animal will be counted as an essential part of the household and suitable temporary accommodation found.

## **2.8 Appeals and complaints**

- 2.8.1 The Housing Options Manager is responsible for overseeing the placing of applicants in temporary accommodation.
- 2.8.2 The Housing Solutions Manager has overall responsibility for ensuring that the right people are placed in the right property on the right type of tenancy.
- 2.8.3 In making an offer of temporary accommodation we will have taken full consideration for the requirements of the applicant and their family. We will therefore have met our duty to the applicant and if our offer is refused we are not required to make a further offer.
- 2.8.4 There is no statutory right of review to our decision in terms of temporary or interim accommodation other than by a county court judicial review. However if an applicant has concerns about any adverse effect the accommodation may have on them or their family we ask that they discuss this with us.
- 2.8.5 The Housing Service will deal with any complaints in accordance with the East Devon District Council corporate complaints policy. For full details please contact the Complaints Officer, East Devon District Council, Blackdown House, Border Road, Heathpark Ind Estate, Honiton EX14 1EJ, email [complaints@eastdevon.gov.uk](mailto:complaints@eastdevon.gov.uk) or phone 01395 517528.

## **3 Policy Administration**

### **Appendices and other relevant information**

N/A

### **Links related Policies/Strategies, Procedures and Legislation**

Preventing Homelessness and Rough Sleeper Strategy 2024-2028.

### **Data Protection**

d) This policy does not relate to existing tenants. Any personal data required will not be obtained without prior consent being given

Consent for the use of personal data is obtained through the homeless application process

The [EDDC Data Protection Policy](#) provides further information on how we store and use personal information.

The following privacy notice(s) provide further information on how we will use tenant's personal data, how it is gathered, and how long we will retain this information, and what rights tenants have in relation to this.

Housing Options - Processing homeless applications

Housing Allocations - Processing Devon Home Choice applications

All our privacy notices can be found on the EDDC website

(<https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notice/>)

### **Policy consultation**

Resident and Leaseholder Panel

Homelessness Strategy Review Group

### **Policy review**

Responsible Officer: Housing Solutions Manager

Review Date: 1<sup>st</sup> April 2029