

Lettings Policy – Temporary Accommodation

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1. Introduction

1.1 A key priority within the Eastleigh Borough Council (The Council) Housing Strategy 2018, is to enable the provision of new affordable quality housing. It notices that it is essential that there is a sufficient supply of suitable, high-quality homes that can meet the diverse needs of residents both now and in the future. Building new homes provides opportunities for people looking for affordable rent, or a new home to meet their changing needs.¹

1.2 Properties that are provided as temporary accommodation will be allocated taking additional information into account rather than following the standard Allocations Policy and Lettings Policy.

1.3 The Council is the Housing Authority for the purposes of the Housing Act 1985 and, as the housing authority, is required by Section 8 of the Housing Act to consider the needs of the Borough with respect to the provision of further affordable accommodation.

1.4 The Homelessness Act 2002 and Housing Act 2004 identifies the need for Local Housing Authorities to address the issues of housing conditions, homelessness and provision of suitable decent homes.

1.5 The Housing Act 1996 (amended by the Homelessness Act 2002) also requires local authorities to have a written policy for determining priority and the procedures to be followed for the lettings of housing. Whilst 'Reasonable Preference' must be given to certain defined groups, Section 166A (3). enables authorities to let properties to people of a particular description where there is a clear need for the approach. This policy compliments the practices of the Council.

2. Purpose

2.1 The purpose of this policy is to achieve, as far as possible, a lettings outcome that delivers a good quality of life for the new tenant and the existing community.

Prime focus: To deliver a sustainable tenancy through the best possible fit between a person's housing needs and the home they are offered.

3. Consideration of a Lettings Policy for Temporary Accommodation

3.1 The manager in the Housing Service will consider the eligibility of clients against this lettings policy.

The introduction of the lettings policy, when applied, will mean that some people will not be offered a particular property because of a RISK BASED ASSESSMENT that indicates such an offer would run a high and unacceptable risk of the new tenancy failing.

A prospective tenancy will be deemed as having a high risk of failure where:

- A person is considered to be vulnerable

¹ Corporate Strategy - Housing

- A family has a recognised support need for at least 1 member of the household
- High level of support is required but cannot be guaranteed
- The available property is deemed to be in a high-risk area
- The person is known to exhibit behaviour whilst not requiring support intervention could be distressing in a particular environment

It is recognised that a risk assessment carried out prior to an offer being made is not 100% fail safe, as some behaviours are only exhibited periodically or do not become apparent until a tenancy has commenced.

The risk framework should significantly reduce the risk of tenancy failure.

THE RISK ASSESSMENT

The Council adopts a triage system where every homeless applicant has a discussion with the homelessness specialist regarding their support needs.

This is based on a checklist approach and helps decide whether or not a household needs a referral for housing support. If at the point of application it is decided that housing support is not required, yet it is subsequently identified that housing support is in fact required, there can be a referral for housing support at that stage.

All short-listed applicants (*will be assessed with the attached assessment*). The Housing Specialist within the Housing and Homelessness team will make the assessment.

Effectiveness of this part of the process will be reviewed regularly through ongoing 'lessons learnt' monitoring.

This risk assessment will either include or exclude a person from consideration for a particular property:

- High risk: no offer for particular property (Applies to the Council's stock, other specialist organisations will be available to provide housing).
- Medium risk: Review sustainability of support before offer made
- Low risk: Offer acceptable but extra management monitoring required

An offer will be made to the lowest risk assessed applicant in accordance with their situation on the housing register.

Support Provision

The Housing Support Service Agreement sets out how a housing support service should be delivered. However, an effective housing support service would be expected to provide:

- A full assessment of a residents housing support needs - there should be a format for this assessment which is consistently applied across all households and a record should be kept.
- A support plan is developed on the basis of the housing support assessment covering all the areas that have been identified and the support plan should be reviewed on a regular basis.

- Specialised support from other providers may be provided, depending on tenant need.

This will work as a secondary filter once a short list of applicants has been drawn up within the existing LEAF policy.

4. Additional Lettings criteria

4.1 The additional criteria for allocation introduced as part of this lettings policy will depend on the reason for the implementation of the policy and the desired outcome.

4.2 The Council will evidence why the additional criteria will achieve the desired outcome.

4.3 Additional criteria can include, but is not limited to:

- Age restrictions
- Family composition (including under occupation)
- Economic status and affordability
- Local connection to area
- Criminal convictions
- History of tenancy issues
- Health and Care issues

5. Tenancy

5.1 The tenancy in specialist accommodation

All new temporary tenants of the Council (if they are not transferring from another council or an assured (housing association) tenancy) will be signed up with LEAF Homes who will give them the right to live in temporary accommodation. Where a local authority grants a tenancy under another duty, such as the main housing duty, it will normally be a non-secure tenancy. The occupier will have basic protection. The Tenancy Agreement sets out their rights and responsibilities as a tenant and our obligations as landlord.

5.2 Tenants' responsibility

Tenants will be responsible for paying rent, utilities, costs for damage and returning the keys to the property.

6. The Decision and Review of the Lettings Policy- Specialist Accommodation

6.1 Approval for this lettings policy and any restrictions will be made P&P Scrutiny panel.

6.2 Annual reviews will be completed to monitor the effectiveness of the policy.

7.0 Ensuring choice and fairness for applicants

7.1 It is acknowledged that by introducing lettings policies (for specific accommodation such as temporary), the choice for applicants is reduced. Therefore the availability of alternative properties in each area will always be considered.

8.0 Monitoring and Review

During the first months, monitoring and evaluation will take place to assess impacts both for applicants e.g. delay for rehousing and also us, on the voids period.

This will include:

- Total number of void properties
- Number of void properties designated for sensitive lettings
- Number of risk assessments carried out
- Number of risk assessments resulting in: no offer; offer with improved support
- Offer with additional management monitoring
- Days taken to make offer
- Impact on void period
- Number of applicants with delayed offers pending suitable accommodation becoming available
- Equality & diversity measures

8.1 This policy will be reviewed regularly, to incorporate legislative and regulatory amendments and changes, best practice developments, or to address any operational issues with the procedure. Input will be sought from our residents (via the Residents Committee or similar) prior to making any substantive changes. This is in line with our Corporate Values and is intended to ensure our policy continues to meet the needs and aspirations of our residents.

This Policy will be reviewed every 3 years unless there are significant changes in legislation.

9.0. Data Protection

The Council are committed to protecting and respecting the privacy of personal data. As a registered Data Controller (Reg. no. Z7118863) it complies with the General Data Protection Regulations 2018 (GDPR).

More information on how the Council collects, uses and keeps your personal information, and how it protects privacy can be found in our [Record of Processing Activity](#) (ROPA).

The corporate privacy notice provides general information about the council's personal data processing activities overall. As the range of services the council provides is so varied, it has also produced individual [privacy notices for each service area](#), to explain specifically how data will be used within each service.

10.0. Equality & Diversity

10.1 Equality and diversity are of fundamental importance to services provided regardless of a person's protected characteristics under the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, religion pregnancy and maternity, race, belief, or sex). All must be treated with respect. The Council treats everyone it houses, serves, and employs, fairly, and encourages others to do the same.

10.2 The Council provides information that is clear, accessible, and in an appropriate format (such as translated into another language, or in large print on request). Where appropriate, Council Officers will assist residents, by, for example, helping to complete paperwork. These policies ensure residents are treated in a fair and efficient manner.

11.0 Document History and Approval

Identity and Version Control

This document is the final approved version and will be a controlled document with an individual assigned to version review/amendment.

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