

City of London Corporation **Temporary Accommodation Allocation Policy**

1.1 This Temporary Accommodation Allocation Policy will provide a framework for the fair allocation of temporary accommodation provided by the City of London Corporation under *sections 188, 190 or 193 Part VII of the Housing Act 1996 (the Act) as amended by the Homelessness Act 2002, Localism Act 2011, Homelessness Reduction Act 2017 and Domestic Abuse Act 2021.*

Procurement

2.1 All temporary accommodation provided by the City of London Corporation is spot purchased and nightly-paid. This enables each temporary accommodation placement to be made with the needs of a specific applicant in mind. This also means that when a s193¹ duty is discharged, the unit of accommodation can be returned to the landlord and, for the next applicant, the search for suitable accommodation will begin afresh.

2.2 This procurement policy is made possible by the relatively low number of homeless applications that the City of London Corporation receives. Should this number substantially increase, or the availability of nightly-paid accommodation decrease, the preference for nightly-paid accommodation instead of long-term leases would need to be reviewed.

Assessment of suitable locations

3.1 If the City of London Corporation has a duty to secure accommodation for a homeless applicant, an assessment will be carried out to determine in which areas it may be suitable for this accommodation to be provided.

3.2 The same location suitability principles apply to accommodation provided under s188², s190³ and s193 of the Act. However, interim accommodation under s188 may need to be sourced at short notice. It may also be reasonable to expect a household to tolerate conditions for a short period which would be unsuitable over a number of weeks. Paragraph 17.7 of the *Homelessness Code of Guidance for Local Authorities* (the Code) therefore allows for a degree more flexibility when making an offer of s188 accommodation.

3.3 The assessment will take into account all factors that give an applicant a significant link to the City of London or, should they have previously been living elsewhere, to their home borough. It will assess whether a temporary accommodation placement would have the potential to cause significant disruption to:

- i. the applicant's (or any member of their household's) employment. Applicants who are on parental leave from employment will have their location needs assessed on the same basis as all other employees;

¹ Section 193 is the full housing duty. This gives the housing authority a duty to secure that accommodation is available for the applicant. This duty is usually brought to end when the applicant accepts an offer of accommodation under Part VI (allocation from the housing register).

² Section 188 is interim accommodation provided while an authority's enquiries into an applicant's homeless application are underway.

³ Section 190 requires the provision of accommodation for a reasonable period to applicants who have been found intentionally homeless. This is likely to be the same as their s188 accommodation and is unlikely to involve a fresh search.

- ii. the applicant's (or any member of their household's) caring responsibilities. Account should be taken of the type and importance of the care household members provide and the likely impact the withdrawal would cause, including the cost implications to the City of London Corporation or another local authority should the informal care arrangement break down due to a change of location;
- iii. the applicant's (or any member of their household's) education. While disruption to educational and support networks may be harmful to the welfare of all children, additional weight should be given to students due to take externally assessed examinations and to students with a SEN statement at a particular school;
- iv. the continuity of medical, social services and other care received by the applicant (or any member of their household);
- v. the ability of the applicant (or any member of their household) to continue to receive support from their local support network, where this is essential to their well-being;
- vi. any other special reason the applicant (or any member of their household) has for retaining links to their home borough, which is essential to their well-being.

3.4 The above factors are not intended to provide an exhaustive list. Any other reasons that have emerged during the course of the City of London Corporation's enquiries or that are offered by an applicant in support of a placement close to their home borough should be given full consideration.

3.5 An applicant's circumstances should also be viewed holistically. For example, a placement in a neighbouring borough may not, by itself, significantly disrupt an applicant's ability to reach their place of work. However, if their employment is dependent on childcare provided by a family member in a third borough, the combined journey to the childcare provider and then workplace may amount to a significant disruption.

3.6 In the absence of any other factors, the City of London Corporation views a total, one-way travelling time to an applicant's place of employment of around ninety minutes as reasonable. This will be by the fastest method of public transport that is both affordable to the applicant and available at the time their employment commences and finishes.

3.7 This outcome of this assessment will be used to define the maximum geographic scope of the City of London Corporation's search for temporary accommodation.

Sourcing accommodation

4.1 Section 208(1) of the Act requires housing authorities to secure accommodation within their district, in so far as is reasonably practicable. This assumes that applicants will be applying to the district in which they currently live. This is not the experience of the City of London Corporation and most of our homeless applicants work in the City of London but reside elsewhere.

4.2 Paragraph 17.51 of the Code states that housing authorities should wherever possible, secure accommodation that is as close as possible to where an applicant was previously living, so they can retain established links with schools, doctors, social workers and other key services and support essential to the well-being of the household.

4.3 Therefore, when seeking to procure temporary accommodation for an applicant, the City of London Corporation will begin its search in the district where the applicant most recently resided.

4.4 Paragraph 17.6 of the Code states that the exception to this is where there are clear benefits for the applicant of being accommodated outside of the district. In these cases, such as an applicant at risk of domestic abuse, the City of London Corporation will seek temporary accommodation in the nearest district that is safe for the applicant, so as to enable the applicant to maintain links with support networks and services where possible.

4.5 The introduction of the Domestic Abuse Act 2021 in July 2021 provided additional suitability criteria for accommodation sourced for applicants fleeing domestic abuse. These are detailed under chapter 21 of the Code. To summarise, it states that for accommodation to be suitable for this cohort, the City of London Corporation must consider the following:

- i. Any risk of violence or racial harassment in a particular locality;
- ii. Areas and properties that would not be found by the perpetrator;
- iii. Any additional security measures or trained staff that can be provided at the property;
- iv. Whether mixed-gender accommodation is appropriate and seek to provide single-sex accommodation where required and available.

4.6 Part IV of the Domestic Abuse Act 2021 also introduced new support in safe accommodation duty that came into effect in October 2021. The temporary accommodation duty and homelessness legislation will apply regardless of the local authority's safe accommodation provision, however, where available, it must be considered for applicants fleeing domestic abuse. The City of London Corporation's safe accommodation provision is detailed further in section 5 of this policy.

4.7 Section 206(1) of the Act requires that any unit of accommodation provided by the City of London Corporation or secured from some other person in fulfilment of a housing duty must be available to and suitable for the applicant. Further detail on availability and suitability is provided in chapter 17 of the Code. For the purposes of this Allocations Policy, it is important to note that accommodation must be:

- i. affordable, taking account of the applicant's financial resources and living expenses;
- ii. of suitable space and arrangement for the applicant and their household, in the light of their relevant needs, requirements and circumstances;
- iii. free from Category 1 HHSRS⁴ hazards, including overcrowding;
- iv. as close as possible to where an applicant was previously living.

Safe accommodation

5.1 In October 2021, Part IV of the Domestic Abuse Act 2021 introduced a new support in safe accommodation duty for local authorities that allowed for additional support to be provided for victims of domestic abuse in safe accommodation.

⁴ The Housing Health and Safety Rating System allows for the objective assessment of twenty-nine categories of housing hazard, including overcrowding. Any breach of the room and space standards under Part X of the Housing Act 1985 is also likely to constitute a Category 1 hazard.

5.2 'Safe accommodation'⁵ is defined in Regulations following the introduction of the Domestic Abuse Act 2021.

5.3 The City of London Corporation has provision of six self-contained studio flats in a single-sex building, outside of the City of London borough. This accommodation is managed by the Corporation's Homelessness Team and will be allocated to vulnerable single female homeless applicants and rough sleepers who are fleeing or have experienced domestic abuse and may require additional support from domestic abuse or outreach services.

5.4 Placements will be allocated by an assessing officer during the full housing assessment or following referral from rough sleeping services. If an applicant is assessed as requiring safe accommodation, but there are no voids in the City's safe accommodation provision, the City of London Corporation will endeavour to secure a refuge placement, or another self-contained accommodation in a single-sex space provided by a private temporary accommodation provider.

Accommodation outside an applicant's home borough

6.1 While the City of London Corporation will endeavour to place all households within the borough where they were previously living, it may not always be possible to procure a unit of accommodation in the district that is available, affordable and suitable. In these cases, the City of London Corporation will continue its search in the boroughs adjacent to the district in which the applicant was previously living.

6.2 Section 48 of the *Supplementary guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012* states that where accommodation which is otherwise suitable and affordable is available nearer to the authority's district than the accommodation which it has secured, then the accommodation which it has secured is not likely to be suitable.

6.3 The City of London Corporation will therefore exhaust the search for suitable accommodation within an applicant's home borough before beginning a search in the adjacent boroughs. The search in these boroughs must be exhausted before a search begins in the second tier of adjacent boroughs.

6.4 Where an applicant accepts an offer of temporary accommodation outside of the City of London, the City of London Corporation will, in compliance with s208(2) of the Act, notify the housing authority in whose district the accommodation is situated of the name of the applicant, the number and description of other persons who normally reside with the applicant or might reasonably be expected to do so, the address of the accommodation, the date on which the accommodation was made available and which function the housing authority is discharging in securing the accommodation. This notice will be given in writing within 14 days of the accommodation being made available to the applicant.

⁵ Safe accommodation is defined as 'relevant accommodation' in Part 2 of The Domestic Abuse Support (Relevant Accommodation and Housing Benefit and Universal Credit Sanctuary Schemes) (Amendment) Regulations 2021. It is accommodation which is provided by the local authority, registered charity, or private registered provider of social housing, not bed and breakfast accommodation, and accommodation which is either a refuge, specialist safe accommodation, dispersed accommodation, second stage accommodation or other accommodation designated by the local authority as domestic abuse emergency accommodation.

Limits to out of borough placements

- 7.1 The search for suitable accommodation cannot continue expanding outwards from an applicant's home borough indefinitely. Under the supplementary guidance discussed in 5.2, a failure to complete a search in a nearer borough means accommodation in a further borough is likely to be unsuitable. The reverse does not hold, and a placement in a distant borough does not become suitable simply because nothing suitable can be found closer.
- 7.2 When making an out-of-borough placement, the City of London Corporation will remain within the confines of the assessment of suitable locations set out in section 3 of this policy.
- 7.3 In addition, the City of London Corporation understands that all its homeless applicants will have links to Greater London, either through employment, family or other networks. For this reason, we regard any temporary accommodation placement outside of the M25 as unsuitable.
- 7.4 Paragraph 17.56 of the Code states that housing authorities should avoid placing applicants in isolated accommodation away from public transport, shops and other facilities. This requirement was repeated in the *Homelessness (Suitability of Accommodation) (England) Order 2012*. The City of London Corporation will not make out-of-borough placements where an applicant would have difficulty accessing general amenities or transport.

Difficult cases

- 8.1 There may be cases where it is not possible to procure accommodation which meets all the above criteria as fully as we would like. It may prove difficult to reconcile finding appropriate location, other aspects of suitability and time spent waiting in interim accommodation for a suitable temporary placement to be found.
- 8.2 Applicants' preferences on how to respond to these compromises will vary. In these cases, officers will consult with applicants and take their preferences into account.

Exceptions to the policy

- 9.1 A general exception to all aspects of this policy exists where an applicant expresses a preference for accommodation further away from their home borough than the policy suggests would be appropriate. In these cases, the City of London Corporation will endeavour to act in line with an applicant's wishes.