

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	POLICY COMMITTEE		
DATE:	27 NOVEMBER 2017	AGENDA ITEM:	9
TITLE:	POLICY CHANGES TO MEET HOUSING NEED		
LEAD COUNCILLOR:	CLLR ENNIS	PORTFOLIO:	HOUSING
SERVICE:	HOUSING	WARDS:	BOROUGHWIDE
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report sets out proposals to amend Housing policy to ensure consistency in the offer of accommodation to homeless households.
- 1.2 In the report *Homelessness Strategy 2016 - 2021* to Housing, Neighbourhoods and Leisure (HNL) Committee in July 2016, the Local Authority published its Homelessness Strategy which set out priorities for meeting acute housing need in the borough. Among a range of activities, the strategy included the implementation of a Private Rented Sector Offer (PRSO) allowing the authority more flexibility in the way it meets its housing duty through a formal offer of suitable private rented accommodation.
- 1.3 A year on from having successfully implemented the PRSO it is apparent that amendments are required to the policy to ensure that there is parity in the approach for all offers of suitable private rented accommodation and to ensure that the local authority is best placed to meet housing need.
- 1.4 Furthermore, this report seeks approval to implement policies relating to the Procurement and allocation of temporary accommodation for homeless households.
- 1.5 Appendices:

- Appendix 1: Private Rented Sector Offer Policy
Appendix 2: Temporary Accommodation Procurement Policy
Appendix 3: Temporary Accommodation Allocations Policy

2. RECOMMENDED ACTION

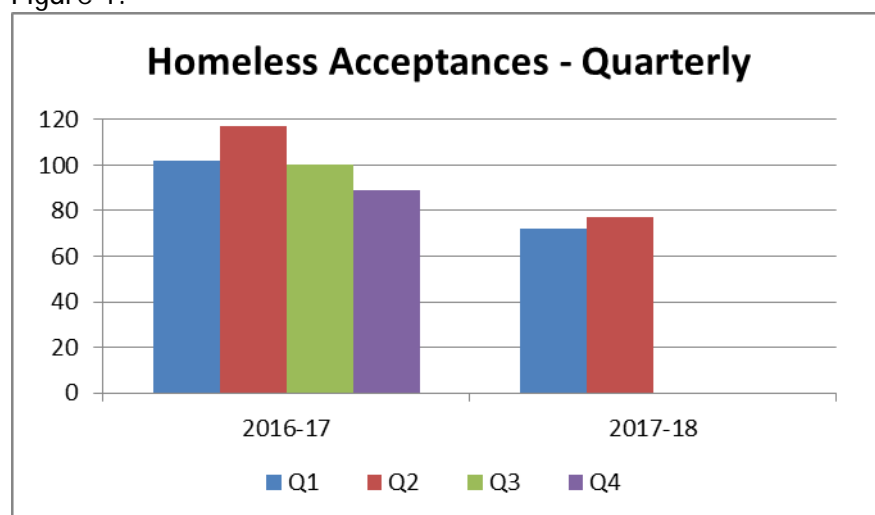
- 2.1 That members approve the proposal to amend the Private Rented Sector Offer (PRSO) Policy to remove current restrictions as detailed at paragraph 5.1 and Appendix 1.
- 2.2 That members approve the implementation of the Temporary Accommodation Allocations Policy as detailed at paragraphs 5.3 and 5.4 and Appendix 2.
- 2.3 That members approve the implementation of the Temporary Accommodation Procurement Policy as detailed at paragraph 5.5 and Appendix 3.

3 BACKGROUND AND POLICY CONTEXT

Background

- 3.1 Wherever possible the Council aims to prevent homelessness through early intervention, targeted advice and support and the provision of alternative housing options.
- 3.2 Several reports in recent years have detailed the increasing pressures on the Council's housing services and the need to continue to innovate and adapt to mitigate these, including *'Homelessness Strategy 2015-2020 and Reducing the Use of Bed And Breakfast Accommodation'* to HNL Committee in November 2015, and *'Homelessness: Update on Demand Pressure and Actions to Mitigate'* to HNL in November 2016, and *'Meeting Housing Need for Households Affected by the Benefit Cap'*, to HNL in November 2016.
- 3.3 Since the beginning of 2017 the Council has started to see a decline in the numbers of households who are owed the main housing duty after approaching for homeless assistance and a linked reduction in the use of emergency accommodation. The average monthly number of homelessness acceptances has reduced from 34 in 2016/17 to 24 in 2017/18 to date.

Figure 1:



- 3.4 The number of households in Bed and Breakfast has also reduced from 144 households at the beginning of the year to 80 at the end of October. Additional new temporary accommodation coming online in January should see a further decline in occupancy.
- 3.5 This reduction can confidently be attributed to a number of strands of activity underpinning a sustained and concerted effort to reduce the use of B&B, to prevent homelessness and manage demand. This has included:
- increasing the supply of, and access to, affordable permanent and temporary accommodation through the Council's new build housing programme
 - building on measures introduced in 2016-17, additional staff have also been engaged to work intensively with individual homeless households to support them to secure private rented sector accommodation
 - development of a more commercial Rent Guarantee Scheme (RGS) to secure vetted and affordable private rented sector (PRS) housing - with circa 300 properties on the scheme at any one time
 - implemented the Private Sector Offer to discharge homelessness duty from Summer 2016.

- strengthened homelessness prevention activity with enhanced training for specialist staff 35 temporary accommodation units refurbished and brought back into use over 2 years and 40 flats vacated as part of a regeneration brought back into use as pending redevelopment
 - incorporated Homes for Reading Ltd to purchase and responsibly let private rented housing - with properties now in management.
 - effective planning and regular monitoring of supply and demand - reforecasting and refocusing activity.
 - working across services to ensure a collaborative and targeted case management approach to support families affected by the Benefit Cap and other welfare reform measures
- 3.6 Whilst this reduction is positive it is not necessarily expected to be an indefinite long term trend. Many of the risks already identified in the housing market and discussed in previous reports (including the lack of supply of social housing, static Housing Benefit Local Housing Allowance, and the further reduced benefit cap) continue to place a strain on the availability of affordable housing. In addition 2017/18 sees the introduction of new challenges, including the roll out of Universal Credit in December 2017 which is likely to have a considerable impact on the ability of Housing Benefit recipients to pay their rent, and the introduction of the Homelessness Reduction Act in April 2018 which the Government is conservatively predicting will bring a 26% increase in homelessness casework.

Policy Context

- 3.7 The Housing Act 1996 sets out a Local Authority's responsibilities in respect of homeless households who approach the Local Authority for assistance. Where certain criteria are met the local authority is required to provide interim or temporary accommodation for an applicant.
- 3.8 A 'main homelessness duty' is owed where the authority is satisfied that the applicant is eligible for assistance, unintentionally homeless and falls within a specified priority need group. Such statutorily homeless households are referred to as 'acceptances'. Where a main duty is owed, the authority must ensure that suitable accommodation is available for the applicant and his or her household. The Local Authority is required to ensure that temporary accommodation remains available for occupation until the duty can be ended through an offer of suitable settled accommodation.
- 3.9 The Localism Act enabled Local Authorities to end the continuing duty to provide temporary accommodation through a suitable offer of private rented accommodation or 'Private Rented Sector Offer' - prior to this the duty could only be discharged through a suitable offer of permanent social housing through the Housing Register.
- 3.10 In Reading the supply of social housing through re-lets of existing housing stock and new build homes is far short of the need arising from homeless households alone - so access to suitable private rented sector accommodation is critical to meet need, to reduce the use of B&B accommodation, and to prevent 'silting up' of limited temporary accommodation.
- 3.11 In July 2016 members approved the implementation of the Private Rented Sector Offer (PRSO) Policy, which allows Reading Borough Council to formally offer private rented accommodation to residents accepted as homeless, providing greater flexibility in meeting housing needs.
- 3.12 Households whose need is met in this way benefit from certain legal protections, including:
- The tenancy must be a minimum term of 12 months and

- Accommodation must meet required nationally set standards (under the 'Suitability of Accommodation Order') and the property has to be checked for suitability.
 - A guarantee that the Council will find them suitable accommodation, without the need for the household to reapply as homeless, should the household becomes homeless within 2 years of the offer (Reapplication Duty).
- 3.13 The Council provides the option of a PRSO for accepted homeless households but has two local stipulations in place. A private rented sector offer can only be made if:
- the household has been accepted as homeless for at least 3 months and
 - the offer of accommodation is made within the borough through the Council's Rent Guarantee Scheme (RGS)
- 3.14 In addition to proposed changes in policy relating to the ending of the main homeless duty, this report also includes the introduction of policy concerning the sourcing and allocation of interim and/or temporary accommodation.

4. CURRENT POSITION

- 4.1 As described within Policy Context, where an individual approaches the Council for homelessness assistance and the Council finds after investigation that the full housing duty is owed, there are two ways in which the Council may end this duty with an offer of suitable accommodation. This may either be through a PRSO or an offer of social housing via the Housing Register.
- 4.2 One year on from the successful implementation of the PRSO policy, 51 households have received an offer of private rented accommodation and 49 are still in place. One of the two other tenants chose to move and the other abandoned their property without leaving a forwarding address.
- 4.3 However, experience over the last year has brought to light some anomalies which had not been intended as a result of the local requirements which were agreed, in that a household has to:
- be accepted as homeless, and potentially remain in Bed and Breakfast, for at least 3 months before they can receive a PRSO and
 - if they find or are assisted to find private sector accommodation outside of the RGS it is not considered to be a PRSO.
- 4.4 A number of families have been proactive in finding their own private rented accommodation or have been assisted to do so. In order to reduce both numbers of families in B&B and the length of stay in B&B, the Council has invested in additional staff to work intensively with homeless households to support them to secure suitable accommodation.
- 4.5 Where a household chooses to move into a private rented sector property secured outside of the RGS or within 3 months of a homelessness duty being accepted, they are therefore not currently afforded the protections listed above as required by the legislation.
- 4.6 These stipulations were intended to give applicants time and opportunity to access social housing prior to being offered a private sector property and to alleviate concerns about the suitability of offers of private sector accommodation made. However, in reality they limit the help that can be provided to households for this period, including families living in B&B accommodation. The policy restricts the Council from using all available resources in supporting them into more suitable accommodation for at least 12 weeks after a full housing duty has been accepted.

- 4.7 In practice, the limited supply of supply of social housing means that it is extremely unlikely that a household would be able to bid successfully for social housing in the initial 3 month period. Further, the authority has an obligation to minimise the length of time that a household spends in B&B.
- 4.8 Legislation already requires that accommodation offered under a PRSO has to be of a quality and standard which is specified in some detail, as noted above (under the Suitability of Accommodation Order 2012). Currently the Council inspects all property accepted onto the RGS scheme but will inspect all PRSO accommodation to ensure suitability. From April 2018 it will be a requirement of the new Homelessness Reduction Act that all properties offered to homeless applicants, whether as a PRSO or as a prevention option, will be required to meet the necessary standards laid out in the Suitability of Accommodation Order and will require vetting.
- 4.9 Lastly, the Council has a range of applicants who may have no preference about remaining in the borough, cannot remain within Reading or have very limited local connection to the area. It is not unusual for people to approach the Housing Advice service wishing to live in another area; this may be for a range of reasons including affordability of accommodation or to relocate to be closer to family. Within the last year the Housing Advice service has prevented homelessness for ten households by supporting them into social housing in other areas of the country through Homefinder UK. Whilst the number of people wishing to consider out of area property is not large the Council's Housing teams are not able to provide this help whilst providing the reassurance of the homeless re-application duty for those that are accepted as homeless.
- 4.10 Further, Local Housing Allowance (LHA) rates in Reading are making the private sector market less affordable to Reading residents and therefore it is becoming increasingly difficult to procure affordable accommodation in the borough to prevent homelessness. As such there may, by exception, be occasion when property is procured outside of Reading. In making assessments about location a range of factors will be considered including the proximity and accessibility to employment, caring responsibilities, medical facilities and other support, and education of the household as detailed in the policy appended.
- 4.11 Policy amendments are therefore proposed to allow the Council to better adapt to individual circumstances and needs, thus reducing the length of time households spend living in unsuitable B&B accommodation and to afford the reapplication duty protection to all accepted homeless households who find accommodation in the private sector.

5 OPTION PROPOSED

Proposal

- 5.1 To ensure that the policy is fair for all applicants and that it meets legislative requirements the following amendments to the PRSO policy are proposed:
- i. Remove the three month limit prior to making a PRSO and consider this option for all households from the point at which they are accepted as homeless.
 - ii. To consider all suitable properties to meet needs and discharge duty through a PRSO without the restriction to those procured through the Rent Guarantee Scheme, in line with the legislation, and require the local authority to:
 - o Check the property meets the suitability requirement (national standards) - all properties to be inspected prior to an offer being made
 - o Offer a minimum tenancy of 12 months

- Afford the household the Reapplication Duty
 - iii. Allow the use of a private rented sector offer outside of the borough boundaries where appropriate, ensuring suitability as per II.
- 5.2 A draft PRSO policy is provided in appendix 1. The table below shows the key differences between the current and proposed policy.

Table 1.

Policy changes proposed - summary	Current Policy	Proposed Policy
Are households given the option to consider a property through PRSO immediately after homelessness duty is accepted?	No	Yes
If the household find a private sector property within 3 months of being accepted as homeless are they afforded the Reapplication Duty?	No	Yes
Are households considered for all private rented sector properties that are available?	No	Yes
Are PRSO properties checked for suitability in line with homelessness legislation requirement?	Yes	Yes
Is the tenancy term for a minimum of 12 months?	Yes	Yes
If a household find or are assisted to find a suitable property outside the RGS are they afforded the Reapplication Duty	No	Yes

- 5.3 As is currently the case, households placed in B&B or temporary accommodation can continue to bid through the Housing Register for social housing whilst they are awaiting an allocation of permanent housing. Where the homelessness duty is ended via a suitable offer of private rented sector accommodation (a PRSO), then a household would have no priority on the Housing Register as they would be suitably housed.

Provision of Temporary Accommodation

- 5.4 In addition it is proposed that the Council implements two policies setting out its approach to the provision of temporary accommodation in Reading. These policies describe and define current priorities and process, and do not result in any change in practice. Full drafts of these policies are attached at appendix 2 and 3. An outline of the main principles of each policy is provided below.

Procurement of Temporary Accommodation

- 5.5 Wherever possible the Council aims to prevent homelessness through early intervention, targeted advice and support and the provision of alternative housing options. Where this approach does not succeed and/or homelessness cannot be avoided the Council may have a duty to provide Temporary Accommodation (TA). The policy sets out how the Council will ensure that sufficient TA is available for households for whom homelessness cannot be prevented where there are statutory duties owed to them.

- 5.6 This policy describes the use and demand for temporary accommodation and covers the following priorities for supporting the delivery of sufficient units of accommodation:
- To support reduction in the demand for temporary accommodation through the prevention of homelessness wherever possible.
 - To support the reduction in the use of paid nightly and B&B accommodation, especially those with shared facilities.
 - To procure sufficient suitable accommodation to meet anticipated demand each year. Where possible these units will be within the Reading Borough, however, there may be a requirement to source accommodation in other locations where supply of accommodation in the borough is not sufficient and the offer is suitable.
 - To ensure that units of accommodation procured provide value for money to the Council.
 - To increase supply of and access to affordable permanent accommodation, through RGS, Homes for Reading, use of Council stock, acquisitions and new build council homes, and increased development - thus reducing the need for temporary accommodation units.

Allocation of Temporary Accommodation

- 5.7 This policy sets out the rules by which the Council allocates available temporary accommodation to ensure the fair, transparent and consistent allocation of accommodation to homeless households.

6. CONTRIBUTION TO STRATEGIC AIMS

- 6.1 These proposals will contribute to the following service priorities set out in the Council's Corporate Plan 2015-18:
- Safeguarding and protecting those that are most vulnerable; and
 - Providing homes for those in most need.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 In respect of changes to RBC's PRSO policy the relevant supplementary guidance on the homelessness changes in the Localism Act 2011 and on the homelessness (suitability of accommodation) (England) Order 2012 states that authorities should undertake to develop clear policies around the use of the power to discharge homelessness duties to the private sector. A new draft policy is appended for approval and adoption.
- 7.2 There is no requirement in legislation or in guidance to consult with other agencies or stakeholders on the introduction of such a policy. However, in line with good practice, the Council will distribute the PRSO policy to relevant stakeholders if adopted, and has drafted a Plain English guide for applicants - also appended
- 7.3 In respect of the Policies concerning the use of Temporary accommodation, the Supreme Court judgement (Nzolameso v Westminster City Council) concluded that local authorities should seek approval for the adoption of such a policy by democratically accountable members of the Council and ideally, make the policy publicly available. Once approved through committee, these policies will be published on Reading Borough Council's website.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9. LEGAL

Provision of Temporary Accommodation

- 9.1 The Housing Act 1996, Part 7 (as amended) sets out the Council's statutory homelessness duties, including the duty to provide temporary accommodation for certain classes of people and in certain circumstances. The two main responsibilities for the provision of accommodation are:
- Where a local housing authority has reason to believe an applicant may be homeless, eligible for assistance, and have a priority need, it shall secure that accommodation is available for their occupation pending a decision as to the duty (if any) owed to them. This is known as the "interim duty to accommodate in cases of apparent priority need".
 - The provision of temporary accommodation also applies where the Council is satisfied that an applicant is homeless, eligible for assistance, has a priority need, and that the applicant did not become homeless intentionally. In these circumstances, unless the Council refers the application to another local housing authority, they shall secure that accommodation remains available for occupation by the applicant until the main housing duty can be ended.
- 9.2 In practice, accommodation provided to homeless households at any stage in investigations prior to acceptance of the main housing duty is usually referred to collectively as temporary accommodation.
- 9.3 In the Supreme Court Judgement *Nzolameso vs. Westminster City Council* 2015, concerning the use of temporary accommodation for homeless people, it was suggested that all Councils should have published policies setting out their approach to providing temporary accommodation for homeless people. Whilst this is not a legislative necessity, the judgement suggested it be a requirement for the adoption of two policies, one for procuring sufficient units of temporary accommodation to meet the anticipated demand from homeless people and a second describing how decisions are made when allocating units for homeless households, including in the event of a shortfall of accommodation within the borough boundaries.
- 9.4 The case concluded that each local authority should:
- Have and maintain a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand from homeless people. The policy should reflect obligations under both the 1996 (Housing) Act and the Children Act 2004.
 - Have and maintain a policy for allocating these units to individual homeless households, which includes consideration of how decisions would be taken about placing people out of the local area in the event of a shortfall of suitable accommodation locally.

- Seek approval for the adoption of such a policy by democratically accountable members of the Council.
- Ideally, make the policy publicly available.

10. FINANCIAL IMPLICATIONS

- 10.1 The approach proposed to manage homelessness should ensure the best use of the Council's resources in meeting its statutory duties.
- 10.2 Reducing B&B use and length of stay is a key priority for the Council to deliver the best outcomes for homeless families and to reduce expenditure in this area. Ambitious targets have therefore been set over a period of the next three years to reduce B&B usage with a savings target of over £800k over three years from 2017/18. The service is currently exceeding these targets.

11. BACKGROUND PAPERS

- 11.1 *'Homelessness Strategy 2015-2020 and Reducing the Use of Bed And Breakfast Accommodation'* to HNL Committee in November 2015.
- 11.2 *'Homelessness Strategy 2016 - 2021'* to HNL Committee in July 2016.
- 11.3 *'Homelessness: Update on Demand Pressure and Actions to Mitigate'* to HNL Committee in November 2016.
- 11.4 *'Meeting Housing Need for Households Affected by the Benefit Cap'* to HNL Committee in November 2016.

Private Sector Offer Policy for Homeless Households

1 Introduction and Context

The Housing Act 1996 sets out a Local Authority's responsibilities in respect of homeless households who approach the Local Authority for assistance. The legislation specifies that all Local Authorities have a duty to provide temporary accommodation to applicants who are homeless, eligible for assistance, in priority need and not intentionally homeless. Prior to the Localism Act, a Local Authority could only end the continuing duty to provide temporary accommodation at the point where:

- the household received a suitable offer of permanent social housing through the Housing Register or
- the household agreed to be re-housed into private rented sector housing and a suitable offer of accommodation was made.

The power now exists as a result of the Localism Act for a Local Authority to bring this duty to an end by a suitable offer of private rented accommodation or Private Rented Sector Offer (PRSO) ((s193(7AA)-(7AC) Housing Act 1996 as amended by s.148(5)-(7) Localism Act 2011).

From 9th November 2012, Local Authorities were able to bring the full housing duty to an end in this way and household consent for this was no longer required.

These changes apply only to new applicants approaching local authorities as homeless or threatened with homelessness after the commencement date of 9th November 2012.

Following enactment of the relevant parts of the Localism Act, anyone provided with accommodation in the private rented sector as final discharge of a homelessness duty is no longer considered to have a 'Reasonable Preference' for an allocation of permanent social housing through the Council's Housing Register by reason of homelessness.

This ends the significant link between Parts 6 and 7 of the Housing Act 1996 and means that the acceptance of the full homeless duty will not necessarily result in an offer of permanent social housing.

On the 9th November 2012, the Government introduced new guidance for Local Authorities covering homelessness and Suitability of Accommodation for private rented sector offers. Officers are required to have regard to this guidance when seeking to discharge the full homelessness duty into the private rented sector.

It is important to note that existing guidance on suitability contained in the Homelessness Code of Guidance 2002 continues to apply.

2 Policy Overview

This document relates to the policy and procedural arrangements for discharging the statutory homeless duties into the private rented sector following the enactment of the Localism Act. The document will be referred to as "the policy" and describes how the Council will enact the changes brought about by the Localism Act in all cases; however, the Council reserves the right to deviate from this policy in exceptional circumstances.

The policy operates in conjunction with the authority's existing Allocation Scheme and will be reviewed in parallel with any future proposed changes to that Allocation Scheme.

This document makes reference to the legal requirements and policies that must be adhered to for the purposes of making a Private Sector Offer. This document was drafted with regard to legislation including (but not limited to) the following:

- Housing Act 1996, Part VI and VII as amended
- Localism Act 2011
- Homelessness Act 2002
- The Homelessness (Suitability of Accommodation) (England) Order 2012

This policy has regard to the Department of Communities and Local Government (DCLG) guidance, the most recent of which being:

- Allocation of accommodation: guidance for local housing authorities in England (June 2012)
- Providing social housing for local people Code of Guidance (December 2013)
- Supplementary Guidance on the Homelessness Changes 2012

The scheme has been developed with regard to Reading Borough Council's own Strategy and Policy, including:

- Homelessness Strategy 2015-2020
- Tenancy Strategy 2013
- Housing Allocations Scheme
- Temporary Accommodation Allocation Policy
- Temporary Accommodation Procurement Policy

3 Private Rented Sector Offer (PRSO)

Local Authorities have discretion as to whether to use the new legislation, however, where it is implemented Local Authorities are expected to develop clear policies on the use of the PRSO and to consider the individual circumstances of each household when deciding if to apply this option.

'A *private rented sector offer* is defined by section 193(7AC) as an offer of an assured shorthold tenancy made by a private landlord to an applicant in relation to any accommodation which:

- (a) has been made available for the applicant's occupation by arrangements made by the local authority with a private landlord or
- (b) is made with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the section 193(2) duty to an end, and
- (c) is a fixed term Assured Shorthold Tenancy for a period of at least 12 months.'

Officers must comply with The Homelessness (Suitability of Accommodation) (England) Order 2012 (which sets out a required property standard and guidelines for use of private sector accommodation) and supporting guidance laid out in the Supplementary Guidance on the Homelessness Changes 2012 when considering this option.

*Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012

4 The Homelessness (Suitability of Accommodation) (England) Order 2012

This Order requires Local Authorities to take into account several aspects when determining suitability of accommodation, including proximity to employment, education, support or caring responsibilities. In addition it lays out guidelines for the standard of the property, including physical condition, compliance with health and safety regulation and landlord behaviour, supporting Council drivers to strengthen the overall quality of accommodation within the private rented sector in Reading.

The main requirements of the order:

- Applicants retain the right to request an independent review of the suitability of the accommodation under homeless legislation and a right to appeal to the County Court on a point of law.
- Applicants must be informed in writing as to the consequences of refusing an acceptance of an offer, their right to review the suitability of the accommodation and of the re-application duty owed to them (see below).
- The term of an Assured Shorthold Tenancy must be for at least 12 months.
- Reapplication Duty - The legislation determines that if an applicant is housed in a private rented property and is subsequently given notice to leave by their private landlord within two years of the offer being accepted, the Council's duty to secure suitable accommodation is revived.
- If an applicant becomes unintentionally homeless within two years of the tenancy start date, the 'Reapplication Duty' applies. This is regardless of their Priority Need, although they must remain eligible and be homeless unintentionally. It provides more of a 'safety net' for such applicants for this two year period. This does not have to be a re-application to the same authority nor from the same property.
- In making decisions, local authorities shall have regard to the prevailing housing supply and demand pressures in the local area. The existing requirement for local authorities, as far as reasonably practicable, to secure accommodation in their own district, remains, helping applicants to retain established links to schools, doctors, social workers, key services and support.
- Accommodation must be suitable. 'Suitability' in the Order is in two parts. The first concerns location, and the second relates to property condition and management. The detail of this is set out in this document. Affordability of accommodation must also be taken into account.

5 Reading Guidelines

Reading Borough Council will consider a private sector offer for all homeless households, subject to availability of suitable provision.

In considering whether an offer of accommodation is suitable officers will take into account the guidance listed in the Suitability sections of this document.

A person provided with accommodation in the private rented sector as final discharge of a homelessness duty will have no 'reasonable preference' for an allocation of permanent housing by reason of homelessness. Where an offer is refused, the main homelessness duty will cease, the authority will have no duty to provide further accommodation.

As the availability of private rented accommodation can fluctuate, it is likely that households who require temporary accommodation or bed and breakfast on becoming homeless may remain there whilst private rented accommodation is sourced. During this time the household will retain reasonable preference on the Housing Register that homeless households are entitled to. Whilst they remain in temporary housing they can continue to bid for permanent social housing through Homechoice, the Council's Choice-Based Lettings system for its housing stock.

Ending the duty

For any applicant that has made a Homeless Application after November 9th and is owed a full duty, that duty will remain until either the authority arranges for a private landlord to make an offer of an assured shorthold tenancy in the private rented sector for a period of at least 12 months ("a private rented sector offer"), or one of the following actions or events occur which by law will also bring the duty to an end. These are:

- If the applicant accepts an offer of settled accommodation from the Council (in accordance with Part VI of the Housing Act 1996).
- If the applicant refuses an offer of suitable temporary accommodation or a social housing tenancy offered under the Council's Allocation scheme which the authority is satisfied is suitable for their needs, and the authority informs the applicant that it regards itself as having discharged its duty under Section 193 of the Housing Act 1996.
- If the applicant becomes intentionally homeless from the suitable accommodation made available for his/her occupation.
- If the applicant ceases to be eligible for assistance due to their immigration status.
- If the applicant otherwise voluntarily ceases to occupy as their only or principal home, the accommodation made available to them to meet the full housing duty.

6 Appropriate Offer

Where a Housing Advice Officer considers that a 'Private Sector Offer' (PRSO) is appropriate to the needs of the applicant, and if suitable accommodation can be secured, then such an offer will routinely be made. In order to make this decision, officers need to take into account the individual needs of the household.

A suitable offer will only be made where the Council have fully considered:

- The Homelessness (Suitability of Accommodation) (England) Order 2012 and specifically all the statutory requirements in Part 1 which cover the suitability of the location of accommodation and Part 2 which sets out the circumstances in which accommodation is not to be regarded as suitable for a person.
- That the property is suitable in relation to existing suitability requirements that relate to space and arrangement, as defined by Part 7 of the Housing Act (as amended 2002).
- Any other subjective matters and issues that relate to an applicant's circumstances and that of any other household members obtained by the Council from our investigation of the application.
- That the accommodation is affordable having fully considered the cost of the rent and any other expenditure relating to the property compared to the income available to the household. Specifically the essential outgoings which are needed to feed and clothe the household; heat the property, plus any other expenditure that we are satisfied is essential to meet the ordinary necessities of life, plus all other reasonable living expenses. If the type of accommodation required is considered to be unaffordable then such an offer will be inappropriate. Officers should also have regard to Housing Benefit/Local Housing Allowance rates and the Benefit Cap that could be applied to the household. Specific attention should

be applied to affordability assessments for single persons under 35 years of age - as the single room rent could apply. In addition the overall cap on benefits may also make a PRSO inappropriate on the grounds of cost, for larger families.

- All existing legislation, statutory guidance and case law relating to making suitable offers of accommodation and specifically paragraphs 17.40 and 17.41 of the Homelessness Code of Guidance.

In addition, when considering the individual circumstances of each household, in deciding whether to make a PRSO, officers will consider all factors specifically the following:

- If the applicant is vulnerable, requires supported accommodation and is considered unlikely to be able to adequately sustain a private rented tenancy then such an offer will be inappropriate.
- If the applicant or a member of their household requires significant disabled adaptations to make a property suitable then such an offer may be inappropriate.

7 The Property

The minimum term of tenancy for a PRSO is a fixed term AST of 12 months; however the Council will attempt to secure two year agreements with landlords where possible.

The Homelessness (Suitability of Accommodation) (England) Order 2012 consists of two parts. The first deals with location of accommodation and applies to all accommodation secured under Part VII of the Housing Act 1996 (including temporary accommodation). The second applies to the suitability of a property for the purposes of a private sector offer.

7a Location of the Property

Reading Borough Council will usually seek to offer private sector accommodation within the borough, except:

- When it considers it beneficial to move an applicant/household out of area, for example, to reduce the risk of domestic violence, other violence, or harassment; or to assist persons in breaking away from detrimental situations, were desired, or
- When the applicant wishes/consents to move away from Reading, or
- When a person has very limited connection to Reading (for example, those who already have support services in another area which they wish to continue to access).

The Local Housing Allowance (LHA) rates in Reading are making the private sector market less affordable to Reading residents and therefore it is becoming increasingly difficult to procure affordable accommodation in the borough to prevent homelessness. As such there may be occasion when property is procured outside of Reading. The circumstances of each case will be carefully considered. Where suitable accommodation is not available within Reading, in exceptional circumstances private sector offers will be made in the next nearest location. Ideally, this will be in an adjoining borough, but may be in towns beyond that which have reasonable facilities and transport links.

In making assessments about location the following factors will be considered:

- i) The significance of any disruption caused by the location from employment, caring responsibilities, or education of the household.

In determining whether a location is suitable, Reading Borough Council will consider:

If the applicant (or partner) is in permanent employment in Reading then the location must be within a reasonable travel to work area of that employment, and have transport links frequent and affordable enough to enable this. For employment in Reading, this area will include the entire Reading borough, but could be determined to be further, given the high level of commuting into Reading.

If the applicant is verified as the carer for another person then the location will need to be of sufficient proximity to enable this, which may require the reasonable use of public transport.

If any members of the household are proven to be undertaking vital examinations at school age, then they should not be required to change schools.

ii) - The proximity & accessibility to medical facilities & other support which are used by, or essential to the well-being of, the household.

If the applicant or any member of the household requires *specialist* medical treatment or support, which can only be provided in Reading, then the location will need to be of sufficient proximity to enable this, although this may require public transport.

Reading Borough Council will also have regard to *other* medical treatment or support required by the applicant or any member of the household, and where health professionals consider that it will be disruptive or detrimental to change provider or location.

iii) - The proximity & accessibility to local services, amenities & transport

Regardless of location, Reading Borough Council will seek to offer accommodation that is reasonably accessible to local services and amenities, especially for persons on low incomes and those which rely on public transport.

7b Suitability of Accommodation and Property Management

i) - Physical Condition of Property

Reading Borough Council will only offer property of a reasonable physical condition and will physically inspect all accommodation before it is offered.

Inspections are documented to record condition of the property and video inventories are taken to ensure consistent quality. They will be undertaken by Housing Needs staff, but where Housing Health and Safety Rating System (HHSRS) category 1 or 2 hazards are suspected, advice will be sought from Environmental Health and a further inspection by qualified HHSRS assessors may take place.

See appendix 1 for further examples of Property Standards and Appendix 4 for requirements specific to Houses in Multiple Occupation (HMOs), excluding HMOs which are required to be licensed.

ii) - Health and Safety

Electrical Equipment - The physical inspection of the property will seek to identify any broken fittings or obvious electrical defects, such as loose wiring, or electrical faults.

Fire Safety - The physical inspection of the property will check that it is fire safe. Working smoke detectors must be provided in all accommodation. Houses in Multiple Occupation (HMOs) require additional fire safety provisions as set out in RGS guidance (See Appendix 2) where the property is not subject to an HMO License. If required, expert assistance will be sought from Environmental Health.

All furniture and furnishings supplied by the Landlord must also be shown to comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended).

Gas Safety - If the property has an active gas supply (for heating or cooking) then the property must have the following:

- a valid Gas Safety Certificate (if applicable).
- a Carbon Monoxide Tester/Alarm

Energy Performance - All landlords/ agents will be asked to supply a valid EPC Certificate for the property.

iii) - Houses of Multiple Occupation

Environmental Health will be contacted to ensure that all HMOs are compliant with regulations and local policy. (See Appendix 2)

iv) - Landlord Behaviour

Housing Needs works closely with the Private Sector and already have a portfolio of reliable Landlords. Environmental Health will be contacted to check that any landlord or agent used is not deemed a 'fit and proper' landlord from their records.

v) - Housing Management

Reading Borough Council will recommend that landlords use a template Assured Shorthold Tenancy (AST). Where this is not used, Officers will ensure that an acceptable, written AST is used, clearly setting out the obligations of the landlord and the tenant(s), rent and charges, which is free from any unfair or unreasonable terms.

8 Communication of the Policy

A copy of the policy will be available to applicants via the Council's website.

The key messages that will be communicated to applicants and stakeholders are:

- a. Reading Borough Council intends to fully discharge the full housing duty by way of a 'private rented sector offer' made using the power granted to it under the Localism Act 2011.
- b. For all cases subject to a Part 7 Homeless Application from the 9th November 2012 (where that application has resulted in a full housing duty being owed) the presumption will be that the authority will consider discharging that duty by means of a PRSO.
- c. This is not a blanket application of the power. A decision will be taken after a full consideration of household's individual circumstances and the facts that apply to that case.
- d. Where a suitable PRSO offer is made the full homeless duty will be discharged and applicants will no longer have 'reasonable preference' for an allocation of permanent housing by reason of homelessness.
- e. The Council anticipates that a proportion of households owed the full duty will have that duty ended with a PRSO offer.

Appendix 1

Property Standard Checks

- Meet decent standards of Health & Safety.
- Have a secure banister rails on stairs without large gaps between railings.
- Have a valid Gas Safety Certificate (if applicable).
- Have a Carbon Monoxide Tester/Alarm in the room in which the boiler is located.
- Have safety glass in doors or windows where glass is at a low level.
- Have a minimum of two smoke alarms - in a house there must be one at the top and one at the bottom of the stairs. In a flat there must be one in the hallway and a heat detector in the kitchen.
- Have adequate heating and hot water facilities.
 - We do not take on properties without fixed heating
 - Some older properties with Storage Heaters and NO double glazing or insulation may not meet HHSRS standards
 - Storage Heaters should ideally have a fan element - so that heat can always be obtained at the touch of a button rather than waiting for the storage cells to charge up overnight.
- Have adequate extraction in the kitchen and bathroom - this can be either an extractor fan or openable window.
- Have independent utility meters with any thermostats controllable from inside the property. (Rooms in shared houses may share these facilities).
- Have sufficient electrical sockets in working order
 - Electrical installations (sockets, light fittings, visible wiring) should be visually safe
 - All sockets must be secured to the wall and socket plates intact
 - Overhead lights should not have dangling wires
 - There should be no exposed wiring visible
- Have a Fire Safety Label attached to any soft furniture (mattresses, upholstered chairs, sofas etc.) supplied.
 - If furnishings do not have a label, but the landlord can prove that they were manufactured after 1988 (by means of a receipt) then they can remain in the property
- Not have any polystyrene ceiling tiles in a kitchen or living areas which are open to kitchens.
- Have openable windows with locks and limiters where appropriate.
- Have adequate floor coverings.
- Not have any damp or mould evident.

Appendix 2 - Minimum property standards for HMOs which are not required to have an HMO license:

Fire safety

- Fire door to the kitchen
- Hard wired heat detector in the kitchen (with battery back up) linked to mains wired (battery back-up) smoke detection in the communal hallways and landings.
- Fire blanket in kitchen
- Powder fire extinguisher in kitchen
- Bedroom doors to be of solid construction
- All hallways should be free from obstruction, with trip free flooring
- The final exit door should be capable of being opened without the need for a key. A thumb turn mortise lock or similar should be
- A fire risk assessment must be carried out by the responsible person. The person completing the assessment must be competent to do so.
- Soft furniture (mattresses and sofas) should have a fire safety label attached.
- Walls and ceilings should be free from any significant cracks or damage to plaster work.
- Polystyrene tiles should not be present.

Electrical Safety/Supply

- Provide a current electrical safety certificate. These are required to be obtained every 5 years for HMOs.
- Provide at least 2 13 amp electric sockets in the kitchen in addition to those needed to be used for major appliances.

Facilities/Amenities

- A cooking appliance with four rings or burners, oven and grill (or equivalent) should be supplied. In a shared kitchen, there should be one appliance for every 3 persons. Where 3-6 occupants are using the kitchen, it may be acceptable to provide a microwave but it is not acceptable to provide a microwave as the only appliance for cooking.
- Adequate worktop and refrigeration space needs to be provided.
- Adequate washing facilities to be provided - for 4 or fewer there should be a bath or shower, wash hand basin and WC with enough space to clean and dry.
- Adequate refuse storage and collection facilities.

Safety

- Ensure staircase handrails are secure
- Carbon monoxide detectors should be fitted in accordance with manufacturers installation instructions.
- All windows to be lockable and openable.

Utilities

- Utilities to be either communal in the landlords name (and a monthly payment charged to each tenant) or separate meters to be installed in each letting.

Heating, ventilation and insulation

- Provide fixed heating in each letting, adequate ventilation and insulation to reduce the risk of condensation and damp.

When procuring any property the HHSRS 29 Hazards should be considered. If there is a significant risk of these occurring or evidence of any of these already existing on inspection of the property, advice should be sought from the RGS Procurement Team Leader.

A fire safety risk assessment is required to be carried out by a competent person who is in control of the property - so either the property owner or the Lettings agent. An example of the form that could be used for this:

Example form for recording significant findings
Risk Assessment - Record of significant findings
Risk assessment for
Building:

Location: Assessment undertaken by

Date:

Completed by:

Signature:

Sheet number Floor/area: Use:

Step 1 - Identify fire hazards

Sources of ignition

 Sources of fuel

 Sources of oxygen

Step 2 - People at risk

Step 3 - Evaluate, remove, reduce and protect from risk

(3.1) Evaluate the risk of the fire occurring

(3.2) Evaluate the risk to people from a fire starting in the premises

(3.3) Remove and reduce the hazards that may cause a fire

(3.4) Remove and reduce the risks to people from a fire

Assessment review

Assessment/review date

 Completed by

 Signature

Review outcome (where substantial changes have occurred a new record sheet should be used)

Appendix 3 - Landlord's Code of Conduct

Creating the Tenancy

- 1) The tenancy agreement will contain the Landlord's contact address in the UK for the service of notices.
- 2) The landlord will make every effort to assist the tenant with the understanding of their tenancy agreement, referring them if necessary to an independent body for further advice.
- 3) The landlord will inform the tenant in writing of any additional charges, utility bills, ground rent or maintenance charges that the tenant will be required to pay during the tenancy, stating where possible the amounts for each and the frequency and method of payment.
- 4) The landlord will provide the tenant, at the beginning of the tenancy, with a telephone number or other means of contacting the landlord or their agent in an emergency; in particular when the landlord is absent.

Maintaining the Tenancy

- 5) The Landlord will abide by relevant landlord/tenant law, including racial equality and disability legislation, in the management of their lettings businesses.
 - Tenants will be treated with appropriate courtesy and respect and will not be deliberately misled.
 - The landlord will act in a fair, honest and reasonable way in all their dealings with the tenant and will not, as far as is reasonable, disclose personal tenant information to other parties without their consent.
 - The landlord will inform the tenant of any change of manager or landlord contact details.
 - All disrepair in the property for which the landlord is responsible will be attended to promptly, with minimum disturbance to the tenant. Wherever possible urgent repairs will be dealt with within 3 working days and less urgent repairs as soon as practicable.
 - The landlord will respect the tenant's rights to peaceful and quiet enjoyment of the property and will, emergencies excepted, ensure the tenant is given reasonable notice of at least 24 hours when access to the property is required by the landlord or agent.
 - The landlord will provide the tenant with accommodation that complies with legal requirements relating to the fitness of accommodation (including, but not limited to, the provision of furniture, gas and electrical supply and appliances and their service/maintenance and repair and local authority occupancy standards - see other sections of the Landlord Pack for details).
- 6) The landlord will ensure that suitable insurance cover for the fabric and contents of the property is obtained.
- 7) The landlord will keep clear and informative rent accounts for each tenant, showing details and dates of rent due, rent paid and the balance.

Ending the Tenancy

- 8) Before proceedings are commenced, the tenant will be notified of any breach of the tenancy agreement that is to be used as a basis for legal proceedings against the tenant.
- 9) The landlord will not refuse a tenant a reference for the purposes of securing a new tenancy, without good cause.

Appendix 4 - Landlords whose property may not be considered for a PRSO

Landlords and agents may not be used where: -

- There is a history of illegal eviction or other illegal practices with any former or current tenants, or where there is an ongoing court case regarding the same
- The landlord or agent owes Reading Borough Council money
- There is a history of non-compliance with any Reading Borough Council department, particularly including Environmental Health, Planning and Planning Enforcement and Building Control
- There is a history of inappropriate treatment of tenants or Reading Borough Council staff
- The landlord has been prosecuted for a criminal offence arising from their conduct.
- The landlord has defrauded the local authority.

Reading Borough Council
Temporary Accommodation Procurement Policy
October 2017

1. Overview

This document sets out the Council's policy for the procurement of suitable properties for use as temporary accommodation for households towards whom a duty to secure accommodation has been accepted or who have been accepted as requiring assistance under the Housing Act 1996.

This document should be read in conjunction with the Reading Borough Council's (RBC) Temporary Accommodation Allocation Policy.

Wherever possible the Council aims to prevent homelessness through early intervention, targeted advice and support and the provision of alternative housing options. Where this approach does not succeed and or homelessness cannot be avoided the Council may have a duty to provide Temporary Accommodation (TA). This document sets out how the Council will ensure that sufficient TA is available for households for who homelessness cannot be prevented where there are statutory duties owed to them.

The Council does not own sufficient units of temporary accommodation within its stock to meet current levels of need. As a result the Council relies on a range of accommodation to meet its obligations to provide TA to homeless households. This policy is intended to ensure that sufficient numbers of suitable properties are obtained for the anticipated demand for TA in the ensuing two years. The policy, and associated demand projections, will be reviewed every year.

2. Legal position

The Housing Act 1996, Part 7 (as amended) sets out the Council's statutory homelessness duties, including the duty to provide temporary accommodation for certain classes of people and in certain circumstances.

Section 188 of the Act requires that where the local housing authority has reason to believe an applicant may be homeless, eligible for assistance, and have a priority need, it shall secure that accommodation is available for their occupation pending a decision as to the duty (if any) owed to them. This is known as the "interim duty to accommodate in cases of apparent priority need".

Section 193 of the Act also relates to the provision of temporary accommodation and applies where the Council is satisfied that an applicant is homeless, eligible for assistance, has a priority need, and that the applicant did not become homeless intentionally. In these circumstances, unless the Council refers the application to another local housing authority, they shall secure that accommodation remains available for occupation by the applicant until the main housing duty can be ended.

Reading Borough Council has the following options available to end the main homelessness duty to households in TA:

- A Private Rented Sector Offer (PRSO) in line with the Council's policy and national standards.
- An offer of permanent accommodation under Part 6 of the Housing Act through Reading Borough Council's Choice Based Lettings (CBL), in line with RBC's Allocations Scheme.

The Supreme Court Judgement *Nzolameso v Westminster City Council*, concerning the use of temporary accommodation for homeless people, set out the requirement of the adoption of a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand from homeless people. The policy should reflect obligations under both the 1996 (Housing) Act and the Children Act 2004.

This policy meets the above requirement and refers to the sourcing of temporary accommodation provided prior to a final offer of accommodation. It should not to be considered in isolation and should be used in conjunction with the TA Allocation Policy, Homelessness Strategy, PRSO Policy and RBC Allocations Scheme.

3. Relevant Legislation and Policy

In developing this policy Reading Borough Council has had regard to the following:

- Part VI Housing Act 1996 Part VI
- Part VII Housing Act 1996, as amended by Homelessness Act 2002
- The Homelessness (Suitability of Accommodation)(England) Order 2003
- Localism Act 2011
- Reading Borough Council's Allocations Scheme
- Reading Borough Council's PRSO Policy
- Reading Borough Council's Homelessness Strategy 2015-2020
- Equality Act 2010
- Supplementary Guidance on the homelessness changes in the Localism Act 2011
- The Homelessness (Suitability of Accommodation)(England) Order 2012
- The Homelessness Code of Guidance 2006

4. Principles

Reading Borough Council considers a number of principles important to managing the procurement of Temporary Accommodation:

- To support reduction in the use of temporary accommodation through the prevention of homelessness wherever possible and through a range of measures.
- To procure sufficient suitable accommodation to meet anticipated demand each year. Where possible these units will be within the Reading Borough, however there may be a requirement to source accommodation in other locations where supply of accommodation in the borough is not sufficient.
- To support the reduction in the use of paid nightly, shared facilities B&B accommodation and to no more than 6 weeks for any household.
- To ensure that units of accommodation procured provide value for money to the Council.
- To increase the supply of permanent accommodation, through the Council's Rent Guarantee Scheme (RGS), Homes for Reading Ltd (the Council's wholly owned housing company), efficient use of Council stock, acquiring property, directly developing new Council homes and enabling increased housing development - thus reducing the need for temporary accommodation units.

5. Current Temporary Accommodation Provision

The Council uses a range of supply to meet demand for temporary accommodation. As at the beginning October 2017 there was 250 households in temporary housing, broken down as follows:

RBC Owned Temporary Accommodation (self-contained)

RBC provides the majority of its temporary accommodation through self-contained units of accommodation owned by the Council. RBC undertook to increase the supply of temporary accommodation in 2013 by re-modelling former hostel accommodation to provide modern, self-contained units. 16 units were opened in March 2014 and a further 17 units in June/July 2015. This is in addition to an existing block of temporary accommodation providing 51 self-contained flats, which equates to 85 units in total as at October 2017.

Permanent as Temporary (PAT)

The Council also classifies certain permanent accommodation on an ad-hoc basis to use as temporary accommodation (PAT). This will usually be to meet the specific needs of an individual household. At the current time the Council uses approximately 42 properties for this purpose.

In late 2015/early 2016 an additional 45 properties on the Dee Park estate which have been vacated as part of the regeneration project were made fit and brought back into use as temporary accommodation prior to their demolition, due in phase 3 of the Dee Park regeneration, anticipated in 2019.

Nightly Paid Accommodation (bed and breakfast (B&B), shared and self-contained).

Whilst bed and breakfast accommodation is considered to be unsuitable for households for long periods of time, unfortunately the Council remains reliant on this type of accommodation for emergency placements and due to the high levels of demand it is not unusual for households to be accommodated in B&B for longer than 6 weeks. The Housing department has been working to ensure that where B&B accommodation is utilised, it is of a decent standard whilst remaining value for money. The Council aims to minimise the use of B&B accommodation to emergency situations, for no longer than 6 weeks. As at the beginning of October 2017 there were 88 households living in B&B - a significant reduction from 144 at the start of the financial year reflecting a clear and driving priority to prevent homelessness, reduce demand and appropriately meet needs.

Supported Accommodation for Single People

The Council commissions a number of supported accommodation providers to supply refuge for survivors of domestic abuse and supported accommodation for single people. Where appropriate this accommodation may be used as temporary accommodation.

6. Anticipated Demand for Temporary Accommodation

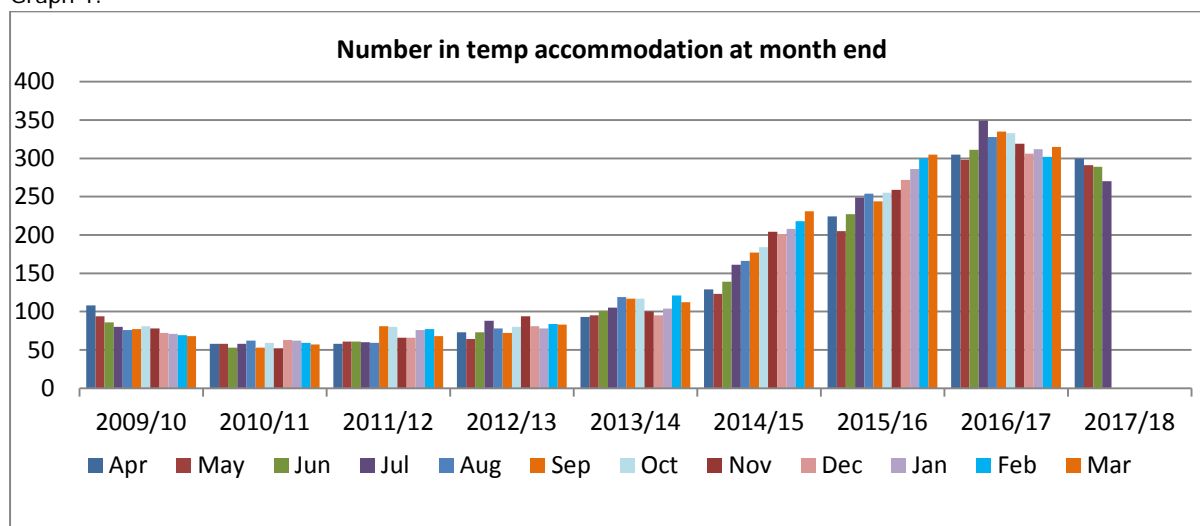
Anticipating the amount of required temporary accommodation is complex and dependant on a number of different factors, including variations in homelessness demand, the success of preventative work, fluctuations in the housing market and the supply of move on options, changes to the level of supply of permanent accommodation and changes to national legislation and policy.

The Council aims to prevent households from having to move into emergency or temporary accommodation wherever possible. Within recent years various activities have been employed to support this, including, increasing the supply of affordable permanent and temporary accommodation, development of a Rent Guarantee Scheme to attract the help of private sector landlords and increased investment in staff to carry out specialist welfare reform casework.

In June 2017 the Housing Department implemented a project team to provide intensive support to help people living in temporary accommodation to find alternative accommodation. This may include sourcing accommodation, arranging viewings, providing financial assistance and, in some cases, helping people to look for alternative affordable accommodation outside of Reading.

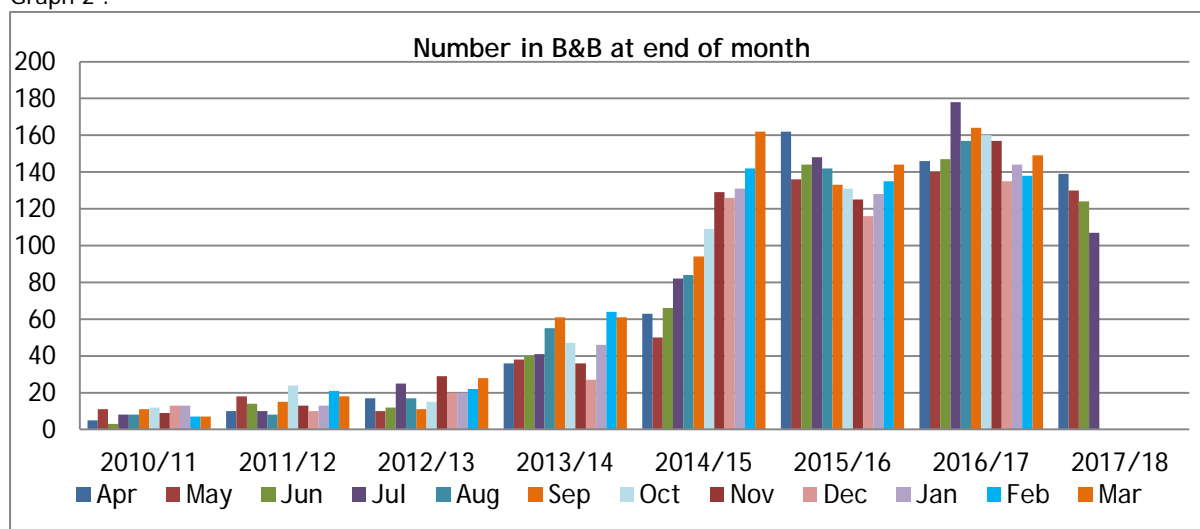
All of these measures, in addition to the introduction of the PRSO in May 2016, have supported the reduction in the use of temporary accommodation. As at the beginning October there were 250 households accommodated in temporary accommodation from a peak in July 2016 of 350 households, mainly due to a reduction in the number of placements.

Graph 1:



In line with the overall reduction in temporary accommodation since July 2016, the use of B&B has reduced by approximately 900 households to October 2017.

Graph 2 :



Assuming that the level of supply of move on or permanent accommodation remains static, anticipated numbers in temporary accommodation are given below for 3 different models of demand, based on different temporal trends.

Table 1: Predicted end of year numbers in temporary accommodation based on an average of 34 monthly homelessness acceptances, reflecting average demand of the preceding financial year (16/17).

Year	17/18	18/19
Number of households in temporary accommodation at end of year	266 (65 in B&B)	301 (100 in B&B)

Table 2: Predicted end of year in temporary accommodation based on an average of 32 monthly homelessness acceptances, reflecting the average demand of the preceding calendar year (August 16 - July 17).

Year	17/18	18/19
Number of households in temporary accommodation at end of year	255 (55 in B&B)	269 (69 in B&B)

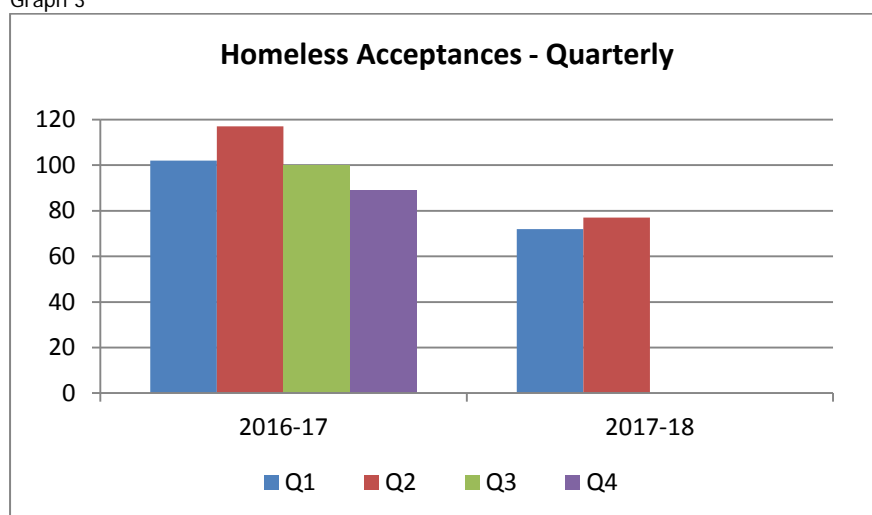
Table 3: Predicted end of year in temporary accommodation based on an average of 27 monthly homelessness acceptances, reflecting the average demand of the preceding 6 months (Jan 17 - July 17).

Year	17/18	18/19
Number of households in temporary accommodation at end of year	230 (30 in B&B)	190 (-10 in B&B)*

**modelling is theoretical and some level of B&B use is likely to continue due to the need to make emergency placements whilst sourcing alternatives.*

Based on recent trends in homelessness acceptances in Reading, demand has reduced (see Graph 3 below). On this basis Tables 2 and 3 could be considered as more accurate predictions.

Graph 3



However, forecasting with precision is difficult due to the unpredictable changing nature of homelessness demand and supply. There are a range of complex influencing factors that are not included in the above models; some of the known challenges are explored below.

Universal Credit - The implementation of Universal Credit in Reading in December 2017 is likely to have an impact on demand for homeless accommodation due to rising arrears and associated evictions, coupled with increased difficulty for those on benefit accessing private rented accommodation. At this stage it is difficult to provide accurate predictions, however, there is an expectation that this will add pressure and increase demand.

Changes in legislation - The introduction of the Homelessness Reduction Act in April 2018 is also anticipated to place additional demand on the service, the Government currently predicts a 26% increase in casework for local authority housing departments, however it is unclear at this stage how this will be reflected in future accommodation requirements.

Fluctuations in the Private Rented Market - Supply of affordable accommodation through the private sector remains unpredictable. Reduction in available affordable PRS accommodation has a twofold impact on homelessness and subsequent use of temporary accommodation. It creates additional demand for affordable housing from households on low incomes and risks increasing homelessness through evictions. It has an impact on the Council's ability to source suitable accommodation to either a) prevent homelessness for households who are already struggling financially or b) provide households accommodation through a PRSO.

Loss of Units through Regeneration - In addition the use of units as temporary accommodation on the Dee Park estate which are due to be demolished as part of the Council's regeneration will reduce capacity (anticipated circa 2019).

Use of Bed and Breakfast

The Council is committed to reducing the use of B&B. Wherever possible the Council uses self-contained bed and breakfast and has a commitment to reducing the numbers of households placed in shared facility accommodation and lengths of stay. Over recent years the Council has seen an over reliance on B&B due to rapid increases in demand for temporary accommodation leading to the use of easily sourced B&B. Based on the projections above and anticipated supply, the Council is forecasting a decrease in the numbers in B&B by April 2018 to approximately 50 households.

7. Future Supply of Temporary Accommodation

Due to the complex nature of homelessness demand it is important to be flexible in the range of accommodation responses to allow the Council the ability to meet need during periods of unpredictable fluctuation. The Council plans to use a range of mechanisms for meeting this demand, both in increasing supply of temporary accommodation, increasing access to the private rented sector and developing new build Council homes.

An increase in supply of temporary accommodation

The Council is increasing the supply of temporary accommodation units in a number of ways:

- Purchasing suitable properties from the open market to be let as temporary accommodation. Financed through the use of Right to Buy receipts to subsidise 30% of purchase value and borrowing. Properties to be let at 90% Local Housing Allowance (LHA).
- The Council is reviewing opportunities to provide new temporary accommodation on Council-owned land. Currently there are two projects in development:
 - Delivery of 28 new units of modular construction temporary accommodation units that the Council is developing at Lowfield Rd - due to be completed and let in January 2018 (at 90% LHA).
 - Delivery of 34 units of accommodation at North Street due in 2021 and as above to be let at 90% LHA levels.
- Continued use of permanent stock as temporary accommodation. As a Council that has retained its own housing stock Reading can be flexible in the use of permanent housing. Used in moderation, this approach is considered to be prudent for managing future fluctuations in demand as the use of these properties has little lead in time and no associated cost.
- Use of Void properties in regeneration projects. The Council will consider using any property that is due to be demolished as part of a regeneration project as temporary accommodation, until phased works are ready to be initiated.

- Bed and Breakfast - The Council aims to minimise the use of B&B accommodation to emergency situations and ensure that households spend no longer than 6 weeks in accommodation of this type that has shared facilities. The Council aims to establish a Dynamic Purchasing System (DPS) of providers that will ensure continuity of supply and the provision of good quality properties. It is intended that this will be in place at the beginning of 2018 and will aim to provide self-contained accommodation where possible.

Increase the supply of private rented accommodation

- Increase the potential pool of properties that can be used as a Private Rented Sector Offer by removing restrictions within the PRSO policy which limits the properties that can be used to house homeless people.
- Increasing the supply of, and access to, affordable accommodation through the Council's wholly owned housing company, Homes for Reading. A proportion of properties to be let at sub-market rents to homeless households - cross-subsidised by market rental lets.
- Working with partners to support the delivery of additional units of private rented accommodation by charitable or philanthropic organisations. To be let at LHA.

8. Monitor and Review of Supply and Demand

RBC considers effective regular monitoring of supply and demand as essential to ensuring that the Council is able to meet the needs of homeless households.

Monitoring allows for reforecasting need, planning of required activity and refocusing activity.

Monitoring is carried out through the following mechanisms:

- Detailed activity and performance reports/dashboards are produced monthly with weekly headline data - reviewed by managers through to Head of Service;
- Monthly strategic finance meeting, chaired by housing head of service which considers cost of temporary accommodation and B&B and carries out budget forecasting;
- Monitoring reports to senior management teams;
- A Strategic Housing Group reviews demand on a regular basis informed by activity and supply data.

Appendix 1

2015 Judgement of the Supreme Court - *Nzolameso v Westminster City Council*.

The case was concerned with the practice of London Boroughs where homelessness duties are being met through sourcing accommodation outside the local area. Frequently these placements are made some considerable distance from the respective boroughs. This is not a significant issue for Reading, however, the resulting judgement suggested that all Councils should have published policies setting out their approach to providing temporary accommodation for homeless people.

The case concluded that each local authority should:

- i. Have and maintain a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand from homeless people. The policy should reflect obligations under both the 1996 (Housing) Act and the Children Act 2004.
- ii. Have and maintain a policy for allocating these units to individual homeless households, which includes consideration of how decisions would be taken about placing people out of the local area in the event of a shortfall of suitable accommodation locally.
- iii. Seek approval for the adoption of such a policy by democratically accountable members of the Council.
- iv. Ideally, make the policy publicly available.

Reading Borough Council
Temporary Accommodation Allocation Policy
(Including allocation to private rented sector accommodation)
October 2017

1 Overview

Reading Borough Council aims to reduce the use of temporary accommodation through the prevention of homelessness wherever possible. Homelessness prevention became a priority for local authorities following the implementation of the 2002 Homelessness Act. This is achieved through a range of measures including early intervention and case work with households. There are various tools available to Reading Borough Council to prevent families from requiring emergency or temporary accommodation by enabling them to resolve their own housing need. This work includes negotiation, financial assistance, support and referrals to appropriate agencies.

Reading Borough Council will allocate temporary accommodation to households who approach as homeless as a way of discharging its responsibilities. Accommodation provided prior to the acceptance of a homelessness duty is referred to as interim accommodation; that which is provided after a full duty decision is made is referred to as temporary accommodation.

Reading Borough Council will satisfy its duty to provide interim or temporary accommodation using a number of different accommodations as follows:

- Temporary accommodation: purpose-built property owned by Reading Borough Council
- PAT: Permanent accommodation owned by Reading Borough Council being used as temporary accommodation
- Some households may be able to remain in the accommodation they are being made homeless from, albeit unsuitable for their needs, to prevent the disruption to the household. This is agreed with the Housing Advice Team.
- Nightly paid accommodation (also referred to as Bed and Breakfast). Accommodation not owned by Reading Borough Council and may be shared facility of self-contained

This policy is intended to provide clarity and ensure equity in relation to the allocation of temporary accommodation, recognising the importance of moving households to more permanent accommodation and therefore resolving their housing need as soon as possible.

This policy will set out the factors that Reading Borough Council will have regard to when allocating a household to interim or temporary accommodation and how Reading Borough Council will make decisions on its allocation. This policy addresses the allocation and use of accommodation until the point at which Reading Borough Council are able to end the duty (see section 7) by way of permanent allocation of a property via a Part VI allocation or a Private Rented Sector Offer. The allocation of permanent accommodation to those who are homeless does not sit in the requirements under Part VI of the Housing Act 1996, however, there are responsibilities on Reading Borough Council under Part VII of the act..

In writing this policy Reading Borough Council has had regard to the following:

- Part VI Housing Act 1996 Part VI
- Part VII Housing Act 1996, as amended by Homelessness Act 2002
- The Homelessness (Suitability of Accommodation)(England) Order 2003
- Localism Act 2011
- Reading Borough Council Allocations Scheme
- Reading Borough Council PRSO Policy
- Equality Act 2010
- Supplementary Guidance on the homelessness changes in the Localism Act 2011
- The Homelessness (Suitability of Accommodation)(England) Order 2012
- The Homelessness Code of Guidance 2006

2 Legislation

The Housing Act 1996 provides that local housing authorities shall or may provide accommodation to persons who have applied for housing assistance as homeless persons or persons threatened with homelessness in the circumstances described below:

- Whilst enquiries are being made in respect of the application, provided the Authority has reason to believe that the applicant is eligible, in priority need and homeless (s.188);
- At the Authority's discretion pending a review and/or pending determination of an appeal to the County Court in respect of a review decision (ss.188(4), 195(8) and 204(2)) or pursuant to an order of the Court made for the period pending the hearing of the appeal (s.204A);
- While enquiries are being made and the above has been satisfied, the duty to accommodate is under section 188, which is interim accommodation;
- When the Authority has accepted that an applicant is owed the main homelessness duty and accommodation is provided under section 193: temporary accommodation.

S.I 2003 No. 3326 The Homelessness (Suitability of Accommodation) (England) (Order 2003) came into effect on 1st April 2004 and applies to applicants with family commitments. It restricts the circumstances in which bed and breakfast accommodation can be provided as suitable accommodation.

Reading Borough Council aims to only use bed and breakfast (paid nightly) accommodation in order to satisfy its responsibility to provide interim accommodation and this type of accommodation will therefore be allocated to those presenting as homeless if no other accommodation is available. All households will have the right to formally request a review of the suitability of any accommodation provided to them, under Section 202 of the 1996 Housing Act as amended. This must be carried out by an Officer senior to the Officer who made the decision to allocate and must be responded to within 8 weeks of the request. Requests to review the suitability of accommodation offered will be treated as a priority and should the accommodation be found to be unsuitable a further offer of interim or emergency accommodation will be offered at the earliest possible opportunity.

3 Suitability Guidance

The following is guidance to local authorities for the use of interim and temporary accommodation, primarily bed and breakfast accommodation. Reading Borough Council will have regard to this guidance when allocating any form of interim or temporary accommodation, with the exception of the space standards which only apply to bed and breakfast.

- Location of accommodation
 - Access to facilities, such as public transport and shops
 - Consideration of location in relation to place of work
 - Consideration of maintaining links with schools, doctors, social workers, and other key services essential to the well-being of the household
 - Guidance recommends that the local authority considers the disruption to education, specifically for children who are undertaking essential exams
- Medical Needs
 - Access to specialised medical treatments
 - Access to the accommodation, such as mobility
 - Medical conditions which would make it unreasonable to share facilities
- Social Consideration
 - Risks of violence
 - Access to essential support

- MAPPA related information
- HHSRS rating
 - Hazards such as stairs/overcrowding – this will be assessed based on the needs of each household
- Affordability
 - Having regard to the households income, access to benefits and other prescribed debts and reasonable living expenses, including travel to workplace and schools
- Space Standards - *for bed and breakfast only - see appendix 1*
Space Standards for other forms of accommodation - *see appendix 2*

The guidance advises that families should spend no longer than 6 weeks in bed and breakfast accommodation and if they stay longer than this, the local authority will need to demonstrate that there are no alternative options available on a daily basis.

The accommodation must be suitable and available for occupation by the applicant together with any other person who normally resides with him as a member of his family or any other person who might reasonably be expected to reside with him.

The Secretary of State recommends that applicants are given the chance to view accommodation before being required to decide whether they accept or refuse an offer, and before being required to sign any written agreement relating to the accommodation (e.g. a tenancy agreement). Under s.202 (1A), an applicant who is offered accommodation can request a review of its suitability whether or not he or she has accepted the offer. Due to the urgent nature of some placements and the need to resolve housing situations it is not always possible to offer viewings.

Annual inspections of bed and breakfast accommodation used by Reading Borough are carried out by the Environmental Health Team and regular checks are completed by the Housing Advice Team. Any issues raised by these inspections/checks will be discussed with the proprietors and further checks will be carried out to ensure that issues have been addressed - or where necessary the authority will cease to use the provision.

4 Allocation to bed and breakfast accommodation

Bed and breakfast accommodation will not be used to accommodate 16 and 17 year olds. Placements for this group will be sourced in conjunction with Children’s Services Commissioning and the process is covered in the relevant protocol.

4.1 Placements

Reading Borough Council aims to only use B&B as interim accommodation in emergency situations.

When allocating bed and breakfast to a household, Reading Borough Council will have regard to guidance detailed in section 3.

Decisions on placements will also take into account information pertaining to the risk or vulnerability of other residents of potential shared accommodation

Reading Borough Council will refer homeless households for floating support if a need for this is identified.

4.2 Out of Area

Out of area allocation of bed and breakfast will occur if there are no suitable vacancies within the borough at the time interim accommodation is required, or a placement is required out of the area for an applicant’s safety. Reading Borough Council will have regard to the suitability guidance in

relation to this and will monitor the vacancies in establishments within the borough in order to relocate households as soon as possible if required.

Under section 208 Reading Borough Council must provide details of any families being placed in another area to that local authority, including details of any risks.

In the event that emergency accommodation has to be secured out of the borough, Reading Borough Council will clearly detail why accommodation in the borough has not been secured so that the applicant understands the reasons for the offer. Reading Borough Council will have regard to the following if a property is secured out of the area:

- the distance the property is from Reading and any disruption to support/employment
- the welfare of any children in the household, most important being access to schooling

Reading Borough Council will consider suitable vacancies with bed and breakfast providers in the borough on a daily basis and make offers of those currently placed out of the area having regard to:

- length of time spent in bed and breakfast out of the area, considering those who have been placed the longest
- personal circumstances, such as their need to remain out of the area for safety reasons
- the size of the household and the size of the vacancy being considered
- the social situation of household, such as access to schools, employments, support and general wellbeing

4.3 Facilities in bed and breakfast

Where possible, Reading Borough Council will ensure that there are cooking facilities for the households use in bed and breakfast provided. Reading Borough Council cannot guarantee that all placements will have access to full cooking facilities, however, in cases where this is not possible Reading Borough Council may negotiate with a proprietor for the household to have some appliances in their room for their use. Any equipment provided in the bed and breakfast will require PAT testing (Portable Appliance Testing) to ensure its safety. As a minimum, Reading Borough Council will ensure access to a fridge. Food stuffs for breakfast must be provided by the proprietor in each establishment for the households to use/prepare.

4.4 Ending Interim Accommodation

Once a section 184 decision is made the following actions will take place:

- if the main housing duty is accepted this accommodation will become temporary accommodation and Reading Borough Council will continue to work with the household to facilitate a move to more appropriate accommodation; or
- if an adverse decision is made and Reading Borough Council has no duty to provide accommodation, any interim accommodation provided will end, giving reasonable notice. The notice period will depend on the reasons for the adverse decision and will be assessed on a case by case basis, the following being guidance:
 - if not homeless - this accommodation will end with immediate effect
 - if non-priority, intentionally homeless or not eligible for a single applicant - between 7 and 14 days' notice will be provided depending on the circumstances of the applicant
 - if intentionally homeless or not eligible for a family - between 14 and 28 days' notice will be provided depending on the circumstances of the applicant
 - if no local connection - the provision of interim accommodation will continue until the local authority to which a referral has been made takes over the responsibility

If an adverse decision is made, with the exception of no local connection and not homeless, and the household includes dependent children, a referral to the Multi-Agency Safeguarding Hub (Children's Services) will be made in all cases. Single applicants will be referred to a support agency, where appropriate, which may include the Adult Social Care teams.

If an adverse decision is made the household has the right to request a review of this decision, as detailed in section 9.

4.5 Monitoring

RBC carries out robust monitoring of all B&B placements to:

- ensure accuracy and currency of individual placements
- ensure consideration of all options and swift move on
- ensure financial accuracy
- support understanding of trends of demand, and strategic and financial forecasting

This monitoring is carried out through a number of mechanisms, including:

- Manager sign off for all B&B placements to ensure accuracy of placements and to agree a move on plan for the household
- Weekly spreadsheets of all placements are produced and reconciled against financial records and rent account information
- Detailed activity and performance reports/dashboards are produced monthly with weekly headline data - reviewed by managers through to Head of Service;
- Monthly strategic finance meeting, chaired by housing head of service which considers cost of temporary accommodation and B&B and carries out budget forecasting;

Reading Borough Council will review the needs of the households being placed into bed and breakfast accommodation to consider if it remains suitable. Reading Borough Council will expect the household to raise suitability concerns as and when a situation needs to be reviewed, see section 9.

4.6 Move on from bed and breakfast

Move on plans are produced and monitored for all those in B&B and there is focused case work carried out to explore all alternative options.

Move on from bed and breakfast accommodation will be as follows:

- to temporary accommodation - see section 5
- to private rented accommodation - see section 7
- to a PAT property - see section 6
- to permanent accommodation via Part VI of the 1996 Housing Act, and allocation of social housing
- to an offer of social housing in another borough via Homefinder UK

Households moving to temporary accommodation or PAT accommodation from bed and breakfast will be expected to move within 24 hours' notice.

5 Allocation of Temporary Accommodation

When a vacancy of temporary accommodation arises, the Voids and Lettings Team will alert the Housing Advice Team at the earliest opportunity, providing details of the property attributes, including the size of the accommodation and the floor it is located on. The Housing Advice Team

will assess which household will be allocated this accommodation, having regard to the suitability of the accommodation guidance set out in section 3 and the standards set out in the 1985 Housing Act, sections 325 and 326, see appendix 2. The decision to allocate this accommodation will take into account the following:

- consideration of those in bed and breakfast accommodation in order of their placement, those who have been residing in bed and breakfast for the longest period first
- those who are homeless and require, or are already in, accommodation but bed and breakfast is not a suitable option including/primarily due to medical reasons
- an assessment of the size of the household in relation to the vacancy, and any mobility issues - see appendix 2
- whether the property available has specific adaptations (such as wheelchair accessible)
- the household's current position on the shortlists and whether they are likely to be housed permanently soon to avoid additional moves within a short space of time

An information regarding risk to or from the household will be shared with the Temporary Accommodation Officer.

The Housing Advice Team will make contact with the household identified and provide them with the information regarding the property, including sign up date and location, information requested, timescales during which they are expected to move, gas reconnection date and reconfirm that the property will not be furnished. Households will be expected to be present at the property for the gas reconnection to take place, which may not be the same day that the keys are collected, and will be advised of the appointment slot in advance.

If a household feels that the accommodation provided is not suitable they are expected to raise this concern with Reading Borough Council and a review of its suitability will be carried out, as detailed in section 9.

Temporary accommodation will not be furnished and households will be made aware of this when they initially approach as homeless and again when the sign up is being booked. Support will be offered to those who require assistance with this.

Move on from temporary accommodation will be as follows:

- to private rented accommodation - see section 7
- To permanent accommodation via Part VI of the 1996 Housing Act, and allocation of social housing
- to an offer of social housing in another borough via Homefinder UK

6 Allocation of PAT Accommodation

From time to time Reading Borough Council will use permanent accommodation to meet the needs of homeless households. This may be for a range of reasons and will be determined on a case by case basis taking into account the following:

- Need/demand
- Size of household - see appendix 2
- Adaptations
- The need to relet the accommodation
- Household specific factors, such as medical need

PAT accommodation will be identified where there is a need for specific accommodation that cannot be satisfied in the temporary accommodation stock. Households who are unsuitable for bed

and breakfast accommodation (including those who are unsuitable due to household size) or who have health issues which would also make temporary accommodation unsuitable may be offered a PAT property.

When allocating to a PAT property Reading Borough Council will have regard to the guidance as set out in section 3.

When a property being used as a PAT becomes available, and there is a further need for this accommodation to satisfy the statutory homeless duty, it is allocated again as temporary accommodation and the temporary accommodation section will apply; see section 5.

If a household feels that the accommodation provided is not suitable they are expected to raise this concern with Reading Borough Council and a review of its suitability will be carried out, as detailed in section 9.

PAT properties will not be furnished and households will be made aware of this when they initially approach as homeless and again when the sign up is being booked. Support will be offered to those who require assistance with securing a furniture package working with voluntary sector agencies.

If a PAT property is allocated to a household, and is considered suitable for them as permanent accommodation in line with the Allocations Scheme (a part VI offer), following a period of no less than 3 months this property may be offered to them as their permanent accommodation which will end the homeless duty to that household. The property will need to be of a suitable size as set out in the space standards in the Allocations Scheme and there must be no issues regarding payment of rent or anti-social behaviour. The decision to offer a PAT property as permanent accommodation will be made by the Assistant Housing Needs Manager.

Move on from a PAT property will be as follows:

- to private rented accommodation - see 7
- To permanent accommodation via Part VI of the 1996 Housing Act, and allocation of social housing, which could include the PAT property they are residing in
- to an offer of social housing in another borough via Homefinder UK

7 Move on from all temporary accommodation

If Reading Borough Council have been unable to prevent homelessness and homeless households have been placed in any kind of temporary accommodation, there are a number of ways in which households may move on from the accommodation provided. Section 14.17 of the code of guidance sets out the ways in which a local authority can end its homeless duty to a household and these include:

- Permanent social housing secured via Homechoice at Reading - Part 6 offer
- Refusing or leaving accommodation provided either voluntarily, being asked to leave, or a change in status
- Private rented accommodation- Private Rented Sector Offer

Like most local authorities Reading Borough Council have had to consider other housing options to tackle the level of homelessness in the borough and to assist with prevention of homelessness and move on from any form of emergency or temporary accommodation offered. See other housing options section 8.

7.1 Part 6 offer

The statutory homeless duty will end if:

- the applicant accepts an offer of accommodation under Part 6 (an allocation of permanent social housing)
- the applicant accepts an offer of an assured tenancy (other than an assured shorthold tenancy) from a private landlord (s.193(6)(cc): this could include an offer of an assured tenancy made by a registered social landlord;
- the applicant refuses a final offer of accommodation under Part 6 (an allocation of long term social housing)

The above reasons for ending a homelessness duty are facilitated via the Allocations Scheme. All homeless households will be expected to apply to join the Housing Register and participate in the Choice Based Lettings Scheme. Any permanent accommodation will be allocated as per the Allocations Scheme. Once an offer of permanent accommodation is made the main homelessness duty will end to that household. Households have the right to request a review of the suitability of accommodation offered, see section 9.

7.2 Refusing or leaving accommodation provided either voluntarily, being asked to leave, or a change in status

The statutory homeless duty will end if:

- the applicant refuses an offer of accommodation to discharge the duty (offer of interim or temporary accommodation) which the housing authority is satisfied is suitable for the applicant;
- the applicant ceases to be eligible for assistance as defined in s.185 of the 1996 Act;
- the applicant becomes homeless intentionally from accommodation made available to him or her under s.193 or s.195;
- the applicant otherwise voluntarily ceases to occupy as his or her principle home accommodation made available under s.193 or s.195.

If a household refuses any offer of temporary accommodation, including bed and breakfast accommodation, and Reading Borough Council has accepted that they owe the household the main homelessness duty, this duty will end. Reading Borough Council will make the household fully aware of the consequences of refusing the accommodation and also the household's ability to request a review of the suitability of the accommodation offered. The household will be encouraged to move in to the accommodation while any review of suitability is being carried out.

If a household refuses an offer of suitable interim accommodation the duty to provide this form of accommodation will be considered as ended and no further offer may be made. The consequences of not accepting the accommodation will be explained in full along with the ability for the household to request a review of its suitability once they are moved in.

If a household is evicted from any temporary accommodation, including bed and breakfast accommodation, for rent arrears or anti-social behaviour the main homelessness duty to that household will end and no further accommodation will be provided. In these situations, prior to the eviction taking place, the consequences of the household's actions will be fully explained and every opportunity given to rectify the behaviour.

7.3 Private Rented Sector Offer

- Under section 193(7AA)3 (duties to persons with priority need and who are not homeless intentionally) a local authority shall cease to be subject to the main homelessness duty, if the applicant, having been informed of the matters mentioned in section 193(7AB), accepts or refuses a private rented sector offer.

The Localism Act 2011 gave local authorities the power to end the main homelessness duty to a household via an offer of accommodation in the private rented sector, known as a Private Rented Sector Offer (PRSO). Reading Borough Council has a policy for PRSO which sets out how it will use PRSO to discharge the main homelessness duty. Please see the PRSO policy for more information.

The main principles of a PRSO, as an overview of the PRSO policy are as follows:

- It is a power not a duty
- The tenancy must be for a minimum period of 12 months
- Any property must be suitable and affordable
- If households becomes homeless through no fault of their own they will be eligible for the reapplication duty regardless of whether they still have a priority need

When a private rented sector becomes available the Housing Advice Team will consider the suitability of this accommodation for a household in line with the Homelessness (Suitability of Accommodation) (England) Order 2012. The decision regarding which household will be offered this accommodation will involve consideration of:

- Households in bed and breakfast accommodation in order of their placement, with those who have been residing in bed and breakfast for the longest period first
- Households who are homeless and require accommodation but bed and breakfast is not a suitable option
- an assessment of the size of households requiring accommodation in relation to the vacancy, and any mobility issues
- Households who are residing in temporary accommodation which will no longer remain in Reading Borough Councils stock

There will be situations when it is not considered reasonable to offer PRSO to a household and primarily this will be for those who require the security of social housing. An assessment of who requires social housing will be made by the Housing Advice Team and on an individual basis, and may include those who have experienced a high volume of moves while being in care, or those who require adaptations to a property. This is not an exhaustive list and this decision will be at Reading Borough Councils discretion.

Any PRSO will be deemed suitable and a refusal of this accommodation will result in the main homelessness duty ending. This includes refusal to participate in viewing the accommodation. As with any other accommodation, the household will have the right to review the suitability of this offer and will be encouraged to move into the offered property while a review is being carried out.

8 Other housing options

8.1 Homefinder

Reading Borough Council will provide information to applicants in respect of out of area moves to social housing via Homefinder UK as an alternative option. Homefinder UK advertise low demand or hard to let social housing properties in other boroughs. This will provide applicants with the opportunity to secure social housing, with further options to move to alternative social housing via mutual exchange. This will not be promoted as the only option for households. Should an applicant wish to relocate and to make use of this service, and subsequently accepts an offer of accommodation this will also be a way in which the homeless duty will be brought to an end. This will not be considered a Part 6 offer from Reading Borough Council, but an offer of an Assured Tenancy from another landlord or Registered Provider. Applicants will retain the right to review the suitability of this accommodation.

8.2 Homeless Assistance Payments

Homeless Assistance Payments can be used to secure accommodation to move on from bed and breakfast or to prevent someone from becoming homeless, and can be paid in 3 different ways as follows:

- Prevention Fund: to be used in order to prevent homelessness - any amount will be repaid by regular affordable payments over an agreed period of time.
- Moving Payment: to be used for deposits and fees where a full homelessness duty has been accepted and the household finds their own accommodation to move on from bed and breakfast - any amount will be repaid by regular affordable payments over an agreed period of time.
- Rent Top-Up: a one-off payment to top up the rent either to prevent homelessness or for those where a full homelessness duty has been accepted. It is not expected that this money is repaid. The household will be provided support to maximise their income during the period of the rent top up and the affordability of the accommodation will be reviewed following the period the top-up has been paid for to ensure that this property is affordable to the household on an ongoing basis.

8.3 Access Panel

The Access Panel is the referral mechanism for Reading Borough Council's Homelessness Pathway which provides supported accommodation for homeless individuals and couples. The Panel discusses the individuals who have been referred, and informs decisions that Reading Borough Council makes around prioritisation for vacancies within the Homelessness Pathway. It comprises of a group of professionals from Reading Borough Council, commissioned services and other relevant sector services. Referral to the Access Panel is via a Common Assessment Form (CAF), normally completed by the professional who has the most information regarding the applicant being referred. While they are on the Homelessness Pathway, applicants are expected to engage with the support provided. Reading Borough Council are able to end the duty to this accommodation as it is expected that where individuals sustain this accommodation it will be available to them for a period of up to 2 years. It is anticipated that whilst living in property acquired via the Homelessness Pathway, individuals are engaged in support to move on in a planned way to access longer term accommodation where they will be able to live independently with little or no support and succeed in any future tenancy.

8.4 YMCA

The YMCA can be considered for single applicants and mothers aged between 16 and 25. This is supported accommodation for young people. There is an expectation that any applicant referred to the YMCA will participate in the support provided. This accommodation can be secured via a direct referral to the YMCA and will be considered with information from the Common Assessment Form. Reading Borough Council are able to end the duty to this accommodation as it is expected that if successful this accommodation will be available for a period of 2 years and a move on plan will be agreed for when this accommodation comes to an end. It is assumed that by the end of the 2 years the applicant will be able to live independently with little or no support required and will succeed in any future tenancy.

8.5 Refuge

Where there is a risk of harm as a result of domestic abuse, Housing Advice Officers will be expected to explore the option of refuge accommodation, either within the borough or in another area. This can be done by a direct referral to refuge organisations. The benefit of this accommodation is the offer of support to households to live safely and also to resettle in an area

where they feel safe. This accommodation can be treated as emergency and/or temporary accommodation for the purposes of discharging the duty to accommodate.

8.6 Rent Guarantee Scheme

In some situation Reading Borough Council may want to consider supporting a household who has found their own accommodation via the Rent Guarantee Scheme. This will be agreed by the RGS Team and should be discussed with any case where a household has sourced their own private rented accommodation and where a guarantee to the landlord would help to secure the property.

9 Reviews of suitability

A household can request a review (section 202) regarding the following decisions:

- the suitability of the accommodation offered, being interim, temporary, permanent or a PRSO
- the ending of their homelessness duty by any means set out in section 7.

The request must be made within 21 days of the original decision and preferably in writing, however Reading Borough Council will consider any challenge or information suggesting that the accommodation offered is unsuitable as a request for a review. In these situations the Assistant Housing Needs Manager will be alerted and the duty to review the decision will be triggered.

Reading Borough Council has 8 weeks from the date of the request to carry out a review, however in situations where the accommodation offered is having a significant impact on the household, the review decision will be made at the earliest opportunity.

Applicants will be encouraged to move into, or remain in occupation of, the accommodation provided while the review is being carried out.

If the household has chosen to move into the property offered and requests a review of the suitability of that accommodation, and the original decision is upheld, then they will be required to remain in the property as it will be deemed to be suitable. No further offers of accommodation will be made. If the household refuses this offer of accommodation Reading Borough Council will end the main homelessness duty, as per section 7.

If the original decision is not upheld, the property will be deemed not to be suitable and further accommodation will be sourced for the household at the earliest opportunity. In the meantime they will be expected to remain in the property.

Appendix 1: Suitability guidance for bed and breakfast accommodation

Room sizes where cooking facilities provided in a separate room/kitchen:

Floor Area of Room / Maximum No of Persons:

- Less than 70 sq. ft. (6.5 m²) Nil persons
- Not less than 70 sq. ft. (6.5 m²) 1 person
- Not less than 110 sq. ft. (10.2 m²) 2 persons
- Not less than 160 sq. ft. (14.9 m²) 3 persons
- Not less than 210 sq. ft. (19.6 m²) 4 persons
- Not less than 260 sq. ft. (24.2 m²) 5 persons

Room sizes where cooking facilities provided within the room:

Floor Area of Room / Maximum No of Persons

- Less than 110 sq. ft. (10.2 m²) Nil persons
- Not less than 110 sq. ft. (10.2 m²) 1 person
- Not less than 150 sq. ft. (13.9 m²) 2 persons
- Not less than 200 sq. ft. (18.6 m²) 3 persons
- Not less than 250 sq. ft. (23.2 m²) 4 persons
- Not less than 300 sq. ft. (27.9 m²) 5 persons

In no case should a room be occupied by more than 5 persons. The standard is to be applied irrespective of the age of the occupants. The sharing of rooms in bed and breakfast accommodation is not desirable, but it is accepted that where accommodation is not self-contained families may find it preferable to share.

All rooms must have a minimum floor to ceiling height of at least 7 feet (2.14 metres) over not less than 75% of the room area. Any floor area where the ceiling height is less than 5 feet (1.53 metres) should be disregarded.

Separate kitchens, bathrooms, toilets, shower rooms, communal rooms and en-suite rooms are deemed unsuitable for sleeping accommodation.

Appendix 2: Room and Space Standards in temporary accommodation

Housing Act 1985 sections 325 and 326 sets out the room and space standards for temporary accommodation.

A child under the age of 1 is not included in the calculation and a child under the age of 10 counts as $\frac{1}{2}$ a person. Rooms that can be included in this calculation include living rooms and bedrooms.

Room Standard:

<i>Number of rooms</i>	<i>Number of persons</i>
1	2
2	3
3	5
4	7½
5 or more	2 for each room

Space Standard:

<i>Floor area of room</i>	<i>Number of persons</i>
110 sq. ft. or more	2
90 sq. ft. or more but less than 110 sq. ft.	1½
70 sq. ft. or more but less than 90 sq. ft.	1
50 sq. ft. or more but less than 70 sq. ft.	½