

Temporary Accommodation Suitability and Procurement Policy

Key policy details

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1 Introduction & Overview

- 1.1 Interim and Temporary Accommodation is accommodation provided to households who have made a homelessness application and who are eligible for assistance and assessed as being in priority need under Part VII of the Housing Act 1996 (as amended).
 - 1.2. Interim accommodation is intended to be a short-term solution while the Council makes enquiries into an applicant's homelessness application and determines the duties owed. Where the Council owes a prevention, relief, or interim accommodation duty, accommodation may be provided for the duration of that duty. If the Council subsequently accepts the main housing duty, temporary accommodation may continue to be provided until suitable settled accommodation can be secured.
 - 1.3. Interim and Temporary Accommodation may include a range of accommodation types, including but not limited to:
 - Hostels managed by the Council;
 - Hostels managed by housing providers or voluntary organisations;
 - Supported accommodation;
 - Bed and Breakfast accommodation;
 - Self-contained flats or houses leased from private landlords or housing providers; and
 - Other accommodation secured by the Council to meet its statutory responsibilities.
 - 1.4. Where the Council has accepted a Relief Duty and determined that an applicant is in priority need, interim accommodation may be provided under Section 188 of the Housing Act 1996. If the Council subsequently accepts the main housing duty under Section 193, the applicant's accommodation status will transfer to Temporary Accommodation. This will not necessarily require a move to alternative accommodation, but the occupancy arrangements and legal basis for the placement may change.
 - 1.5. This Temporary Accommodation Policy sets out how Melton Borough Council will meet its statutory responsibilities towards households who are homeless or threatened with homelessness and how available Temporary Accommodation will be allocated in accordance with relevant legislation, including Sections 188, 190, 193 and 199A of the Housing Act 1996.
 - 1.6. When determining the most suitable accommodation placement, the Council will consider the individual circumstances of each household. This will include, where relevant:
 - Affordability;
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- Location and travel requirements;
 - Health and disability-related needs;
 - Education and childcare arrangements;
 - Employment commitments;
 - Caring responsibilities;
 - Social and support networks; and
 - The suitability, condition and safety of the accommodation.
- 1.7. The Council will procure and manage Temporary Accommodation in a manner that is fair, transparent, efficient and compliant with its statutory obligations, while ensuring value for money and the effective use of public resources.
 - 1.8. The Council will seek to maintain a sufficient supply of suitable Temporary Accommodation to meet anticipated demand and will regularly review demand, availability and procurement arrangements to ensure accommodation needs can be met as effectively as possible.

2 Legislative context

- 2.1. The Council's duties and powers to provide Interim and Temporary Accommodation are primarily derived from Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017. The suitability of accommodation provided under these provisions is governed by the Homelessness (Suitability of Accommodation) (England) Orders and the Homelessness Code of Guidance for Local Authorities.
- 2.2. In the Supreme Court case of *Nzolameso v City of Westminster Council* [2015] UKSC 22, the Court emphasised the importance of local authorities maintaining clear and transparent policies for both the procurement and allocation of temporary accommodation. Local authorities should seek to secure sufficient accommodation to meet anticipated demand and should have a published policy explaining how available accommodation will be allocated, particularly where accommodation within the authority's area is limited and out-of-area placements may be required.
- 2.3. Reflecting the principles established in *Nzolameso*, paragraph 17.49 of the Homelessness Code of Guidance states that where it is not reasonably practicable to secure suitable accommodation within a local authority's district, and accommodation is secured outside the district, the authority must take account of the distance from its area and the impact of the placement on the household.

2.4. Melton Borough Council will secure Interim or Temporary Accommodation where it has a statutory duty to do so, including:

- a) Section 188(1) Housing Act 1996, where there is reason to believe an applicant may be homeless, eligible for assistance and in priority need (interim accommodation duty);
- b) Section 190(2) Housing Act 1996, where a household is found to be intentionally homeless but eligible for assistance and in priority need (short-term accommodation duty);
- c) Section 193 Housing Act 1996, where the main housing duty is owed.

2.5. The Council may also secure Interim or Temporary Accommodation when exercising discretionary powers or duties pending further decisions, reviews or appeals, including:

- a) Section 188(3) Housing Act 1996, pending the outcome of a review;
- b) Section 204(4) Housing Act 1996, pending determination of an appeal to the County Court;
- c) Section 205(3) Housing Act 1996, where the Council exercises its power to secure accommodation in connection with its homelessness functions; and
- d) The Council's duties and powers arising from the prevention and relief duties under Sections 195 and 189B of the Housing Act 1996, where accommodation is required to support the authority in meeting its statutory obligations.

2.6 In carrying out its duties and exercising its powers under homelessness legislation, the Council will also have regard to:

- The Equality Act 2010 and the Public Sector Equality Duty;
- The Children Act 2004, including the duty to safeguard and promote the welfare of children;
- The Human Rights Act 1998;
- Relevant statutory guidance issued by the Secretary of State; and
- Applicable case law and decisions of the courts.

2.7 When procuring and allocating Temporary Accommodation, the Council will seek, wherever reasonably practicable, to secure accommodation within the Borough of Melton. Where this is not possible, accommodation will be allocated in accordance with this Policy, taking into account availability, affordability, suitability, household needs, and the Council's statutory obligations.

3 Objectives of this Policy

3.1 This Policy sets out how the Council will procure, allocate and manage Interim and Temporary Accommodation to ensure compliance with relevant legislation, statutory guidance and case law.

3.2 The Policy aims to:

- Ensure accommodation is allocated fairly, consistently and transparently;
- Promote the efficient use of available temporary accommodation resources;
- Ensure accommodation is suitable for the needs of the household;
- Support the Council in meeting its statutory homelessness duties;
- Achieve value for money while maintaining appropriate standards of accommodation; and
- Explain how decisions relating to Temporary Accommodation will be made.

3.3 The Council will seek to increase the availability of suitable temporary accommodation through effective procurement arrangements and partnership working with housing providers, private landlords and support organisations.

3.4 Subject to the relevant statutory duty being owed, Temporary Accommodation may be provided to a range of household types, including:

- Single people;
- Couples;
- Families with dependent children;
- Larger multi-generational households; and
- Households with specific support or accessibility requirements.

4 Responsible Party

Responsibility for the implementation, monitoring and review of this Policy rests with the Strategic Lead for Supporting Communities.

Day-to-day operational responsibility for the procurement, allocation and management of Temporary Accommodation rests with the Housing Options and Homelessness Service.

5 Procurement of temporary accommodation

5.1 The Local Authority will procure temporary accommodation by:

- a) Deploying its own employees to procure temporary accommodation, or

- b) Appointing another public body, voluntary organisation or private company as an agent to procure temporary accommodation on behalf of the local authority, or
- c) A mixture of the two above arrangements

5.2. The Local Authority will procure the provision of temporary accommodation in the following ways:

- A. Dwelling held in the ownership of the Local Authority, and/or,
- B. Dwellings held in the ownership of private registered providers, and/or,
- C. Dwellings held in the ownership of private landlords, and/or,
- D. Dwellings held in the ownership of private landlords, leased to the Local Authority or a private registered provider
- E. Dwellings held in the ownership of a private business
- F. A mixture of the above arrangements.

5.3. For the purpose of this Policy, procurement of temporary accommodation means the identification of specific types of dwellings in specific locations and the agreement of a sale and or lease of such dwellings.

6 Definitions

6.1 Temporary accommodation is an umbrella term for a wide variety of accommodation which can be accessed by homeless households and may include use of hotels, temporary accommodation, supported accommodation etc. (this list is not exhaustive).

All types of accommodation are only meant to be temporary, which is for a limited amount of time, until the household either obtains their own housing or is offered a suitable offer in permanent accommodation, if the main housing duty has been accepted by the local authority.

6.2. **Bed and Breakfast**

Accommodation in a hotel or guest house, in which rooms are booked on a nightly basis.

6.3 **Direct Access Accommodation**

Quick access accommodation that is available on the day as opposed to those which usually carry out pre-tenancy checks and take time to process referrals

6.4 **Floating Support**

Support provided by an organisation that does not necessarily provide accommodation. The support can be provided wherever the customer is currently living

6.5 **Non-secure tenancy**

A tenancy in one of our designated self-contained units granted to a homeless household as part of any function under Part 7 of the Housing Act 1996 and is not secure.

6.6 **Self-contained**

Accommodation containing bathing and food preparation facilities, none shared with other households.

6.7 **Spot Purchase**

Accommodation that is purchased as need arises, this will include some bed spaces in hostels and Bed & Breakfast accommodation

6.8 **Supported Bed Spaces**

Bed spaces may not be in a private room and may be allocated on a nightly basis. Additional facilities such as meals and laundry may be provided and there may be an additional charge for these over and above housing benefit entitlement

6.9 **Supported Accommodation**

Accommodation provided for those with support needs which provides support as a condition of the accommodation. Support might include day to day needs as well as preparing for more independent living.

7 **Direct Access Accommodation**

7.1 The Council has limited access to direct access accommodation and where homelessness is unplanned and immediate this may impact on choices available to customers and staff arranging placements.

Direct access accommodation falls broadly into 3 categories:

- a) Spot purchase: usually of Hotel/Bed and Breakfast accommodation on a nightly basis
- b) Supported accommodation controlled by the Council: these are bed spaces funded by the Council to be available on an as required basis
- c) Supported accommodation available to the Council but funded by others depending on availability

7.2 The Council is committed to its statutory obligation to not use B&B accommodation for 16/17 year olds in any circumstances and for families with children only in emergencies. There is an arrangement in place whereby 16/17 year olds who

approach the Council as homeless will be directed to County Council emergency provision whilst an assessment of responsibilities take place.

- 7.3 Emergency accommodation may be secured outside the Borough where no suitable local provision is immediately available.
- 7.4 The Council will avoid the use of Bed and Breakfast accommodation wherever possible and will comply with all statutory restrictions regarding its use for families with dependent children and pregnant women.

8 Temporary accommodation owned by registered providers of social housing or private landlords

- 8.1. The Local Authority might decide on to procure temporary accommodation by requesting co-operation from a registered provider to using one or more of their dwellings. In such circumstances, an agreement for utilisation (e.g. covering liabilities, cost, timescales, etc) will be made between the Local Authority and a registered provider, that is outside the scope of this Policy.
- 8.2. An Applicant occupying temporary accommodation dwelling owned by a registered provider will hold a non-secure license or tenancy agreement with the provider. Landlord services will be provided by the registered provider or private landlord that owns the dwelling, unless an alternative arrangement has been agreed. The particulars of how your management functions will be undertaken will be subject to a separate agreement, that is outside the scope of this policy.
- 8.3. The Local Authority will agree an information sharing protocol that accords with the General Data Protection Regulation and Data Protection Act 2018 with registered providers or private landlords. The Local Authority will require written consent from an Applicant to share their information with a registered provider or a or private landlord.

9 Provision of Meals

- 9.1 Traditionally nightly paid accommodation was booked on a bed and breakfast basis. Increasingly however the hotel accommodation available to the Council provides meals as an optional extra. It is not council policy to provide meals where these are not a pre-requisite of the booking. Where breakfast is automatically included the Council will not seek to recover this cost from the customer.
- 9.2 Some supported accommodation will be provided with meals included and this will be funded through a personal service charge to the customer. The customer will be expected to meet these costs through their own income and they will be informed of this when their placement is arranged.

10 Temporary Accommodation for Families

- 10.1 The Council will seek, wherever reasonably practicable, to accommodate families with dependent children within self-contained accommodation located within or close to the Borough of Melton.
- 10.2 Where self-contained accommodation is not immediately available, emergency accommodation may be used for the shortest possible period.
- 10.3 The Council will ensure compliance with legislation restricting the use of Bed and Breakfast accommodation for families with dependent children and pregnant women.

11 Procurement of Dwellings

- 11.1. The dwellings procured shall be either non-self-contained or self-contained and be of the following sizes:
- A. Bedsit
 - B. 1 bedroom
 - C. 2 bedrooms
 - D. 3 bedrooms
 - E. 4 bedrooms
 - F. 5 bedrooms
 - G. 6+ bedrooms
- 11.2. The dwellings procured can be outside of the Melton borough but priority will be given to properties within the Melton Borough. On an occasion that the Local Authority has to procure temporary accommodation outside of its district, dwellings shall be procured in the nearest neighbouring local authority area. In such circumstances people to remain in out-of-area temporary accommodation for the shortest time possible. On a daily basis, the Local Authority will seek to procure alternative/additional temporary accommodation within its own district and move the household back to inside the local authority area as soon as possible.
- 11.3. Any arrangement the Local Authority enters into with private registered providers or private landlords, private companies or others, to procure temporary accommodation on its behalf will be subject to a specific agreement, the terms of which shall fall outside the scope of this Policy.

12 Out of Area Placements

- 12.1 The Council will seek to place households within the Borough of Melton wherever reasonably practicable.
- 12.2 Where accommodation within the Borough is unavailable or unsuitable, accommodation outside the Borough may be used.
- 12.3 In determining the suitability of an out-of-area placement, the Council will consider:
- Distance from the Borough;
- Accessibility to employment;
 - School attendance;
 - Caring responsibilities;
 - Medical treatment and support services;
 - Family and social support networks;
 - Risk of violence, abuse or exploitation;
 - Affordability; and
 - The best interests of any children within the household.
- 12.4 Households placed outside the Borough will be considered for transfer to accommodation closer to Melton where suitable accommodation becomes available and it is reasonable to do so.

13 Value for Money and Cost Recovery

- 13.1 The local authority has a duty to achieve best value to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 13.2 The local authority must ensure the clear separation of responsibilities and cost allocation between Housing Revenue Account and General Fund activity with all costs associated with homelessness charged appropriately.
- 13.3 The local authority will ensure that any external funding for placements made is sought and allocated appropriately (for example specific funding grants for refugees, asylum dispersal, housing benefit).
- 13.4 Placements will be made on a case by case basis with clear rationale on suitability, length of stay and financial situation.

14 Management of temporary accommodation

- 14.1. The Local Authority will manage the temporary accommodation by entering into the following arrangements:

A. The Local Authority will manage the temporary accommodation dwellings, and/or

- B. A private registered provider will manage the temporary accommodation dwellings, and/or,
- C. A voluntary organisation will manage the temporary accommodation dwelling, and/or
- D. A private company will manage the temporary accommodation dwellings, and/or
- E. A mixture of the above arrangements.

14.2. For the purpose of this Policy, management of temporary accommodation includes any or all of the following:

- A. Allocation and letting
- B. Housing revenue income management
- C. Licence/tenancy management
- D. Stock investment and asset management

14.3. Any arrangement the Local Authority enters with private registered providers or private landlords, private companies or others, to manage temporary accommodation on its behalf will be subject to a specific agreement, the terms of which shall fall outside the scope of this Policy.

14.4. Any arrangement the Local Authority enters for households occupying temporary accommodation to be provided with housing related support shall fall outside the scope of this Policy.

15 Occupancy standards

Within temporary accommodation, a room is available as sleeping accommodation if it is of a type normally used in the locality either as a living room or as a bedroom.

The number of people who can occupy an Accommodation Unit depends upon the number of bedspaces available. Bedspaces include double beds, single beds, bunk beds, sofa beds and z-beds/camp beds. The number of bedspaces (excluding cots) expected to be provided in each Accommodation Unit is as follows:

Size of Accommodation Unit	Number of Bedspaces
Studio / Standard hotel room / 1 bedroom house	Minimum 2 Maximum 4*
1 Bedroom flat	Minimum 3 Maximum 4*
Family hotel room/suite	Minimum 4 Maximum 6*
2 Bedrooms	Minimum 4 Maximum 8
3 Bedrooms	Minimum 6 Maximum 9

15.1 The following occupancy assumptions can be made when assessing the appropriate size of an Accommodation Unit for a Household:

- 2 adults within the same household can share a double bed
- 1 adult (with parental responsibility) and 1 child of the same gender aged over 3 can share a double bed
- 1 adult (with parental responsibility) and 1 child of a different gender aged 3-9 can share a double bed
- 1 adult (with parental responsibility) and 1 child of the same gender aged 10 and over can share a double bed
- 2+ children of the same gender aged 0+ can share a double bed
- 2+ children of different genders 3-9 can share a double bed
- Children aged 10 and over of different genders should have separate beds
- The maximum number of children aged 3 and over in one room is 4
- All children aged under 3 should be in the same room as the adult who has parental responsibility for them

16 Offers and refusals of suitable accommodation

16.1 The suitability of accommodation can change over time. The Council may consider somewhere to be suitable for occupation for short period (i.e. pending enquiries or whilst securing alternative accommodation) that wouldn't be considered suitable in the longer term. The Council always aims to offer suitable accommodation to the household at the first placement, though this may not be the most suitable, subject to availability.

16.2 Households who have any reservations about the suitability of the temporary accommodation being offered should initially discuss the matter with the officer managing their homeless application.

16.3 All applicants retain the right to make a formal complaint about the service they receive from the Council by following its formal complaints process.

16.4 Once a household has been assessed and it has been recognised that there is a duty to accommodate temporarily in emergency accommodation, the Council will make one suitable offer of interim accommodation. There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. If an applicant refuses an offer of accommodation and the Council does not accept the reasons for refusal, and considers that the offer is suitable, the Council's duty will cease, and the applicant may not be offered further temporary accommodation and may be required to make their own arrangements.

- 16.5 Applicants will be advised of any statutory review rights that apply to decisions about accommodation.
- 16.6 The provisions set out in sections 16.4 and 16.5 do not apply to care leavers for whom the Council has an ongoing duty under relevant children's social care legislation. In recognition of its corporate parenting responsibilities, the Council will continue to work with care-experienced young people to secure suitable accommodation and will not cease accommodation duties solely on the basis of a refusal of an offer of temporary accommodation. Any accommodation decisions relating to care leavers will be considered on an individual basis, taking account of their needs, circumstances, and statutory entitlements, with the aim of securing stable and sustainable housing outcomes.

17 Ending of temporary accommodation

17.1 Discharge of section 188 [interim] accommodation duty

Where the Household is accommodated under s188 within the Relief duty and pending enquiries into longer term duties owed and have breached the licence condition, they will be asked to leave the interim accommodation following warnings and accommodation may be ended with immediate effect, subject to individual circumstances.

17.2 Discharge of section 193 accommodation duty

Where customers are accepted for a main housing duty under Section 193 of the Housing Act, longer term suitable temporary accommodation will be provided. The Council will make one offer of suitable accommodation. The household has the right to review the suitability of this accommodation.

17.3 In such circumstances applicants will be encouraged to accept the offer of accommodation whilst a review of the suitability of the offer of accommodation is being considered. Where applicants refuse to take up the offer of accommodation whilst a review is underway, the current temporary accommodation may only remain available at the discretion of the Council's Strategic Lead for Supporting Communities.

17.4 The Council shall cease to be subject to the duty under Section 193 [6] of the Housing Act, if the applicant:

- Ceases to be eligible for assistance
- Becomes homeless intentionally from the Temporary Accommodation made available for their occupation
- Voluntarily ceases to occupy as their principal home, the Temporary Accommodation made available for occupation

- Refuses or accepts a final offer of accommodation under Part VI (allocation of housing)
- Refuses or accepts an offer of an assured tenancy from a private sector landlord
- Having been informed of the possible consequences of refusal and of his right to request a review of the suitability of accommodation, refuses a final offer

17.5 Where the Council decides that their duty has ceased as described above, the applicants housed under Section 193, will be asked to leave the temporary accommodation usually within 7 days subject to individual circumstances. Two warnings will be issued before the Council ceases its Section 193 duty and accommodation may be ended with immediate effect, subject to individual circumstances.

17.6 The Council may apply its discretion in withdrawing Temporary Accommodation in circumstances where the Household is accommodated under s190, have refused an offer of accommodation or the reasonable period has ended but are reviewing the Council's decision.

18 Moves between temporary accommodation

18.1 Where the Council determines that a placement does not meet the legally defined standards of suitability as a result of incorrect information from the temporary accommodation provider at the time of placement, through a change of circumstances or through the production of new information it will seek to make an urgent offer of alternative accommodation as soon as one that is suitable and affordable becomes available.

18.2 Where the Council determines that a placement does meet the legally defined standards of suitability but considers that an alternative offer of accommodation would better meet the needs of the applicant and their household, it will seek to make an offer of alternative accommodation. Such an offer will only be made when an accommodation unit which is suitable and affordable becomes available and which is not required for a household who have been assessed to have a more urgent need for the placement.

18.3 Within its management of temporary accommodation, the council reserves the right to move households between accommodation units to maximise available options for all owed a duty.

18.4 Where a move from one temporary accommodation placement to another is necessary, the council will prioritise such moves in the following order:

- Transfer from TA found to be in serious disrepair that poses threat to life
- Transfer from TA due to violence, domestic or external that poses a risk to life
- Transfer from TA because of evidenced critical medical need e.g., TA accessed by stairs and tenant unable to negotiate

- Transfer from Hotel type accommodation for families who have been in occupation for at least 5 weeks (to avoid occupation beyond 6 weeks)
- Transfer from TA found to be unsuitable following a review
- Transfer because of evidenced serious medical need
- Transfer due to threats of violence, domestic or external harassment towards household
- Transfer from TA found to be in serious disrepair that cannot be rectified while the tenant is in situ
- Transfer from TA that is not providing best value
- Transfer for overcrowding/under occupation

18.5 There is no statutory right of review against the suitability of temporary accommodation offered to applicants, although the applicant can apply for judicial review through the courts, if challenging the suitability of the offer.

18.6 The exception to this is where the Council has accepted a full housing duty to Household residing in Temporary Accommodation or provided with Temporary Accommodation this will be offered in line with the S193 duty. Temporary Accommodation offered or when provided under this duty can be subject to a review of suitability. Temporary Accommodation refused or lost when placed/offered under a S193 duty can end the duty to provide any further temporary or permanent accommodation.

19 Suitability of temporary accommodation

The Homelessness (Suitability of Accommodation) (England) Order 2012 provides that the following factors should be considered when deciding whether accommodation is suitable.

- The distance of the accommodation from the Melton area.
- The level of any disruption to employment, caring responsibilities, or education.
- The proximity and accessibility of the accommodation to medical facilities and support
- The proximity and accessibility of the accommodation to local services and transport

The Homelessness (Suitability of Accommodation) (England) Order 2003 provides that households containing children or pregnant women should only be housed in 'bed and breakfast' accommodation where no other accommodation is available, and even then, such occupation should not exceed 6 weeks.

19.1. When procuring temporary accommodation, checks will be made to ensure each dwelling is suitable within the legal meaning of term. The Local Authority, or an agent acting on its behalf, will carry out checks on the following matters to ensure any dwelling procured satisfies relevant legislation, statutory guidance, regulations and orders:

- A. Whether or not the dwelling is located in scheduled for demolition or would result in a household becoming overcrowded.
 - B. The condition of the dwelling, including whether or not the dwelling is subject to
 - i. enforcement of housing standards
 - ii. improvement notices, prohibition orders and hazard awareness notices
 - iii. emergency measures
 - iv. demolition order and slum clearance declarations
 - v. general and miscellaneous provisions relating to enforcement action
 - C. If the dwelling is a house of multiple occupation, whether or not the dwelling is required to be licensed
 - D. Whether or not the dwelling is in a designated selective licensing area and is a house that is required to be licensed
 - E. Whether or not the dwelling is subject to any additional control provisions, such as:
 - i. Interim and final management orders
 - ii. Interim and final empty dwelling management orders
 - iii. Overcrowding notices
 - F. The costs in respect of the dwelling, including, but limited to:
 - i. rent payments
 - ii. service charges
 - G. Location of the dwelling in regard to essential journeys the Applicant needs to make.
 - H. Whether or not the dwelling is situated inside or outside of the Melton district and where so the distance from the local authority area
 - I. The proximity of the dwelling to
 - i. places of employment, care and education
 - ii. medical facilities
 - iii. local services, amenities and transport
 - J. The public sector equality duty in the Equality Act 2010, s.149.
 - K. The duty to safeguard and promote the welfare of children in the Children Act 2004, s.11.
 - L. The duty to ensure no person is denied the right to education in the Human Rights Act 1998
 - M. The guidance given in the Homelessness code of guidance for local authorities
- 19.2. Dwellings procured from a private landlord will be subject to the following additional checks:
- A. Whether or not the dwelling is in a reasonable physical condition
 - B. Whether or not any electrical equipment supplied with the dwelling meet requirements of regulations 5 and 7 of the Electrical Equipment (Safety) Regulations 1994

- C. Whether or not a reasonable fire safety precautions have been taken with the dwelling and any furnishings supplied with it
- D. Whether or not reasonable precautions have been taken to prevent the possibility of carbon monoxide poisoning in the dwelling
- E. Whether or not the landlord is it fit and proper person to act in the capacity of a landlord
- F. Where the dwelling is a house in multiple occupation subject to licensing, whether or not it is licensed
- G. Whether or not the dwelling has a valid energy performance certificate, in accordance with the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007
- H. Whether or not the dwelling has a current gas safety record, in accordance with regulation 36 of the Gas Safety (Installation and Use) Regulations 1998

20 Equality duty

- 20.1. The Local Authority is subject to the Equality Act 2010 which has been duly considered when formulating this Policy. A separate Equality Impact Assessment has been completed and copies can be requested from the Local Authority or downloaded from its website. The Equality Impact Assessment has identified any potential impact on people with a protected characteristic, showing these as positive, negative or negligible, plus includes actions to mitigate any such negative impacts. To ensure compliance with public sector equality duties, arrangements will be made by the Local Authority to ensure there are enough dwellings that have accessible features for disabled persons, and/or that adaptations are made to a dwelling to allow it to become accessible.
- 20.2. The Strategic Lead for Supporting Communities will be responsible for minimising the risk of employee fraud and errors, including the vetting of junior employees and randomly checking and validating decisions on the procurement of temporary accommodation.

21 Information about this Policy

- 21.1. An Equality Impact Assessment has been completed in conjunction with adopting this Policy.
- 21.2. This Policy will be reviewed by the Local Authority at least every two years, and more often if required, for example due to legislative or regulatory changes, in conjunction with Applicants and other appropriate persons or organisations.
- 21.3. Should any further amendments be made to this Policy, the Local Authority will take such steps as it considers reasonable, within a reasonable period of time, to bring to the attention of those likely to be affected by:

- A. any subsequent alteration to this Policy that would affect the relative priority of a large number of Applicants; and
- B. any significant alteration to any associated procedures for administering this Policy.

21.4. The demand, supply and utilisation of temporary accommodation will periodically be reviewed and this Policy will be amended accordingly based on any future findings.

22 Legislative framework

22.1. This Policy has been developed having regard to all relevant legislation, statutory guidance and case law applicable at the time of publication. Where legislation or statutory guidance changes, the Council will interpret and apply this Policy in accordance with the updated legal requirements.

22.2 This Policy document will be subject to ongoing review to reflect any changes in legislation or operational need but will be reviewed as a minimum annually. Where there are changes, or changes to legislation which impact on the Policy, then this will require the appropriate governance.