

# **Placement Policy - Temporary Accommodation and Private Rented Accommodation (PRSO)**

This document sets out Croydon Council's policy for the placement of households in temporary accommodation and private rented accommodation, both inside and outside the Borough.

It covers both interim placements made under Section 188 Housing Act 1996 ("HA96"), while homelessness enquires are undertaken, longer term temporary accommodation placements for households accepted as homeless under Section 193 HA 1996 and a private rented sector offer defined by section 193(7AC) with a view to bringing the section 193(2) duty to an end.

The policy applies to both existing and future applicants.

Reviewed: September 2024

## **1.0 Aims of Policy**

- 1.1 This policy relates to the allocation of temporary accommodation (Part VII Housing Act 1996) and private rented sector offers (PRSO)
- 1.2 This policy applies to all those households who have been accommodated by the Housing Service. The policy does not cover households who have secured their own accommodation in the private rented sector as the Council will not have been able to assess the suitability of accommodation in these circumstances.

## **2.0 Who is this policy for?**

- 2.1 Council officers involved in the placement of households in accommodation
- 2.2 This document is primarily for use to guide officers making placements in temporary accommodation; the same principle will apply for the use of private sector offers.

## **3.0 Legal Framework**

The policy complies with:

- The Housing Act 1996, as amended by the Homelessness Act 2002 & Homelessness Reduction Act 2017
- The Localism Act 2011
- Equality Act 2010
- Homelessness (Suitability of Accommodation)(England) orders 1996, 2003 & 2012.
- Supplementary Guidance on the Homelessness changes in the Localism Act 2011 & the homelessness (Suitability of Accommodation)(England) Order 2012
- The Homelessness Code of Guidance
- The Homelessness and Rough Sleeping Strategy 2024 – 2029
- The Housing Allocation Scheme
- Children Act 1989 (in particular S.17)
- Children Act 2004 (in particular S.11)

## **4.0 Policy statement**

- 4.1 Croydon Council is committed to securing suitable temporary accommodation for homeless households where this is required under section 188 or section 193 of Part 7 of the Housing Act 1996 (as amended). This is in the context of a severe shortage of affordable rented accommodation in Croydon and in London generally. Our aim is to provide accommodation within Croydon wherever possible, but unfortunately this is not always achievable.
- 4.2 The council will place households with family commitments in Bed and Breakfast accommodation as a last resort. Where the Council is not able to avoid this, the Council will strive to reduce the length of time families spend in such accommodation.
- 4.3 The council will make strenuous efforts not to split families in different units. The decision to do so will not be taken lightly and will be very carefully considered. Where the Council is not able to avoid this, the Council will strive to reduce the length of time families spend in such accommodation



## 5.0 Demand and supply

- 5.1 As per section 208 HA 1996, and paragraph 16.7 of the Homelessness Code of Guidance, so far as reasonably practicable, the Council seeks to accommodate homeless households in Croydon and always considers the suitability of the accommodation, taking into account the circumstances of the individual household. However, due to an acute shortage of affordable housing locally, and rising rental costs, an increasing number of households are likely to be placed outside the borough, as it will not be reasonably practicable to provide accommodation within Croydon. The application of housing benefit caps, Local Housing Allowance (LHA) rates within the borough, welfare reform, universal credit, together with restrictions upon overall benefit entitlement, has further restricted the number of properties that will be affordable to homeless households in Croydon, and particularly larger families.
- 5.2 When determining whether it is reasonably practicable to secure accommodation in Croydon, as opposed to simply what is reasonable, the cost of the accommodation is a relevant and proper consideration. The reality is that the demand for housing greatly exceeds supply, rent levels remain high and affordability remains a primary obstacle not only in respect to securing PRSO accommodation but also in respect to securing all forms of temporary accommodation within our borough boundaries.

## 6.0 Suitability of accommodation – factors to consider.

- 6.1 **Accommodation available in the borough** – if suitable accommodation is available in the local authority area, applicants will be housed in Croydon, allowing them to maintain any established links with services and social/support networks. However, when there is a lack of suitable accommodation or there are higher priority households awaiting accommodation in the borough, out of borough placements will be used to meet the Council's housing duty (see *section 7 on the criteria for prioritising households for local accommodation below*). Given the shortage of accommodation locally, bed and breakfast in/outside of the borough may be considered suitable for short-term interim placements. All
- 6.2 **Affordability**: 'Affordability' has been defined in this policy as: "the household must have its equivalent level of income support or income-based jobseeker's allowance (whether claimed or not) available to spend on reasonable living costs after accommodation costs have been deducted from the household's income". Due regard will be paid to the Code of Guidance when assessing affordability.
- 6.3 **Size and location of the property and the availability of support networks in the area** – accommodation must provide adequate space and room standards for the household and be fit to inhabit. (To ensure that the property is suitable in terms of space and arrangement in light of the relevant needs, requirements and circumstances of the household. e.g. Health or mobility issues). In deciding on the fitness of the property, consideration would be given to the length of time needed to complete any necessary repairs and whether it is reasonable to complete these while the property is occupied. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden are unlikely to be acceptable reasons for a refusal.
- 6.4 **Health factors** – the Council will consider health factors, such as ability to get up the stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Croydon. The key test in determining



the impact of medical issues is whether the condition itself makes the housing offered unsuitable. Some medical circumstances would not normally make a property unsuitable, as the problems would persist in any sort of accommodation.

- 6.5 **Education** - attendance at local schools will not be considered a reason to refuse accommodation, though some priority will be given to special educational needs and students who are close to taking public examinations in determining priority for in-borough placements.
- 6.6 **Employment** – the Council will consider the need of applicants who are in paid employment to reach their normal workplace from the accommodation that is secured.
- 6.7 **Proximity to schools and Services** - The council will consider the proximity to schools, public transport, primary care services, and local services in the area in which the accommodation is located.
- 6.8 **Any special circumstance** - The Council will consider any other reasons for refusal put forward by the applicant and come to an overall view about whether the offer is suitable.
- 6.9 We will only make one offer of suitable accommodation having considered:-
  - The suitability assessment outcome carried out with the applicant as outline in section 6 of this policy
  - The criteria set out in section 7.3 of this policy.

A refusal of a suitable offer will result in discharge of the Council's housing duty if a property has been unreasonably refused.

- 6.10 Section 9 of the policy sets out the legal right of the applicant to request a review if the applicant is not satisfied with the decision.

## **7.0. Criteria for prioritising placements inside/outside of Croydon**

- 7.1 As the borough faces increase in demand, there is pressure to house applicants outside the area. It is therefore necessary to make decisions about the suitability of placements for individual households and balance these against the type and location of temporary accommodation and private rented accommodation that can be offered. In many cases housing outside of the borough will be more sustainable for the household in the long term, with lower rents allowing them to better meet their subsistence and household costs and avoid rent arrears.
- 7.2 The aspiration remains to place all households in accommodation in the borough (Zone A). However, where there is insufficient accommodation to meet demand on any given day, the criteria set out below will be used to prioritise allocation.
- 7.3 **Zone A** – accommodation in the borough of Croydon  
Priority for available in-borough accommodation will be given to certain households who the Council has assessed as having a particular need to be housed within the London Borough of Croydon. Households who satisfy one or more of the following criteria set out for Zone A below will be considered as having a priority for accommodation within the borough.



An 'In-borough' priority does not guarantee an in-borough placement, but should suitable and affordable accommodation be available within that area on the day of placement, it does give that household priority over others without this assessed priority. If no in-borough accommodation is available an offer of accommodation as close to the borough as possible will be made.

7.4 **Zone B – accommodation close to the borough**

Priority for accommodation close to the borough which is defined as accommodation located within a specific travelling distance of the London Borough of Croydon by public transport. This will apply to applicants or their household members who satisfy one or more of the criteria set out for Zone B below.

Such priority does not guarantee a placement within the suggested travelling distance of the London Borough of Croydon by public transport, but should suitable and affordable accommodation be available within that area, it does give the household priority over others without that assessed priority. If no accommodation within a specific travelling distance from Croydon is available, an offer of accommodation close to the borough as possible will be made.

7.5 **Zone C – accommodation in any area including outside of London**

Applicants who do not meet any of the criteria set out for Zones A or B will be offered properties further afield than 90 minutes travelling distance of the London Borough of Croydon by public transport.

<b>Zones</b>	<b>Location</b>	<b>Priority Group</b>
<b>Zone A</b>	Households in this group will be prioritised for accommodation in London Borough of Croydon	<ul style="list-style-type: none"><li>• Households with one child (or more) who has an Education Health and Care (EHC) plan in Croydon</li><li>• Households with one child (or more) subject of a Child Protection Plan; or families who are currently helped by Children Services where it is confirmed and accepted by Housing Service that a transfer to another area would significantly impact on their welfare.</li><li>• Care experienced young adult (CEYA)</li><li>• Households with significant medical needs or a severe learning disability where one child (or more) attends a special school in Croydon</li><li>• Households where one person (or more) has a severe and enduring physical condition requiring intensive and specialist medical treatment and this treatment is only available in Croydon</li><li>• Households where one person (or more) has a severe and enduring mental health problem and is/are receiving psychiatric treatment and aftercare provided by mental health services and have an established support network</li></ul>



		<ul style="list-style-type: none"> <li>• Households with one or more persons in receipt of a significant care package administered by the Council, and/or the NHS, which cannot be transferred to another area</li> <li>• Households who have a longstanding arrangement to provide care and support to another family member in Croydon, who is not part of the resident household, and would be likely to require statutory health and social care support if that care and support ceased and there were no other relatives willing and able to provide that care or other suitable arrangements available. The family member would usually be a parent or sibling, but other relations might also be appropriate if no other relative was willing and able to provide care.</li> </ul>
<b>Zone B</b>	Located outside Croydon but within 90 minutes' travelling time by public transport from the nearest boundary of Croydon. These areas include Wandsworth, Lambeth, Lewisham, Merton, Southwark, Bromley, Kingston Upon Thames, Sutton and Richmond as well as surrounding areas of London such as Surrey or Kent.	<ul style="list-style-type: none"> <li>• Households where one person or more are in permanent and settled employment where they have been continuously employed for a period of six months and for 16 hours or more per week - <i>within the DWP guidelines on reasonable travelling times for employment</i>.</li> <li>• Women who are on maternity leave from employment.</li> <li>• Families with children due to take GCSEs, AS, A Levels or BTEC exams (or equivalent).</li> <li>• Households interested in moving out of Croydon</li> </ul>
<b>Zone C</b>	Any area including outside of London	<ul style="list-style-type: none"> <li>• Households not meeting the criteria for Zones A and B</li> <li>• Households where risk of gender-based or gang and drug-related violence makes a move outside London preferable</li> <li>• Households interested in moving out of London</li> </ul>

## 8.0 Support for Households

8.1 Where possible, we will offer households who move out of the borough and its vicinity, relocation support such as information about the area. The level of support will depend on the individual and collective needs of the household.



## **9.0 Right to Review**

- 9.1 Households have a statutory right to request an internal review regarding decisions we make on several issues. One of these is suitability of accommodation.
- 9.2 If the outcome of the review is in the household's favour, this means that the decision to end our duty is set aside and we will then make a further offer of accommodation.
- 9.3 If the household is not satisfied with the outcome of the review, they can appeal to the County Court, but only if the Council has made a legal error when making the decision. An appeal must be brought within 21 days of notification

## **10.0 Reviewing the Policy**

- 10.1 The Policy will be monitored and reviewed regularly in consultation with the Lead Member for Housing to ensure its effectiveness.

- 10.2 Amendments to this policy will be made as and when required.

## **11.0 Equalities statement**

- 11.1 The Council is committed to promoting fair and equal access to services and equal opportunities in employment, the procurement of goods and as a community leader. The Council's policies, procedures and day to day practices have been established to promote an environment which is free from unlawful and unfair discrimination, while valuing the diversity of all people.
- 11.2 Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability and age is not acceptable: the Council will take action to ensure no person using the council's premises or services receives less favourable treatment or is disadvantaged by requirements or conditions that cannot be justified. The Council will tackle inequality, treat all people with dignity and respect and continue to work to improve services for all service users
- 11.3 The legal framework for the Council's approach is provided by the Equality Act 2010 and specifically by the Public Sector Equality Duty, under which a public authority must work consciously to eliminate discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people with differing characteristics.
- 11.4 In terms of the Placements Policy, data of protected characteristics will be held and reviewed to ensure that allocations have been made in a fair and consistent manner.

## **12.0 GDPR and Data protection Act 2018**

- 12.1 Housing Service recognise the commitment to ensure that all data is:
  - Processed lawfully, fairly and in a transparent manner.
  - Collected for a specific and legitimate purpose and not used for anything other than this stated purpose, or as provided for in our privacy and fair processing notices.
  - Relevant and limited to whatever the requirements are for which the data is processed.



- Accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay.
- Stored for as long as required, as specified within Housing Management's Records Retention policy.
- Secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and accidental loss, destruction or damage.

12.2 Further information about the Council's commitment to the General Data Protection Regulations is set out in the Council's website.

