

# Temporary Accommodation Policy

## 1. Overview / Policy Statement

- 1.1 This joint policy outlines approach of South Oxfordshire and Vale of White Horse District Councils (the councils) to the provision of temporary accommodation.
- 1.2 The councils are committed to providing safe and comfortable temporary accommodation, which provides security for tenants and licence holders while they find more permanent accommodation.
- 1.3 This policy will set out the councils' overarching approach to temporary accommodation. This includes:
  - The councils' statutory duties under the Housing Act
  - The types of temporary accommodation provided by the councils
  - The councils' approach to placement management and suitability
  - Moves within temporary accommodation
  - Animals and pets
  - Storage of belongings
  - Temporary accommodation charges
  - Support to households
  - Ending placements
  - Monitoring, oversight and record keeping.

## 2. Objectives

- 2.1 The objective of this policy is to clearly and transparently set out how the councils provide temporary accommodation, ensuring that a consistent and fair approach is taken.
- 2.2 This policy will provide clarity for households in temporary accommodation and those supporting them about what they should expect from the councils during the temporary accommodation process.

## 3. Scope

- 3.1 This policy sets out the councils' approach to the management of temporary accommodation.
- 3.2 This policy does not have bearing on how the council allocates temporary accommodation. The councils have a Joint Housing Allocations Policy which sets out how placements are allocated and prioritised.

- 3.3 This policy sets out an overview of temporary accommodation at the councils. It sits alongside a suite of housing policies which provide more detail on how the councils' temporary accommodation stock is managed. All such policies are listed under 'Relevant Policy and Procedure'.

## **4. Roles and Responsibilities for Delivery**

4.1 The roles and responsibilities for delivery are as follows:

- Property and Tenancy Officers: Day to day delivery of this policy
- Housing Landlord Team Leader: Management of operational delivery of this policy
- Housing Delivery Manager: Oversight of the strategic delivery of this policy
- Director of Housing and Environment: Overall responsibility for policy implementation

## **5. Legislation**

5.1 The relevant legislation is listed below:

- Housing Act 1996
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Protection from Eviction Act 1977
- Homelessness Code of Guidance for Local Authorities 2018
- Children Act 2004
- Equalities Act 2010
- Localism Act 2011
- Homelessness (suitability of accommodation) order 2012
- Care Act 2014
- Domestic Abuse Act 2021
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Renters' Rights Act 2025

## **6. Relevant Policy and Procedure**

6.1 The relevant policy and procedures are listed below:

- Joint Housing Allocations Policy
- Housing Anti-Social Behaviour Policy
- Housing Asbestos Policy
- Housing Compliance Policy
- Housing Damp and Mould Policy
- Housing Electrical Safety Policy
- Housing Fire Safety Policy
- Housing Furnishing Policy
- Housing Gas Safety Policy
- Housing Legionella Policy
- Housing Rent Arrears Policy

- South Oxfordshire Housing Rent Setting Policy
- Vale of White Horse Housing Rent Setting Policy
- Housing Repairs and Maintenance Policy
- Housing Void Policy
- Data Protection Policy

## 7. Policy and Procedure

### Duties Under the Housing Act

7.1 The councils provide accommodation to households under two duties. These are:

7.1.1 **Section 188:** [Section 188](#), also known as interim or emergency duty, requires housing authorities to ensure that accommodation is available for an applicant (and their household) if they have reason to believe that the applicant may:

- (a) Be homeless.
- (b) Be eligible for assistance; and,
- (c) Have a priority need.

The threshold for triggering the section 188(1) duty is low as the housing authority only has to have a reason to believe (rather than being satisfied) that the applicant may be homeless, eligible for assistance and have a priority need.

7.1.2 **Section 193:** [Section 193](#), also known as main duty, requires housing authorities to secure accommodation for an applicant, and those that normally reside with them, for a minimum of two years once they are able to confirm that the applicant is:

- (a) Homeless.
- (b) Eligible for assistance.
- (c) Has a priority need; and,
- (d) Did not become homeless intentionally.

7.2 When the councils accept an interim duty, they will make one suitable offer of temporary accommodation. This is an interim offer of accommodation pending a decision on the households' homelessness application. If the accommodation offer is refused, the household will need to find their own accommodation until a final decision is made on the households' homelessness application.

7.3 If the councils accept that a section 193 duty is owed, the councils will make another offer of temporary accommodation. If the household again refuses the offer, the Council has no duty to make any further accommodation offers.

7.4 If households do not take up accommodation offers or fail to occupy for reasons that are not considered reasonable, the placement will be ended and a further placement will not be offered. If there are valid reasons for non-occupancy, such as bereavement or time in hospital, then these will be considered on a case-by-case basis.

7.5 At the start of a placement, and at all other placements that may be made during the households stay in temporary accommodation, households will be asked to

sign agreements with the councils. These agreements set out the terms of the occupancy and the consequences of breaching the agreements will be explained.

## **Types of Temporary Accommodation**

- 7.6 If the councils accept a duty to provide temporary accommodation, the councils will offer to place households in several types of accommodation, including:
- 7.6.1 **Council-owned self-contained units** – Self-contained units include houses, flats and bungalows. This form of accommodation is owned and operated by the councils.
  - 7.6.2 **Shared accommodation blocks (hostels)** – The councils currently own and operate two hostels and may offer a room in a shared accommodation block as temporary accommodation.
  - 7.6.3 **Leased properties** – The councils may offer properties leased from third parties to households as temporary accommodation. For example, the councils have leased properties from the Ministry of Defence. This applies to the ARAP scheme operated in the Vale only.
  - 7.6.4 **Nightly paid accommodation (hotels/B&Bs)** - The councils use hotels and Bed and Breakfasts (B&Bs) primarily to provide emergency accommodation for those housed under a section 188 interim duty. When other forms of temporary accommodation are unavailable, those housed under section 193 main duty may also be accommodated in hotels or B&Bs.

The councils aim to minimise the number of households staying in nightly paid accommodation. The councils will seek to ensure that all applicants with dependent children, or applicants who are pregnant, spend no more than six weeks in bed and breakfast accommodation. The councils will also strive to ensure that households with mobility restrictions are placed within hotels or B&Bs that can accommodate their needs.

The councils are not under a legal obligation to provide cooking facilities, or to pay for enhanced provision such as breakfasts during hotel or B&B stays. If food provision is required (for example if a household has no access to funds), reasonable steps will be taken to minimise severe hardship. Further support will also be provided to restore household income, as outlined in this policy's 'support to households' subsection.

- 7.7 Households will be expected to agree to the requirements to occupy their accommodation, such as:
- A licence-to-occupy agreement provided by the council
  - A non-secure tenancy agreement provided by the council
  - The terms or rules applied by a hotel/B&B

## **Placement Management and Suitability**

- 7.8 If the councils accept a duty to provide temporary accommodation, the councils will consider the needs of the household as part of their assessment. When placing into emergency accommodation, there may be some circumstances in

which the councils are unable to provide accommodation that fully meets households needs. However, the councils strive to ensure that a suitable temporary accommodation placement is offered to households who are owed a section 193 duty within a reasonable timeframe.

7.9 Suitability is determined by many factors, including:

- The size of the property
- The ability of household members to access all facilities if they have additional support needs such as mobility issues
- Specific adaptations required such as a wet room
- The proximity of the accommodation to key locations for the household, such as schools, places of work, or medical treatment facilities
- Any risks associated with living in a particular area, such as previous domestic abuse.

7.10 The councils will generally strive to place households in accommodation that is within district. The councils recognise that placing households in their local area can be important in helping households maintain vital local support networks. However, in some circumstances an out of area placement may be required. These circumstances include, but not are not limited to:

- In-district safeguarding concerns. If a household may face risks from being placed in district (for example the presence of somebody who has perpetuated domestic abuse against a household within the area), the councils may look to place the household outside of the district.
- Households presenting with additional support needs that cannot be accommodated presently within the district.
- Demand spikes resulting in the councils being unable to source in district accommodation.

7.11 The suitability of a placement remains constantly subject to review. If a household's circumstances change such that their accommodation is no longer suitable (for example, new mobility restrictions making a home no longer accessible), the household should inform the councils as soon as possible. The councils will then strive to secure suitable accommodation for the household within a reasonable timeframe, but this will be dependent on the requirements of the tenant and the availability of suitable accommodation.

7.12 If a household has concerns that the accommodation they are offered is not suitable, they should inform a Property and Tenancy Officer, who will discuss their concerns. Property and Tenancy Officers can be reached by email [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

7.13 If the councils do not resolve the household's suitability concerns, households can request a review of the suitability of section 193 (main duty placements) under section 202 of the Housing Act. Households must request a review within 21 days of the housing being offered to them. The councils, in line with the recommendations of organisations such as shelter, will advise households to accept the offer of housing made to them even if they wish to pursue a review. This is to ensure that households have somewhere to stay during the review process.

## **Furniture**

- 7.14 The councils offer a furniture package to all households moving into council owned accommodation who require it, as outlined in the councils' furnishing policy. Before a household moves into council operated temporary accommodation, an assessment of what they require will be conducted by the councils. This will help determine which items are needed and avoid duplication or unnecessary provisions. The council will make best endeavours to provide items, but it is not duty bound to do so.
- 7.15 The councils will maintain a standardised list of essential furnishings for all properties in the furnishing policy. This will help to streamline the provision of items and ensure consistency across properties. The standardised list will be maintained and updated regularly to ensure it aligns with tenant needs and available resources.
- 7.16 Where there are small children, cots and stair gates will be offered.
- 7.17 Requests for specific items, such as douches or other specialised furnishings, will be reviewed on a case-by-case basis, particularly in relation to any cultural requests or additional support needs.

## **Moves Within Temporary Accommodation**

- 7.18 The councils recognise that moves within temporary accommodation can be destabilising to a household. The councils therefore aim to minimise moves.
- 7.19 Reasons that a household may be asked to move, include but are not limited to:
- More suitable accommodation becoming available (e.g. a self-contained unit becoming available for a household in a hotel).
  - The property becomes uninhabitable due to an unexpected event such as a fire or flood.
  - A safety issue, such as severe damp and mould or a broken heating system during winter, making accommodation unsafe for the household.
  - Situations where a household is housed in accommodation that has features, such as adaptations to make the home accessible to a person with mobility restrictions, which would better meet the requirements of another households. The councils may move existing accommodation users to accommodate the household in greater need of the adaptations in these circumstances.
- 7.20 Moves in temporary accommodation may be short-term. For example, if a hazard arises in a household which cannot be made safe for the household within a reasonable timeframe whilst they reside within their home, the councils will move the household on a short-term basis while they make the property safe. Short-term relocations within temporary accommodation may not fully meet suitability criteria for a household. However, the councils will strive to accommodate the needs of the household as far as reasonably practicable in such circumstances.

- 7.21 Moves in temporary accommodation may also be longer-term, as in the case of moving a household from a hotel to a more suitable self-contained unit. Where moves within temporary accommodation are longer-term, the councils will house households in suitable accommodation.
- 7.22 The councils will aim to provide as much notice as possible before moving a household within temporary accommodation. However, there are many circumstances in which notice will be short, as in the case of an unexpected hazard arising in a household's accommodation.
- 7.23 Households must move when the councils require them to do so. Failure to do so may result in the councils considering discharging their duties.
- 7.24 If households are concerned about a move within temporary accommodation, they should speak to a Property and Tenancy Officer, who will discuss their concerns.

## **Pets**

- 7.25 The councils define a 'pet' as a domesticated animal kept for non-commercial purposes. This includes, but is not limited to, dogs, cats, birds, rodents, fish, and other similar companion animals. The term 'animal' will be used to broadly refer to all animals, including wild, tame, and domesticated animals.
- 7.26 Accommodation users who wish to keep a pet in temporary accommodation must make a written request to the councils. The request should include a description of the pet, including species and breed and whether it is an assistance pet. No pet may be brought into temporary accommodation without written permission from the councils.
- 7.27 The councils may request additional information, including but not limited to the size, temperament, and training history of pets.
- 7.28 The councils will not unreasonably refuse requests to keep pets in temporary accommodation. The councils will consider every request to keep pets in temporary accommodation on a case-by-case basis, and will always respond within 28 days, or within 7 days of receiving any additional details requested.
- 7.29 Certain animals are prohibited in temporary accommodation, including dogs banned under the Dangerous Dogs Act 1991 and species listed under the Dangerous Wild Animals Act 1976. XL Bullies are now included under the 1991 Act and may only be kept where legally permitted and in full compliance with all statutory requirements applicable to exempted dogs. Should a tenant wish to keep an XL Bully in temporary accommodation, they must provide evidence of an exemption and adhere to all mandatory control measures.
- 7.30 Assistance animals are exempt from the standard permissions process and will be considered as members of a household rather than pets by the councils. Households with assistance animals must, however, notify the councils in writing

that an assistance animal will be living with them. This notification should include species and breed.

- 7.31 While the councils recognise the important role pets play in a household and will always seek to allow households to remain with their pets where possible, emergency accommodation that can safely and appropriately house pets is extremely limited. In emergency situations, especially where placements must be made on short notice, the councils may not be able to secure accommodation inclusive of pets. However, assistance animals which hold a protected status will always be accommodated.
- 7.32 If the councils have reason to believe that a pet in temporary accommodation is being improperly cared for, or that the animal is causing a nuisance to neighbours or the surrounding community, a Property and Tenancy Officer will investigate. If they have reason to believe there is cause for concern, they will issue a warning to the household. If the issue remains unresolved, the matter will be referred to the councils' Environmental Protection team, who will investigate the matter.
- 7.33 Problems that may trigger such investigations include, but are not limited to:
- Unreasonable and persistent noise (for example a barking dog)
  - Keeping an animal in a manner that causes foul odours, waste accumulation, or poor hygiene
  - Allowing an animal to roam or behave in a way that interferes with neighbours' use and enjoyment of their homes.
- 7.34 If a household accommodated by the councils repeatedly fails to address issues relating to improper animal care or nuisance, or should they keep an animal without the councils' permission, they may be in breach of their accommodation agreement. In such cases, should households fail to cooperate with the councils, tenancy-related enforcement action proportional to the severity and persistence of the problem may follow, up to and including possession action.
- 7.35 Should a household's pet or animal attack or endanger a tenant or member of staff, proportional enforcement action, up to and including possession action may follow. The matter will additionally be referred to the councils' Environmental Protection team and, where appropriate, the Police.

### **Storage of Belongings**

- 7.36 When a household is placed is accommodated by councils, it is recognised that households may be unable to protect their personal property, particularly in circumstances where accommodation is limited in size or unsuitable for storing larger or bulky belongings, as is the often the case in hotels and hostels.
- 7.37 Under section 211 of the Housing Act 1996, the councils have a duty to take reasonable steps to prevent the loss of, or prevent or mitigate damage to, a household's personal property where the councils have reason to believe that:
- (a) There is danger of loss of, or damage to, any personal property of an applicant by reason of his inability to protect it or deal with it, and

(b) No other suitable arrangements have been or are being made.

- 7.38 The councils will take steps, where reasonably practicable, to allow households to store their belongings in council owned and operated temporary accommodation.
- 7.39 In circumstances where a household cannot safely store essential belongings and is unable to make arrangements independently, the councils will make provisions for secure storage, which may include the collection and storage of items through a third-party contractor.
- 7.40 If storage arrangements outside of the accommodation provided are necessary, households will be encouraged to, wherever possible, to make their own storage arrangements. Where the councils provide storage, reasonable charges may be applied such that households contribute to costs such as collection, storage fees, and delivery to future accommodation. In cases of financial hardship, the councils will conduct a financial assessment which may result in reduced or eliminated contributions, or a payment plan.
- 7.41 The councils may decline to store items that pose a potential hazard, such as items impacted by infestation or mould.
- 7.42 The councils' duties regarding accommodation users' property ends when the councils determine there is no continuing risk of loss or damage to property. For example, if a household moves from a hostel to a self-contained unit with room to store belongings, the councils' duties will end. The councils' duties will also end if a household moves into settled accommodation.
- 7.43 Should the councils' duty end, the council will notify the household in writing. If the councils are in possession of items and the whereabouts of the owner are unknown serve the relevant notices to the last known addresses and will utilise known contact methods where possible. If the property is not retrieved within 28 days following written notice, the councils may dispose of the unclaimed items.
- 7.44 If the councils are required to dispose of property, reasonable charges may be made to the household for doing so.

### **Temporary Accommodation Charges**

- 7.45 Households are expected to pay the charges associated with their temporary accommodation. Charges may include rent (as set out in the councils' rent setting policies), in addition to other reasonable charges households may incur. Additional charges may arise for reasons including, but not limited:
- Damage caused by tenants that results in rechargeable repairs
  - The removal of non-gifted furniture, fittings and fixtures from a property
  - Costs incurred storing or disposing of belongings, as previously outlined in this policy.

- 7.46 Households that are eligible for housing benefit will be assisted to access housing benefit to assist with the costs associated with temporary accommodation. If households are not eligible for housing benefit, or if there is a shortfall between the benefit and the rent, they will be expected to pay for their accommodation and stay.
- 7.47 The councils will work with tenants who fall into arrears to offer support. The councils will also strive to negotiate reasonable payment plans with households. Details of how the councils manage households in arrears can be found in the councils' joint Housing Rent Arrears Policy.

### **Support to Households**

- 7.48 The councils are committed to providing accommodation users a robust support offer. Property and Tenancy Officers may offer a range of support, including but not limited to:
- Assistance with income maximisation
  - Assistance with benefit claims and maximisation
  - Management of household charges and arrears, including negotiating fair and reasonable payment plans
  - Referrals to other agencies, including statutory agencies or third-party support agencies
  - Applications for, or access to, grants
- 7.49 Safeguarding referrals will always be made where necessary. The councils are committed to multi-agency working and will attend all relevant multi-agency meetings pertaining to accommodation users.
- 7.50 The councils recognise that some tenants may need additional assistance and support. Officers will engage with tenants to identify additional support needs at the earliest opportunity and will assist in identifying and securing appropriate support for tenants to manage and sustain their tenancies. Tenants may be classed as having additional support needs for one or more of (but not limited to) the following reasons:
- Physical disabilities
  - Mental health issues
  - Learning difficulties and/or intellectual disabilities
  - Being elderly
  - Being a former relevant child or qualifying care leaver
  - Terminal illness
  - Long-term health conditions and hospitalisation
  - Substance misuse dependency
  - Experience of domestic abuse
- 7.51 Should an accommodation user leave temporary accommodation without notice, the councils will attempt to contact the individual(s) and will liaise with other agencies as appropriate.

7.52 The councils are committed to ensuring that households accommodated in temporary accommodation are appropriately assisted in the process of moving on to longer-term accommodation.

### **Ending Temporary Accommodation Placements**

7.53 All households entering temporary accommodation will be made aware that the accommodation is not permanent. In most cases, households will leave temporary accommodation as they have secured longer-term accommodation. However, in some cases, the councils may have to take action to end a placement.

7.54 A duty to house households housed under section 188 (interim duty) would be discharged upon a section 184 decision is issued finding the household:

- Not homeless, or
- Not eligible, or
- Not in priority need, or
- Intentionally homeless.

7.55 Households housed under section 193 (main duty) would have their duty to be housed discharged if they:

- Refuse a final offer of suitable accommodation, or
- Cease to be eligible, or
- Become intentionally homeless from the temporary accommodation provided, or
- Voluntarily cease to occupy as their only or principal home, the accommodation provided.

7.56 Any household may be subject to possession action to end a placement for serious misconduct under the terms of their licence or tenancy. Examples of reasons to pursue possession action on these grounds include committing domestic abuse or serious anti-social behaviour (ASB). The ASB Policy details the levels of ASB.

7.57 Rent arrears may also be grounds for possession action. However, in non-secure tenancies, the Pre-Action Protocol for Possession Claims by Social Landlords will be followed.

7.58 Where the councils take action to end a placement made under section 188, written notice will be served ending the licence to occupy, including serving a section 184 decision if applicable. This notice should provide reasonable notice to the household. Reasonable notice will generally be 7 days. However, in cases where the occupier staying in place poses a safety risk (for example if they committed serious ASB), the notice period may be shortened to 24-48 hours.

7.59 Where the councils take action to end a placement made under Section 193, a notice to quit will be issued. Written issuing of an end-of-duty notice will also be issued as applicable. The notice period will be 1 month if payment is given on a monthly basis, or 4 weeks if payment is weekly.

- 7.60 When the councils take action to end a placement, Property and Tenancy Officers will take steps to ensure that the occupier(s) understand the implications of the possession action. Special care will be taken, including arranging support from third parties, where an occupier's support needs could be a barrier to understanding. Officers will also signpost households to legal support, including informing them of their right to request an internal review (section 202).

## Complaints

- 7.61 Should an occupier wish to make a complaint pertaining to their temporary accommodation, they can do so using the councils' complaints process. Details of how to make a complaint can be found on both councils' websites ([South](#) and [Vale](#)).
- 7.62 If an occupier has exhausted the councils' complaints process and is unsatisfied with the outcome, they may escalate the matter to the [Housing Ombudsman](#).

## Monitoring, Oversight and Record Keeping

- 7.63 The councils are committed to ensuring that temporary accommodation is managed in line with current legislation and best practice guidance. As such, this policy will be reviewed upon relevant legislative changes. Otherwise, the policy will be reviewed every 3 years.
- 7.64 All data stored and managed in order to provide temporary accommodation will be held in line with statutory data protection requirements, as outlined in the councils' Data Protection Policy.

## 8. Communication and Contact Information

- 8.1 For further information about this policy, please contact the Housing Team on email: [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

## 9. Alternative Formats

- 9.1 Please do not hesitate to contact a member of the Housing Team if you would like this policy in an alternative format, via email: [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

## 10. Change Records

Change Record	
Policy title	Temporary Accommodation Policy
Version number	1
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Author(s)	Housing Delivery Manager
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