

# **Criteria For The Placement Of Applicants Into Temporary Accommodation In Compliance With The 1996 Housing Act Part VII.**

**March 2012**

The Council has a statutory duty to provide temporary accommodation to homeless applicants in certain circumstances. This is governed by legislation. Guidance in how to perform the duty can be found in the Code of Guidance.

This policy draft is split into two parts. The first part contains details on the applicants the Council considers to be a priority for temporary accommodation in Kensington and Chelsea and the local surrounding areas.

The second part details how applicants are considered for temporary accommodation in the wider London area and outside London.

All placements are subject to a suitability assessment to determine the type and location of temporary accommodation that should be offered.

The criteria set out in Part 1 and Part 2 is not an exhaustive list; as this policy recognises that individual cases must be assessed on their own merit to establish whether they are sufficiently exceptional to depart from the policy.

## **Part 1 - Local Temporary Accommodation – Priority Applicants**

The six categories listed under sections one and two attract equal priority for local temporary accommodation, dependent upon the supply of suitable temporary accommodation and individual circumstances.

### **Part 1 - Section 1**

Priority for local temporary accommodation will be given to the following applicants.

**Under the following three categories, applicants will be assessed by the Council's Medical Assessment Team to determine eligibility under this criteria.**

- Applicants with a severe and enduring health condition requiring intensive and enduring specialist medical treatment only available in Kensington and Chelsea.
- Applicants who are in receipt of a significant care package and a range of healthcare options which cannot be transferred.
- Applicants with a severe and enduring mental health problem who are receiving psychiatric treatment and aftercare provided by local community mental health services and have an established



support network where a transfer of care would severely impact upon their ability to engage with treatment and care plans.

**Applicant households meeting the criteria under the following three categories will be considered to have priority for a local temporary accommodation placement subject to verification from employers or service providers.**

- Households containing a child or children with special educational needs who are receiving education or educational support at a local school in Kensington and Chelsea, or in a neighbouring borough and where a change to another school or learning establishment would be detrimental to their continuing development.
- Households with a child(ren) subject to a Child Protection Plan in Kensington and Chelsea or families who have high social needs who are linked into local support services and where it is verified that a transfer to another area could be detrimental to their welfare.
- Applicants who are currently employed in Kensington and Chelsea and who have been continuously employed for at least six months and where financial assessment confirms the cost of travel would render accommodation in another area unaffordable. Each case will be assessed on an individual basis. Pregnant women who are on maternity leave but who intend to return to work at their place of employment in Kensington and Chelsea will also be considered under the criteria.

**Part 1 - Section 2 - Criteria for allocating local temporary accommodation to low priority or non priority applicants**

- Properties that do not meet the needs of any priority applicant will then be offered to non priority applicants in temporary accommodation outside the borough on a date order basis. This means that properties should be offered to the applicant household that have been in temporary accommodation for the longest.

A refusal of a suitable offer will usually mean discharging duty if a property has been unreasonably refused.

**Part 2**

**The part deals with accommodation outside Kensington and Chelsea and outside the local area.**

The following three categories attract equal priority for accommodation outside Kensington and Chelsea and outside the local area, dependent upon the supply of suitable temporary accommodation and individual circumstances.

Priority for placement into properties in the greater London area will be given to:

- Applicant households containing a child or children who are attending a London school and who are enrolled on a public examination course.

- Applicant households who have full time employment in the London area.
- Applicant households who are living in temporary accommodation provided by the Royal Borough outside of London but who have been offered permanent employment in the London area.

Applicant households already placed by the Council in temporary accommodation outside London but who wish to return to the London area will be assessed in accordance with this criteria but weight will be given to those who have been living outside London for the longest period.

### **For new applicants being placed in temporary accommodation**

All applicant households undergo a suitability assessment to determine the type and location of accommodation that is considered suitable.

In a situation where more than one household needs to be placed but only one property is available in the London area and neither household meets the above criteria, preference will be given to the applicant household who has lived in Kensington and Chelsea for the longest time.

Applicants who are not considered a priority for temporary accommodation placement in Kensington and Chelsea or the local area (as in part 1) or who are not considered to have a priority for a temporary accommodation placement in the London area (as contained in part 2) will be considered for an offer of accommodation outside London (if conditions dictate that it is not reasonably practicable to provide accommodation in the London area).