

Report to Cabinet

Subject: Temporary Accommodation compliance and safety standards

Date: 4 September 2025

Author: Assistant Director – Housing and Resettlement

Wards Affected:

All Wards

Purpose

To seek approval to implement a Temporary Accommodation Maintenance Policy and Landlord Health and Safety Compliance Policy with an additional 6 supporting Safety Management Plans which will ensure the Council meets its legal and regulatory duties as a landlord in providing interim and temporary accommodation for those individuals and families that are homeless or at risk of becoming homeless.

Key Decision

This is not a key decision.

Recommendation(s)

THAT Cabinet:

- 1) Approves the Temporary Accommodation Maintenance Policy enclosed at Appendix 1**
- 2) Approves the Safety Compliance Policy and associated Safety Management Plans enclosed at Appendix 2-8.**

1 Background

- 1.1 A temporary accommodation audit was undertaken in March 2025. The audit concluded that the Council generally has a sound system of internal controls designed to achieve system objectives in preventing homelessness and providing temporary accommodation, with some exceptions identified. And although property maintenance checks were

being conducted, the findings showed these were not always being recorded due to resource limitations. The recommendations stemming from the audit has resulted in this report being submitted to Cabinet for approval.

- 1.2 Local councils have a duty to provide interim and temporary accommodation (TA) to individuals who are homeless and in priority need. This duty is outlined in the Housing Act 1996 and applies when a council has reason to believe an applicant may be homeless, eligible for assistance, and in priority need.

- 1.3 “Priority need” refers to individuals who are considered more vulnerable and thus require more urgent assistance from a local authority to secure housing. This includes people who are:

- **Vulnerable due to specific circumstances:**

This can include factors like old age, mental or physical disabilities, domestic abuse, or having been in care or prison.

- **Families with dependent children:**

Families with children under 16 (or under 19 if still dependent) are automatically considered to have priority need.

- **Pregnant women:**

Pregnant women are also automatically considered to have priority need.

- **Homeless due to a disaster:**

If someone becomes homeless due to a fire, flood, or other disaster, they have priority need.

- **Vulnerable due to other reasons:**

Some individuals may be considered vulnerable for other reasons, such as having been in the armed forces, having experienced violence, or having drug or alcohol problems.

- 1.4 While the terms "temporary accommodation" and "interim accommodation" are often used interchangeably, especially in the context of homelessness services, they can have slightly different meanings depending on the specific context and the local authority's policies.

- **Interim accommodation**

Often refers to the initial, short-term accommodation provided by a local authority while they assess an applicant's eligibility for longer-term housing support. It's a temporary place to stay while the council investigates a person's homelessness claim.

- **Temporary accommodation**

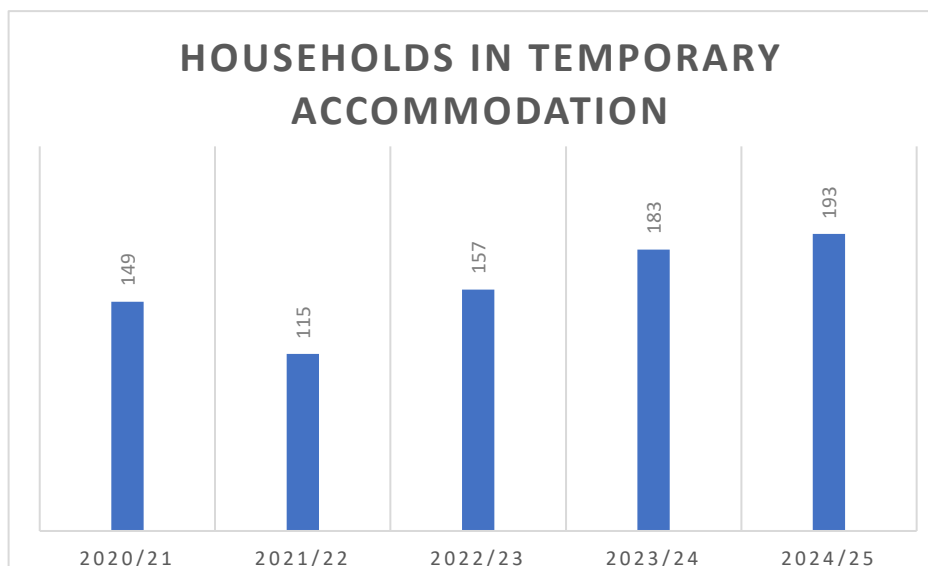
Is a broader term that can encompass both the initial interim accommodation and longer-term accommodation provided while the council finds a permanent solution for a homeless individual.

- 1.5 The Council currently owns 25 individual properties all located in the Borough and leases a further 8 properties which are all used to provide temporary accommodation to individuals and families that are homeless or at risk of becoming homeless.

The Council regularly reviews its temporary accommodation portfolio and has purchased 18 additional units since 2022.

The Council has also previously used bed and breakfast and nightly charged accommodation to address its statutory responsibility to provide temporary accommodation to those individuals and families in priority need however these Policies and Management Plans will not apply to that type of temporary accommodation. These specifically apply to the temporary accommodation the Council manages and are responsible for maintenance and repairs.

Due to an increasing number of homeless applications, the Council receives each year the demand for temporary accommodation continues to grow. This is reflected in the table below:



- 1.6 The Council has a legal duty to ensure the temporary accommodation it owns and manages is safe, free from serious hazards, is in a reasonable state of repair and meets all legal and regulatory standards.

The Council has a duty of care to all the residents it places in temporary accommodation and to any visitors to the property including Council staff and contractors.

The Council continues to deliver improvements to its housing repairs and maintenance services in its provision of temporary accommodation. In doing so the following areas of risk have been identified: -

- Asbestos
- Water management (Legionella)
- Electrical safety
- Fire
- Gas and other heating fuel systems
- Damp, mould and condensation

There is a need to ensure that there is an adequate level of oversight, awareness and knowledge to address these identified risks and responsibilities surrounding responsive repairs and maintenance. Furthermore, to have a clear understanding and appreciation of the standard of the properties and what is needed to ensure they remain fit for purpose.

There is also a requirement for all new and existing residents to fully recognise their rights and responsibilities. There is a requirement for them to fully understand the terms and conditions set out in the license agreement and report any safety concerns or repairs and maintenance issues to the Housing Options Team immediately. This should improve and ensure safety standards are maintained.

- 1.7 To assist in the Council in complying with its legal duties and responsibilities, and to set out a clear approach and process for both staff and individuals in temporary accommodation, the Housing Options Team has produced a suite of Policies and Management Plans which can be found at Appendix 1 - 8. These documents clearly set out the Council's approach to delivering a responsive repairs and maintenance service which meets the needs of residents, staff and contractors and enables the Council to meet its statutory and regulatory obligations as a provider of temporary accommodation.

- 1.8 The Council will undertake full condition surveys on all the existing temporary accommodation it owns and manages and any subsequent accommodation it acquires in the future.
- 1.9 The Council will review the findings of the condition survey reports and create a 5-year maintenance plan. The plan will involve scheduling regular inspections and maintenance tasks to preserve the property's condition and prevent unexpected issues. It will also ensure all planned preventative maintenance is undertaken at defined time intervals. This includes cycles for servicing and testing of equipment. The plan will outline the expected lifespan of various property components and establish a schedule for their maintenance and eventual replacement. This will also enable the Council to prioritise all programme works whilst setting effective maintenance budgets over the 5-year period.
- 1.10 The Housing Options Team will continue to maintain and enhance the licensee "introduction pack" issued to all new residents, with the aim of improving communication and the information available on accepting and moving into a temporary accommodation property. There will be a key focus on the individuals understanding and accepting their duties and responsibilities whilst residing in the property.

2 Proposal

- 2.1 The Council is committed to delivering a high quality, modern and effective repairs maintenance service to ensure that its temporary accommodation is comfortable, well maintained and safe for people to live in.

It is proposed that Cabinet approves the Temporary Accommodation Maintenance Policy enclosed at Appendix 1

- 2.2 It is also proposed that Cabinet approves the Safety Compliance Policy and associated Safety Management Plans enclosed at Appendix 2-8.

3 Alternative Options

- 3.1 Cabinet could choose not to approve the Temporary Accommodation Maintenance Policy and the Safety Compliance Policy and associated Safety Management Plans at Appendix 1 - 8. However, this is not recommended. As a provider of temporary accommodation, the Council cannot ignore its legal duties and responsibilities as a landlord, The proposed approach ensures the Council has clear written Policies and Management Plans which adhere to statutory health and safety requirements.
- 3.2 After consideration of the suite of Policies and Management Plans which can be found at Appendix 1 – 8 Cabinet could instruct the Housing Options Team to redraft or remove some of the policies or Management

Plans. Again, this is not recommended as careful consideration has been to all aspects when drafting the Policies and Management Plans. They adhere to statutory requirements and provide sufficient detail to assist residents, staff, contractors and visitors.

4 Financial Implications

- 4.1 Until the findings of survey have been concluded it is difficult to estimate the financial impact.
- 4.2 The service does have an ongoing general repairs budget along with an annual contribution to a property sinking fund, however as the costs are unknown at this stage it is uncertain whether there is sufficient budget.
- 4.3 Once the surveys have been conducted a business case would be required to understand the estimated costs and the phasing of any improvements to the properties.

5 Legal Implications

- 5.1 The Council has a statutory duty under the Housing Act 1996 to provide suitable temporary accommodation to eligible homeless applicants. In providing this accommodation the Council must ensure that the temporary accommodation it manages meets the Decent Home Standards set for social housing providers. While primarily aimed at social housing, it is also relevant to temporary accommodation. It sets out criteria for properties to be considered in a reasonable state of repair, with modern facilities, and free from serious hazards.
- 5.2 Temporary accommodation provided under homelessness legislation in England must also meet certain safety standards outlined in the Housing Act 1996 and the Housing Act 2004. Specifically, the accommodation must be deemed "suitable" for the applicant and their household, and this involves assessing various factors including the presence of Category 1 hazards under the Housing Health and Safety Rating System (HMSRS).
- 5.3 Additionally, the Regulatory Reform (Fire Safety) Order 2005 requires adequate fire safety measures are in place.
- 5.4 Failure to maintain accommodation to an acceptable standard may result in legal challenges, including judicial review or complaints to the Local Government and Social Care Ombudsman.

6 Equalities Implications

- 6.1 An Equality Impact Assessment can be found at Appendix 9 of this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 A Carbon Impact Assessment can be found at Appendix 10 of this report.

8 Appendices

- 8.1 Appendix 1 - Temporary Accommodation Maintenance Policy
- 8.2 Appendix 2 – Landlord Health and Safety Compliance Policy
- 8.3 Appendix 3 – Asbestos Management Plan
- 8.4 Appendix 4 – Damp and Mould Management Plan
- 8.5 Appendix 5 – Electrical Management Plan
- 8.6 Appendix 6 – Fire Safety Management Plan
- 8.7 Appendix 7 – Gas Management Plan
- 8.8 Appendix 8 – Legionella Management Plan
- 8.9 Appendix 9 – Equality Impact Assessment
- 8.10 Appendix 10 - Carbon Impact Assessment

9 Background Papers

- 9.1 None

10 Reasons for Recommendations

- 10.1 It is recommended that the enclosed Policies and Management Plans are endorsed to ensure that the Council:
- Provides temporary accommodation that is safe, in a good state of repair and is well maintained
 - Complies with the statutory requirements, legislation and good practice relating to the maintenance and repairs of residential properties
 - Addresses the 6 key risk areas of health and safety associated with rented accommodation
 - Provides temporary accommodation that meets the Decent Homes Standards

- Manages its temporary housing stock to agreed standards and performance levels with transparent monitoring systems and reporting arrangements
- Sets clear roles and responsibilities for both the Council and residents
- Identifies the different types of repairs and maintenance work and sets a clear work programme
- Reduce void periods ensuring accommodation is more available to those individuals and families that need support.
- Identify how rechargeable repairs will be recovered
- Provides a consistent, fair and equitable quality of service.
- Improve resident satisfaction

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer