

Overview & Scrutiny Committee

Agenda

Monday, 2 September 2024 at 6.00 p.m.
Council Chamber - Town Hall, Whitechapel

Members:

Chair: Councillor Jahed Choudhury

Vice Chair: Councillor Bodrul Choudhury

Councillor Suluk Ahmed, Councillor Ahmodur Khan, Councillor Abdul Mannan, Councillor Bellal Uddin, Councillor Amina Ali, Councillor Asma Islam, Councillor Amy Lee, Councillor James King and Councillor Nathalie Bienfait

Co-opted Members:

Jahid Ahmed and Halima Islam

Substitutes: Councillor Ahmodul Kabir, Councillor Saif Uddin Khaled, Councillor Amin Rahman, Councillor Maisha Begum, Councillor Mufeedah Bustin and Councillor Marc Francis

[The quorum for this body is 3 voting Members]

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Town Hall, 160 Whitechapel Road, London, E1 1BJ
<http://www.towerhamlets.gov.uk/committee>



Public Information

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The meeting will be broadcast live on the Council's website. A link to the website is detailed below. The press and public are encouraged to watch this meeting on line.

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

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A Guide to Overview and Scrutiny Committee

The Local Government Act 2000 established the overview and scrutiny function for every council, with the key roles of:

- Scrutinising decisions before or after they are made or implemented •
- Proposing new policies and commenting on draft policies, and
- Ensuring customer satisfaction and value for money.

The aim is to make the decision-making process more transparent, accountable and inclusive, and improve services for people by being responsive to their needs. Overview & Scrutiny membership is required to reflect the proportional political makeup of the council and, as well as council services, there are statutory powers to examine the impact of work undertaken by partnerships and outside bodies, including the Crime and Disorder Reduction Partnership and local health bodies.

In Tower Hamlets, the function is exercised by the Overview & Scrutiny Committee (OSC). The OSC considers issues from across the council and partnership remit. The Committee has 3 Sub-Committees:

- Children & Education Scrutiny Sub Committee
- Health & Adults Scrutiny Sub Committee
- Housing & Regeneration Scrutiny Sub Committee The committee's quorum is three voting members.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

Public Engagement OSC usually meets once per month (a few days before Cabinet, to allow scrutiny of decisions scheduled to be made there). These meetings are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the Council's website. More detail of how residents can engage with Overview and Scrutiny are available [here](#)

London Borough of Tower Hamlets

Overview & Scrutiny Committee

Monday, 2 September 2024

6.00 p.m.

SECTION ONE

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS (PAGES 5 - 6)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

3. UNRESTRICTED REPORTS 'CALLED IN'

The following decisions of the Mayor in Cabinet in respect of unrestricted reports on the agenda were called in:

3.1 Approval of the council's revised Homelessness Accommodation Placement Policy (Pages 7 - 70)

Next Meeting of the Overview & Scrutiny Committee

Tuesday, 10 September 2024 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



Agenda Item 2

DECLARATIONS OF INTERESTS AT MEETINGS, NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a DPI dispensation or for an interest to be treated as sensitive interest.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.


Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>2 September 2024</p>	
<p>Report of Linda Walker, Interim Director - Legal & Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Call in - Approval of the council's revised Homelessness Accommodation Placement Policy</p>	

Originating Officer(s)	Thomas French, Democratic Services Officer (Committee)
Wards affected	All

CONSIDERATION OF THE CALL IN

A call in request has been received on the decision of Cabinet, 10 July 2024 on Item 6.6 Approval of the council's revised Homelessness Accommodation Placement Policy

In accordance with the Council's call in procedure rules, the matter is referred to the Overview and Scrutiny Committee (OSC) for its consideration and to decide whether to refer the matter back to Cabinet for further consideration. The following procedure is to be followed by the Committee for consideration of the Call In:

- i. Chair to invite a call-in member to present call-in.
- ii. Chair to invite members of the Committee to ask question.
- iii. Chair to Invite Cabinet Member to respond to the call-in.
- iv. Chair to invite members of the Committee to ask questions.
- v. Followed by a general debate.

It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Cabinet decisions), or to refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

RECOMMENDATION

That the Overview and Scrutiny considers:

1. The contents of the attached report, review the Cabinet's decision (provisional, subject to call in) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Cabinet with proposals and reasons.

INTRODUCTION

On 10 July 2024, the Mayor in Cabinet considered a report on Approval of the council's revised Homelessness Accommodation Placement Policy

As a result of discussions on the report it was **RESOLVED**:

1. Approve the council's revised Homelessness Accommodation Placement Policy (Appendix A to the report) and new Homelessness Accommodation Procurement Strategy (Appendix B to the report).
2. Delegate authority to the Corporate Director of Housing and Regeneration should any further amendments be required because of new legislation or case law in consultation with the Mayor and Lead Member.

The decisions above have been Called-In by Councillors Marc Francis, Sirajul Islam, Asma Begum, Shahaveer Hussain and Mohammed Chowdhury. This is in accordance with the provisions of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

The Mayor in Cabinet also resolved to approve two pilot grant schemes and delegate authority to officers to administer them and to extend them/make them permanent. The Mayor in Cabinet decisions on the pilot grant schemes were not included in the call-in request, so these schemes have progressed to implementation.

In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4 June 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

REASONS FOR THE CALL IN

The call in requisition from the Councillors noted above has provided reason(s) for the call-in. The reason(s) are replicated below:

- The report to the Mayor in Cabinet removes the current 90 minute journey time as a maximum distance from Tower Hamlets statutorily homeless households are placed in temporary accommodation (TA).

- As set out in para 4.5, for the purposes of making an allocation, all units of temporary accommodation acquired will be categorised into Zones. These Zones are as follows:
 - Zone A – located in the borough of Tower Hamlets
 - Zone B – located in Greater London
 - Zone C – located outside Zones A and B but in the neighbouring counties and districts of Essex, Hertfordshire, Kent, Surrey, Berkshire, and Buckinghamshire
 - Zone D – located outside of Zones A, B and C
- In general, only families with children in their final year of GCSEs or A-Levels will be placed in TA in Tower Hamlets. Families with children in other year-groups could be placed anywhere in London and those whose children are not yet in school could be put anywhere in the ‘Home Counties’
- This approach appears to be based upon the one adopted by the former Conservative administration in the City of Westminster following the legal challenge on behalf of Titina Nzolameso in 2013 when she was told the only TA available was in Milton Keynes, which was upheld by the Supreme Court.
- The report argues that the current subsidy arrangement for homeless households in temporary accommodation mean that LBTH faces a significant deficit every week for every homeless household in TA and that this led to £12 cost to the General Fund in 2023/24.
- While it is true that local authorities find themselves subsidizing the costs of homelessness, the report fails to acknowledge that much of the cost in 2023/24 was because of the failures in management of the Homeless Service that resulted in hundreds of homeless families unlawfully spending months in unsuitable Bed and Breakfast hotels.
- In addition, the report fails to acknowledge the impact placements in TA far from support networks of family and friends can have severe consequences for vulnerable families, especially lone parents and those already suffering mental health problems.
- In recent years, Tower Hamlets Council also has a poor track record of helping homeless households get essential repairs done and proactively checking the condition and suitability of TA out of Borough, leaving children at risk from damp and mould and poorly-maintained electrics.
- Elected members have repeatedly raised concerns about the experiences of individual homeless families with the Housing Options Service. For some of us, the response to concerns about the suitability of TA is slow and inadequate, frequently requiring referrals to advice services for formal legal challenges.

- The Corporate Leadership Team has now brought forward changes to the management of this service and additional staff, which it states are the solution to the problems that have arisen in a service which had previously been awarded a Charter Mark for Customer Service.
- Between 1997 and 2010 the then Labour Government made significant improvements to the subsidy arrangements for TA that resulted in an end to the use of B&B for families with children beyond the six-week legal limit. While the new Government has not made a manifesto commitment to do this again, newly-elected MPs are already working with local authorities to make the case for this.

ALTERNATIVE COURSE OF ACTION PROPOSED

- This measure to send vulnerable homeless families even further away from Tower Hamlets is premature, unnecessary and does not take proper account of its impact on homeless families, and so the Mayor should reverse his decision to authorize it.
- Instead, the Mayor should instruct senior officers to focus some of the additional staff in the Housing Options Service to the procurement and management of TA in East, North East and South East London, and bring in external expertise to secure these homes.
- In addition, the Mayor should instruct officers to commission a survey of our homeless households to properly understand the impact of TA placements far from Tower Hamlets, and publish the results so that any future decision around locations is not just based on financial considerations.
- A decision on the necessity of any further reduction in the rights of homeless households should be made once the new Government's Comprehensive Spending Review has been announced in the autumn, including details of the funding settlement for local government and subsidy arrangements for TA are known.

Linked Reports, Appendices and Background Documents

Linked Report


- None

Appendices

- Appendix 1 – Approval of the council's revised Homelessness Accommodation Placement Policy

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

- None.

Cabinet 10 July 2024	 TOWER HAMLETS
Report of: Julie Lorraine – Corporate Director for Resources	Classification: Unrestricted
Approval of the revised Homelessness Accommodation Placement Policy and the new Homelessness Accommodation Procurement Strategy.	
Approval to commence pilot projects: (1) Cost of living grant scheme and (2) Find your own PRS scheme.	

Lead Member	Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding
Originating Officer(s)	Karen Swift – Director of Housing Abul Kalam – Service Manager, Housing Management & Procurement
Wards affected	All wards
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	01/02/2024
Exempt information	N/A
Strategic Plan Priority / Outcome	2. Providing homes for the future

Executive Summary

This report recommends the approval of the council’s revised Homelessness Accommodation Placement Policy.

The existing policy, which was effective from October 2021, is no longer fit for purpose given the current increase in homelessness, lack of availability of affordable and suitable accommodation in the borough and recent changes in legislation.

This report also seeks the approval of the Homelessness Accommodation Procurement Strategy, which sits side by side with the Homelessness Accommodation Placement Policy. The strategy clearly sets out the council’s approach as to how officers will procure available housing stock to discharge the council’s statutory

homelessness duties and responsibilities. The strategy will ensure that the council follows current legislation and provides clear guidance for staff to ensure affordability and suitability of accommodation which is procured for this purpose.

This report also seeks the approval of two pilot projects, (1) Cost of Living Grant Scheme and (2) Find Your Own PRS Accommodation Grant scheme, both of which will be integral to the council's ability to prevent and relieve homelessness and reduce numbers in temporary accommodation, particularly bed & breakfast and commercial hotels.

In addition, this report seeks approval from the Mayor and Cabinet to delegate authority to officers to administer and issue grants to residents under the Cost of Living and Find Your Own PRS Accommodation Grant schemes and to further, delegate authority to the Director of Housing to extend the pilots or make them permanent prevention initiatives, subject to available finances and in consultation with the Mayor and Lead member.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Approve the council's revised Homelessness Accommodation Placement Policy (Appendix A) and new Homelessness Accommodation Procurement Strategy (Appendix B).
2. Delegate authority to the Corporate Director of Housing and Regeneration should any further amendments be required because of new legislation or case law in consultation with the Mayor and Lead Member.
3. Approve the two pilot schemes, (1) Cost of Living Grant Scheme and (2) Find Your Own PRS Accommodation Scheme, and to register both on the council's grants register.
4. Delegate authority to officers to administer and issue grants to residents under the Cost of Living and Find Your Own PRS Accommodation Grant schemes.
5. Delegate authority to the Director of Housing to extend the pilots or make them permanent prevention initiatives, subject to available finances and in consultation with the Mayor and Lead member.

1 REASONS FOR THE DECISIONS

- 1.1 The council has a statutory homeless duty.
- 1.2 Failure to revise the Homelessness Accommodation Placement policy leaves the council open to legal challenge and judicial review. The availability of suitable accommodation for those requiring temporary accommodation is becoming increasingly challenging. By remaining unable to procure suitable temporary accommodation across a wider geographical area, the council remains reliant on the use of expensive bed and breakfast and commercial hotels in the borough and surrounding areas. This is detrimental to the health and well-being of residents and costly to the council.
- 1.3 Bed and breakfast accommodation and commercial hotels present

significantly higher costs to the council which currently average at £982.10 per week. Suitable and more affordable accommodation can be found outside of the current parameters set out in the current policy. The current policy has rigid fixed travel time of up to 90 minutes away from the borough.

- 1.4 Revising the policy in light of legislative and case law establishes a transparency and openness of the council's approach in how accommodation for homeless households is allocated, including but not limited to, why some residents are placed in the borough, while others are not.
- 1.5 The Homelessness Accommodation Procurement Strategy sets out the council's approach as to how accommodation will be procured to discharge the council's statutory homelessness duties and responsibilities. It will ensure that the council follows current legislation and provides a reference point for staff to make their decisions.
- 1.6 The two new proposed pilot grant programmes - the Cost of Living Grant and the Find your Own Private Rented Accommodation scheme are incentives to encourage host households to allow family members to remain and for those being evicted from private rented a grant to find alternative private rented accommodation.
- 1.7 The cost of living grant should cover the majority of the costs for the main householders of keeping non-dependant household members in the family home.

2 ALTERNATIVE OPTIONS

- 2.1 Failing to amend the Homelessness Accommodation Policy places continued and significant pressure on the council to find suitable temporary accommodation.
- 2.2 By not amending the policy and continuing to procure expensive Temporary Accommodation due to the continuation of a rigid fixed travel time from Tower Hamlets, there will remain a significant housing benefit subsidy loss as the council is only able to secure 90% of rent in temporary accommodation at 2011 LHA levels. This leaves a significant shortfall in the money secured to cover cost of the accommodation.
- 2.3 Landlords in London are now opting for guaranteed rents, so properties will continue to be procured at high rates if the council continues to focus on just procuring accommodation both temporary and in the private rented sector in the borough and greater London alone.
- 2.4 Failure to approve the Homelessness Accommodation Procurement Strategy would mean that clear direction to officers in the procurement of suitable and affordable accommodation would remain a challenge and at times undeliverable.

- 2.5 Not approving the 'Find Your Own' Scheme or the Cost of Living Grant for residents who are homeless or at risk of homelessness will mean that those residents who would be empowered and able to source their own accommodation or families helped with expenses to host a family member would be reliant on the council homeless services for finding them somewhere to live.

3 DETAILS OF THE REPORT

- 3.1 The council has a statutory duty to provide temporary accommodation as emergency housing for homeless households where a homelessness duty may be owed.
- 3.2 Temporary accommodation takes two forms – In the first instance, it is emergency accommodation (called stage 1), for use during the relief stage of homelessness and while a household's homeless application is being assessed.
- 3.3 The second type of temporary accommodation is longer-term, (stage 2). This accommodation is for households where the council has accepted a housing duty to them and is provided until suitable longer term accommodation is available.
- 3.4 Stage 1 accommodation is generally 'nightly booked' as it is only intended to be for short periods of time and is more expensive than longer term Stage 2 accommodation.
- 3.5 The council has arrangements with local landlords for accommodation and uses its own stock and obtains accommodation from partner registered providers (housing associations) to provide Stage 2 accommodation. In addition to these leased forms of accommodation, the council makes Private rented sector offers ("PRSOs") to homeless households where it has accepted a housing duty to them of private rented accommodation on the basis of a fixed term Assured Shorthold Tenancy. The council makes these offers to provide people with sustainable, affordable, and more settled accommodation as an alternative to a long wait in temporary accommodation for social housing.
- 3.6 Rising rates of homelessness not only in the borough but across London post pandemic and resulting from the national cost of living crisis has seen a soaring demand for both temporary and private rented sector accommodation within the borough.
- 3.7 At the same time, the supply of in-borough accommodation has also become unaffordable for low-income households. Keeping homeless households in temporary or private rented sector accommodation in the borough requires significant financial support from the council.

- 3.8 Given the financial constraints that the council finds itself operating in over the last few years, it is not financially sustainable to place all homeless households within the borough. The council will therefore be allocating temporary accommodation in line with its new Homelessness Accommodation Placement Policy. This means that the council may look beyond its own borough and the Greater London area to meet its legal duty to secure suitable accommodation, in order to procure suitable and affordable homes.
- 3.9 If the council was to find itself in the position where a steady supply of affordable temporary accommodation becomes available due to significant government investment, changes to welfare benefits and Local Housing Allowance, then a review of the policy will be undertaken.

Homelessness Accommodation Policy

- 3.10 The revised Homelessness Accommodation Placement Policy clearly sets out the council's approach to using available housing stock to discharge the council's statutory homelessness duties and responsibilities.
- 3.11 The policy will ensure that officers follow current legislation and provides a reference point for staff to make their decisions. The revised policy replaces the existing policy and will be applied to both new and existing clients from the date of implementation.
- 3.12 The material change in the new policy against the existing policy is the removal of the 90 minutes travel time back to the borough from where the placement is made, whether temporary accommodation or private rented sector accommodation.
- 3.13 There are 2880 households in temporary accommodation who are placed in the borough, outside of the borough and outside of London.
- 3.14 With regard to private rented accommodation for discharge of duty, prior to 2022 there was a steady supply of in-borough private rented accommodation available, but this has significantly reduced. The council has increasingly been using out of borough provision and this is set to continue.

New private rented lets	In-borough	Outside of Borough
2020/21	175	271
2021/22	194	306
2022/23	53	225
2023/24	31	211

- 3.15 Being able to procure outside of Greater London, for the purposes of temporary and private rented sector accommodation, will make the accommodation affordable for the resident and the council.
- 3.16 Under the Homelessness Code of Guidance, families should be in bed and

breakfast or hotel accommodation for up to a maximum of 6 weeks. This is significantly hard to achieve given availability of accommodation in the placement areas that the current policy focuses on.

- 3.17 The significant change in the current policy and the proposed new Placement Policy is the removal of the 90 minutes journey time back to the borough from where a placement has been made.
- 3.18 The council will now use 'zones' when procuring and allocating temporary and private rented sector accommodation.
- 3.19 The zones have been set out below. Including these zones will enable the council to have a robust and clear policy and procedure on how properties are allocated. This policy will also serve to reduce the number of judicial reviews brought against the council when being challenged on suitability. Having zones, will give the council greater control on allocating accommodation, while being able to audit placements made for transparency. Areas in zone C are subject to change considering supply in a specific area or county.
- Zone A – located in the borough of Tower Hamlets
 - Zone B – located in Greater London
 - Zone C – located outside Zones A and B but in the neighbouring counties and districts of Essex, Hertfordshire, Kent, Surrey, Berkshire, and Buckinghamshire
 - Zone D – located outside of Zones A, B and C
- 3.20 The policy has significant safeguards in relation to priority for in borough placements, these are set out in paragraphs 3.1 – 3.5.

4 Homelessness Accommodation Procurement Strategy

- 4.1 Officers endeavour to procure good quality accommodation however, the council recognises that more could be done to ensure that the accommodation remains of good quality during the residents' occupation. Some landlords have recognised the high demand for accommodation by local authorities and have allowed the quality of accommodation to drop. This includes their responsiveness to repairs that need to be carried out to ensure that accommodation supplied is in a good state of repair, including free from mould and damp.
- 4.2 To prevent deterioration of accommodation the council will review the current Temporary Accommodation lease agreements between the council and its accommodation suppliers, to ensure greater emphasis is placed on the landlord's responsibility to get repairs done, with a mechanism in place for the council to carry out repairs when the landlord does not. The landlord will then be recharged for any repairs directly from the monthly payment the council makes to the landlord.
- 4.3 The new strategy sets out that where a new supplier of Temporary Accommodation has been procured, a minimum of 3-5 of the supplier's properties will be inspected to ensure that the properties meet the council's property standards. When a household is moved into the temporary property, the allocated Housing Officer will conduct a settling in visit within 4 weeks of the

placement being made, to ensure that the household has settled into the accommodation and the area.

- 4.4 Two further visits will be made each year to ensure that the household is managing in the property and to ensure that any repairs are carried out where required. This will also assist the council in ensuring that households are using the temporary accommodation as their main and principal home and to prevent subletting and/or fraud.
- 4.5 When procuring settled accommodation in the private sector, all properties will be inspected and/or an online virtual inspection will be conducted to ensure that the property is suitable and meets our needs and to satisfy Article 3 of the Homelessness Suitability of Accommodation (England) order 2012. Other relevant legislation, including but not limited to, the Housing Health & Rating System and the Homes (Fitness for Human Habitation) Act 2018 (HFHHA) will also be considered.
- 4.6 Where a license is required to let a property, the council will ensure that all due diligence has taken place, including but not limited to, assurance that the appropriate licenses are in place and that checks are undertaken with the local authority where the property is located.
- 4.7 When procuring accommodation in areas where the council is likely to make regular placements because there is a sufficient supply of suitable and affordable accommodation, the following checks, assessments, and information will be made, this list is not exhaustive, and this is set out clearly in the Homelessness Accommodation Placement Policy from paragraph 3.1-3.7 and 6.1-6.7.
 - Providing information about local services, amenities, and facilities
 - How to register for a GP
 - How to apply for a school placement
 - Has good transport links back to the borough.
- 4.8 The strategy sets out the end to end processes for officers when they are procuring accommodation for homelessness households, including how to assist with ensuring that a household settles into a new area, where applicable, and that they are able to access the local amenities.
- 4.9 To further support households to move into accommodation outside of the borough, the council can provide assistance with removals and transport and assisting with providing white goods and furnishings, where required.

5 **Cost of Living Grant scheme (CoLG)**

- 5.1 The cost of living crisis has seen increases in the cost of essential basic living - food, energy, clothing, and fuel.
- 5.2 Friends and family evictions are the biggest cause of homelessness in the borough, a pattern repeated across London and England generally. Failure to

stem this reason for homelessness is consequently a major contributor to rising numbers of households being accommodated by the council in temporary accommodation.

- 5.3 The council is limited in what it can do to prevent homelessness where residents are asked to leave because friends and family are no longer able to or willing to accommodate them, as those being asked to leave have limited accommodation rights under the law. The main prevention solution is mediation with the householder for the residents to remain in the property, which is generally dependent on persuasion and appealing to the householder's goodwill.
- 5.4 In 2023/24, the government introduced cost of living payments to help low-income households partly or in full receipt of tax credits and welfare benefits of circa £300 per quarter. Additionally, councils are making payments using the Household Support fund from the Department of Work and Pensions. In Tower Hamlets, this fund is used to make grants to residents through the Resident Support Scheme which can help with short-term living costs like credit, food and gas/electric pre-payment meters and can also help in some circumstances with white goods and furniture.
- 5.5 Householders however who provide accommodation for friends or relatives do not receive financial help associated with having long-term guests. The current cost of living payments are not specifically focussed on financial support for hosting a family member(s) in a householder's home for long periods of time.
- 5.6 These expenses can include replacing beds and mattresses or convertible sofas or other forms of bedding through day to day use, replacing kitchen appliances or bathroom and toilet fixtures or living room furniture, or carpeting or redecoration due to extra wear and tear. There are also additional energy costs for heating, hot water, and electricity to charge devices or lighting in rooms; paying for space saving storage solutions; low cost respite holidays either for the guest boarders or the householder as respite from either party. Financial assistance to meet these costs at a time when household budgets are already overstretched could help to sustain hosting arrangements.
- 5.7 The new cost of living payment will be offered to householders who have evicted family members or guests on the premise that the family member or guest can return to the property and will remain in occupation either in the medium-term or the short-term while sourcing a viable medium to long term accommodation option.
- 5.8 The payments will be made for up to 12 months subject to the host continuing the arrangement from one quarter to the next. The amounts will vary in accordance with the bedroom need of the family member/guest who has been asked to leave.
- 5.9 The project will initially run as a pilot for 6 months pending review.

6 Find your own PRS scheme (FYO)

- 6.1 'Find Your Own' (FYO) PRS Accommodation Grant intends to incentivise homeless households to self-source PRS accommodation. FYO's have been long-established in a number of London boroughs such as Haringey and Barnet and have been found to work.
- 6.2 The "Find Your Own" PRS Accommodation Grant is only available to homeless households who find their own PRS accommodation where they have been already placed in Temporary Accommodation by the council or where the council owes a duty under homelessness legislation to provide the household with Temporary Accommodation (s.188, Housing Act 1996). These are households with a priority need for accommodation under homelessness law who are owed either a Prevention, Relief or Main Housing Duty.
- 6.3 The purpose and use of the Tower Hamlets FYO PRS Accommodation Grant is intended to assist eligible residents in meeting the costs associated with moving and resettling into a new PRS home, for example:
- to buy new furniture
 - pay for removal costs.
 - buy new school uniforms if the move means children need to change schools.
 - to help clear any previous debts that could hinder a move, such as outstanding arrears, to ensure keeping up with rent in the new home is not impacted.
 - engage in social / sporting activities in the new location.
 - other costs which would enable the resident to move in promptly and / or result successful tenancy sustainment.
- 6.4 Grant levels will vary based on the size of the property sourced, with larger grants reflecting the higher costs associated with securing and moving into larger-sized accommodation. The Grant recognises the market difficulties confronted by households trying to source affordable family-sized accommodation of which there is a severe shortage.
- 6.5 The use and payment of the Grant will be considered and managed in line with Tower Hamlets Adult Safeguarding procedures to ensure minimal risk of harm or exploitation to vulnerable individuals and families. Any concerns raised or noted regarding a particular individual or family will be considered on a specific case-by-case basis.

7 EQUALITIES IMPLICATIONS

- 7.1 An Equality Impact Assessment has been conducted to support the revisions to the Homelessness Accommodation Placement Policy and the new Homelessness Accommodation Procurement Strategy. While officers have had due regard to the council's Equality Duty in the development of the and strategy, the council has a range of other responsibilities including a duty to set a balanced budget.

- 7.2 The council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. It is important that resources are allocated in accordance with priorities and that best value is achieved. The continued use of expensive temporary accommodation, the pro-longed use of nightly or bed and breakfast or commercial hotel accommodation in the borough is not sustainable on the public purse or to the benefit of residents who are placed in this accommodation due to a lack of affordable private rented sector accommodation in the borough.
- 7.3 It is evident that any risk of a disproportionately negative impact existing to one or more of the groups of people who share a protected characteristic under the Equality Act 2010 will be removed or reduced by implementing the actions detailed within the Impact analysis and by officers conducting of the suitability of accommodation test for all placements.
- 7.4 The necessary checks will be made to ensure that where placements are made outside of the borough and outside of greater London, the Housing Options Service will ensure that there are established communities whereby a diverse community can be catered for.
- 7.5 In assessing the suitability of an offer of accommodation, each case will need to be assessed on its own merits, considering both the nature of the property and the community that surrounds the property, to ensure that residents are not isolated in their new communities.
- 7.6 Where local accommodation is not possible, we will ensure that similar services are available to the resident in a new location and that support with the transition is available. Regular checks will also be made to ensure that there are adequate school placements, GPs available and any other support services required.
- 7.7 An Equality Impact Assessment has been completed to review and establish if there are any negative or disproportionate impacts on any of the protected characteristics that residents may identify with.
- 7.8 Householders currently providing accommodation for friends or relatives do not receive financial help associated with having long-term guests. There is currently no cost of living support available to residents hosting a family in their home for long periods of time. Financial assistance to meet these costs at a time when household budgets are already overstretched could help to sustain hosting arrangements and prevent and reduce the incidence of family and friends no longer willing or able to allow a homeless applicant or household to remain in the property.
- 7.9 The Find Your Own PRS Accommodation Grant Scheme will empower residents to take ownership and control over their housing options with more flexibility and choice in terms of location and type of property they source in the PRS. Those residents who receive a "Find Your Own" Grant payment should see that the payment help to reduce any financial barriers which prevented a resident from securing and settling into a new PRS tenancy. This in turn should

minimise the risk of the tenancy breaking down. The Grant supports long-term tenancy sustainment and fundamentally aims to reduce the risk of repeat homelessness which is costly to the council and disruptive to the resident and their household which will ultimately benefit all residents.

- 7.10 The use and payment of both grants will be considered and managed in line with Tower Hamlets Adult Safeguarding procedures to ensure minimal risk of harm or exploitation to vulnerable individuals and families. Any concerns raised or noted regarding a particular individual or family will be considered on a specific case-by-case basis.

8 OTHER STATUTORY IMPLICATIONS

- 8.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.
- 8.2 The legislation and caselaw relevant to accommodation provision to which the new policy has regard to:
- Housing Act (1996) Part 7
 - Homelessness Reduction Act (2017).
 - Homelessness Code of Guidance for local authorities, particularly 'Chapter 17: Suitability of Accommodation'.
 - The Homelessness (Suitability of Accommodation) (England) Order (2012).
 - The Equality Act 2010
 - Localism Act 2011
 - Children Act 2004
 - Domestic Abuse Act 2021
 - Homelessness (Suitability of Accommodation) Order 2012
 - Relevant case law relating to affordability of accommodation in relation to suitability– notably, but not exclusively, the judgement of the Supreme Court in the case of *Samuels v Birmingham City Council* (2019).
 - Travel to school for children of compulsory age 'Department for Education Statutory Guidance for Local Authorities'
 - Tenant and Landlord Act 1985
 - Homes (Fitness for Human Habitation) Act 2018
 - Housing Health & Safety Rating System (HHSRS)

Other statutory implications

- Best Value Implications
- Safeguarding
- Healthy Child Programme

9 COMMENTS OF THE CHIEF FINANCE OFFICER

- 9.1 This report is seeking approval of the Council's revised Homelessness Accommodation Placement Policy. On top of this, the report also seeks approval for two pilot schemes, cost of living grant scheme and find your own PRS Accommodation scheme. The revised policy is aimed at reducing the cost of providing temporary accommodation and the pilot schemes at preventing homelessness occurring.
- 9.2 The Council has a statutory duty to provide suitable accommodation where an assessment results in a duty being owed. Demand for homelessness continues to increase, putting budgets under significant pressure and in 2023/24 is projecting to outturn with an adverse variance of £6.6m. The current homelessness accommodation placement policy restricts the locations within which clients can be accommodated. A lack of accommodation in borough and the Greater London area is resulting in significant numbers of placements in unsuitable bed and breakfast accommodation and commercial hotels at very high cost to the Council, with these placements lasting for significantly longer periods.
- 9.3 Where temporary accommodation clients are eligible for housing benefits, the Council will claim back rents that it has paid out from Central Government as part of the housing benefit subsidy system. Rents in borough are all significantly above Local Housing Allowance (LHA) rates and are paid in full. The Housing Benefit subsidy system caps the amounts that the Council can claim back to cover these rental payments at 90% 2011 LHA rates, resulting in the Council making a subsidy loss on each payment. In 2023/24, rental payments totalled £41.9m and the subsidy claimed back was only £29.2m, a subsidy loss of £12.7m (against a £7m budget).
- 9.4 Placing temporary accommodation clients further from Borough will reduce the rents to levels closer to or at LHA levels, reducing the Housing Benefit Subsidy loss. The table below is an illustrative example, comparing the weekly housing benefit subsidy loss of housing in borough with Southend and Luton.

	1 Bed (£)	2 Bed (£)	3 Bed (£)
Tower Hamlets	295.49	365.92	441.86
HB subsidy	216.00	270.00	315.00
HB subsidy loss	-79.49	-95.92	-126.86

Southend	138.08	182.96	230.14
HB subsidy	103.84	135	170.38
HB subsidy loss	-34.24	-47.96	-59.76

Luton	143.84	178.36	224.38
HB subsidy	103.84	124.61	150.38
HB subsidy loss	-40.00	-53.75	-74.00

- 9.5 Since the cost of living crisis, the Council has experienced a significant increase in the number of people presenting as homeless following friends and family evictions. Increasing food and energy costs have made it increasingly difficult to continue hosting friends and family members. In 2023/24, the government introduced cost of living payments to help low-income households partly or in full receipt of tax credits and welfare benefits of circa £300 per quarter. Householders however who provide accommodation for friends or relatives are not eligible for this funding. As a result, it is proposed to pilot grant payments for up to 12 months where hosts have recently evicted friends and family members, the aim being to allow them to continue accommodating friends and family members.
- 9.6 The grant payments will be assessed on a case by case basis and last up to 12 months. The level of payment will be based on bedroom need. The scheme should result in cost savings for the Council, with the grant payments preventing homelessness and the need for the Council to place the evicted person in expensive nightly booked accommodation. The level of saving is difficult to assess as it is dependent on the number of grants made and the size of the grants.
- 9.7 Find Your Own PRS Accommodation Grant intends to incentivise homeless households to self-source PRS accommodation. The grant is only available to homeless households who find their own PRS accommodation where they have been already placed in Temporary Accommodation by the council or where the council owes a duty under homelessness legislation. The grant is intended to assist eligible residents in meeting the costs associated with moving and resettling into a new PRS home.
- 9.8 Grant awards will again vary, depending on the size of the property being procured. This scheme will again result in cost savings for the Council, with the grant allowing the Council to discharge its homelessness duty. The level of cost saving will be dependent on the number of grants given and the size of the grants.
- 9.9 The grant schemes will be funded from the existing budget in the expectation that they will be self-funded by reduced homeless costs and potentially produce an overall saving

10 COMMENTS OF LEGAL SERVICES

- 10.1 The Housing Act 1996 provides the statutory background to the Council's duties with respect to preventing homelessness and providing assistance to people threatened with or actually homeless. The Homelessness Act 2002 amended the primary legislation to ensure a more strategic approach to preventing and

tackling homelessness by requiring housing authorities to formulate and publish a homelessness strategy.

10.2 This report sets out the challenges that the Council is currently facing with the provision of temporary accommodation and the revised Homelessness Accommodation Placement Policy sets out the council's approach to using available housing stock to discharge the council's statutory homelessness duties and responsibilities. The policy has been formulated taking into account legal advice on the potential challenges to the policy that the Council may face with a view to ensuring the policy limits the risk to the Council of successful challenges against decisions made using the guidelines set out in the policy. The revised policy will apply to both new and existing clients from the date of implementation.

10.3 The Homelessness Accommodation Procurement Strategy sets out the further steps that the Council will take to ensure that the accommodation offered to homeless applicants is fit for purpose and allows the Council to take a greater role in ensuring that they meet their statutory obligations and provide good quality accommodation. The grants scheme detailed in this report will support the Council's homelessness strategy.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Homelessness Accommodation Placement Policy
- Homelessness Accommodation Procurement Strategy
- Equality Impact Assessment for the revised Homelessness Accommodation Placement Policy and the new Homelessness Accommodation Procurement Strategy
- Equality Impact Assessment Checklist for piloting 1) the Cost of Living Grant Scheme and 2) the find your own PRS Scheme Accommodation Scheme

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- NONE

Officer contact details for documents:

Abul Kalam - Service Manager, Housing Management & Procurement

Appendix A HOMELESSNESS ACCOMMODATION PLACEMENT POLICY

Homelessness Accommodation Placement Policy			
Author:	Abul Kalam, Service Manager, Housing Management & Procurement		
Authorised by:	Karen Swift, Director of Housing		
Owned by (Team/Dept):	Housing Options Service		
Effective from		Next Review date	
Consultation Required?	No	EqlA Required?	Yes

1. Purpose

- 1.1. This document sets out how the Council will allocate accommodation to meet its statutory obligations to the homeless under both the Housing Act 1996(as amended), s11 of the Children Act (2004) and the Equality Act 2010 including;
- Interim accommodation (s188)
 - Accommodation in lieu of discharge of s193 main duty
 - Accommodation in lieu of s190 (intentionally homeless)
 - Private rented sector offers in discharge of s195(prevention duty), s189B (relief duty)
- 1.2. Whilst the Borough will have regard to this Policy when allocating temporary accommodation to applicants, it retains its discretion to take into account particular personal circumstances of the applicant or the household when allocating accommodation.
- 1.3. Tower Hamlets Council is committed to securing suitable accommodation for homeless households however, we are only able to do this subject to the supply of suitable and affordable accommodation within the Borough.
- 1.4. There has been a significant increase in the demand for homelessness assistance. Running alongside this increased demand, the Council is experiencing difficulty in acquiring accommodation. There are several reasons as to why demand has increased and why supply is limited, for example,
- **Increase in homelessness** – welfare reforms, benefit cap, properties becoming unaffordable, friends/family evictions, domestic abuse etc

- **Reduction in supply** – significant increases in rent, landlords selling, more stringent mortgage application criteria, general shortage of properties to buy and rent
- 1.5. The Council will always look to secure accommodation within its own borough or neighboring boroughs; however, it needs to manage the costs and resources in doing so and in doing so, needs to ensure that any accommodation procured to use as temporary accommodation is offered to a homeless household at an affordable rent level. The Council is not able to build enough homes to meet demand and therefore, the Council looks to the private sector for affordable homes. Whilst the council will not use the burden of costs in securing accommodation, it needs to be mindful in terms of the costs incurred in procuring temporary accommodation. This policy will have regards to the cases of *EIKundi v Birmingham* and *Imam v Croydon Council*, but will adapt as and when there are legislative changes to ensure that the policy meets the needs of homeless households in the area.
 - 1.6. Our policy is to provide accommodation within the Borough of Tower Hamlets wherever reasonably practicable, except in cases where there is a specific reason why the household should not be accommodated within the borough, for example, those at risk of violence in Tower Hamlets.
 - 1.7. The Council does not have sufficient units of temporary accommodation within its own stock, and as a result, we rely on a supply of privately owned properties to meet our statutory obligations. Changes to the Local Housing Allowance, the introduction of the “Benefit Cap” and a number of other factors have reduced the number of properties in Tower Hamlets that can be obtained for this purpose due to limited availability. As a result, there will be an increasing need to use accommodation that may be at a distance from the borough. This Policy is intended to ensure that we prioritise those who have the greatest need to be in or close to a particular location. Where a household needs to be moved away from a particular location for safety reasons, this will always be taken into account when deciding on temporary accommodation allocation.

2. Background

- 2.1 The Council currently provides accommodation to meet a range of housing needs:
 - Temporary accommodation for homeless households or those waiting for a homelessness decision.
 - Accommodation to prevent or relieve homelessness.
 - Accommodation in the private rented sector to end the Council’s Main Homelessness Duty under the Localism Act 2011.
 - Social housing allocated via the Housing Allocations Policy, with reasonable preference given to homeless households as required by

law.

- Council-commissioned homelessness supported accommodation for rough sleepers and single homeless people with support needs.

2.2 Legislation and caselaw relevant to accommodation provision to which the policy has regard:

- Housing Act 1996, as amended by the Homelessness Reduction Act 2017
- Homelessness Code of Guidance for Local Authorities, particularly 'Chapter 17: Suitability of Accommodation'.
- The Homelessness (Suitability of Accommodation) (England) Order 2012.
- The Equality Act 2010
- Localism Act 2011
- Childrens Act 2004
- Homelessness (Suitability of Accommodation) Order 1996
- Homelessness (Suitability of Accommodation) (England) Order 2003
- Homelessness (Suitability of Accommodation) Order 1996
- Domestic Abuse Act 2021
- Relevant case law relating to affordability of accommodation in relation to suitability– notably, but not exclusively, the judgement of the Supreme Court in the case of *Samuels v Birmingham City Council (2019)* and *Nzolameso v City of Westminster*
- *Also as previously mentioned, the cases of Elkundi v Birmingham and Imam v Croydon.*
- Travel to school for children of compulsory age 'Department for Education Statutory Guidance for Local Authorities'

2.3 In assessing the suitability of any property as temporary accommodation for a homeless household, the Council will consider whether the applicant can afford their housing without being deprived of basic essentials such as food, clothing, heating, transport, and other essentials.,.

3. Prioritisation of cases for in-borough placements

3.1 At least one of the following criteria will be generally required to be met for a household to be allocated an in-borough property (unless there is no-one at all that fits any of the criteria awaiting a placement for whom the property would be suitable):

- Other pressing social/welfare/medical need that means the household needs to stay in the borough.
- Where the transfer is in the Council's interest, including but not restricted to deadline for commencement of capital work; to avoid legal action being taken against the Council; risk to the Council's reputation or finances.
- Household with at least 1 child in years 11 or 13 of secondary school education
- Employment within the borough and/or where a placement outside the borough would result in the applicant being unable to

continue in employment

- 3.2 Where a household is given highest priority for accommodation within or close to the borough (or close to their place of employment/medical facilities/place of education as appropriate) in accordance with paragraph 431 above but there is no accommodation immediately available within or close to the borough (or close to their place of employment/medical facilities/place of education as appropriate), a homeless household can be placed on an emergency basis in temporary accommodation at the nearest location, which is otherwise suitable where there is availability on that day. The household will be given priority to be transferred to alternative temporary accommodation as soon as a unit is available that would be more suitable in the longer term
- 3.3 Where the service is notified of changes to the circumstances of household members after they have been placed into temporary accommodation, these circumstances will be considered, and a decision will be taken as to whether or not the household needs to be moved to more suitable temporary accommodation
- 3.4 Households in receipt of welfare benefits may be subject to restrictions on the amount of benefit they can receive, which may affect their ability to pay rent. Placements in Tower Hamlets or nearby boroughs is subject to suitable accommodation being available and the applicant being able to afford accommodation in these areas
- 3.5 Before an offer of temporary accommodation is made, the Council will take into account the support and relocation need of the household, making such inquiries as are reasonably necessary to be satisfied that those needs will be met.

How will we allocate accommodation?

4. Location of the accommodation provided.

- 4.1 Section 208(1) of the 1996 Act requires the local authority to provide accommodation in its own area 'so far as reasonably practicable.' The clear intention is that local authorities should not simply decant homeless persons into areas for which other authorities are responsible. In areas of acute affordable housing shortage, a local authority may decide that it is not reasonably practicable to accommodate people in its own area.
- 4.2 Unless the applicant is at risk of violence in a particular part of the borough, or there is an overwhelming social, medical or welfare reason for specifying a particular area, any location within Tower Hamlets is normally to be deemed suitable. The borough covers a small geographical area; all parts of the borough are well served and connected by public transport. Most journeys by public transport to any part of the borough can be concluded within 40 minutes. Individual circumstances will be taken into account when determining the suitability of a particular location, in the context of the foregoing.

- 4.3 In determining whether a property outside of the borough, including outside of London is suitable, the requirements set out in the law and statutory guidance need to be taken into account. It is essential that the question of disruption is specifically addressed-
- 4.4 As a general aim, placements will be made into areas which are accessible by public transport, however, the ongoing and changing supply and availability of properties may mean that there are or will be times when this aim cannot always be met.
- 4.5 For the purposes of making an allocation, all units of temporary accommodation acquired will be categorised into Zones. These Zones are as follows.
- Zone A – located in the borough of Tower Hamlets
 - Zone B – located in Greater London
 - Zone C – located outside Zones A and B but in the neighboring counties and districts of Essex, Hertfordshire, Kent, Surrey, Berkshire, and Buckinghamshire
 - Zone D – located outside of Zones A, B and C
- 4.6 As a general approach, available accommodation is allocated on the day that it becomes available but where appropriate, may be held back in anticipation of particular needs.
- 4.7 While individual circumstances must be taken into account the following should be used as a guide:
- All households will be placed in accommodation in Zone A if suitable accommodation is available. If no suitable accommodation is available in Zone A, then they will be placed into Zone B. If there is no suitable accommodation in Zone B, then they will be placed into suitable accommodation in Zone C. If there is no suitable accommodation in Zones A, B or C, then they will be placed into Zone D
 - Relevant facts regarding a household's circumstances will be gathered by officers in the course of their enquiries, including but not limited to, their accommodation needs and affordability
 - Where it is not reasonably practicable to provide temporary accommodation within the borough for all households requiring it, a series of decisions must be made about how available accommodation will be allocated. These decisions will be made with reference to the circumstances of each household and on the relevant characteristics of the properties available to the service for the use as temporary accommodation.
 - All homeless or potentially homeless households are individually assessed prior to placement to determine the type and location of

temporary accommodation that should be offered. Before any offer of temporary accommodation is made, a matching exercise will be carried out taking into account the requirements of the household and the nature and location of the individual property; the results of this matching exercise will be recorded in full on the applicant's file.

- As a general guide, the maximum journey time for a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age, including any time taken to walk to a pick-up point, but there will be circumstances in which this is not possible, for example, where a child needs to travel a long way to the school named in their Education, Health and Care Plan (EHCP), or when journey times are extended by traffic or public transport delays. Wherever possible, a child should not be expected to make several changes on public transport.
- It is reasonable to assume that children under year 10 could transfer to a local school and that this would not constitute a significant disruption to their education.
- If children are in a special school or have an Education, Health, and Care Plan (EHCP) it would be necessary to assess whether a transfer to a location out of the borough would represent a significant disruption to their education. This may involve making enquiries of the potential host authority to see if those needs could be met in a local school. Ideally out of Borough Placements for families with a child in a special school should be avoided unless there is no suitable in-borough property available or in the pipeline at the point the need arises.
- Generally, the Council will aim to avoid placing households who are still engaged with social services out of the borough. This is subject to the availability of suitable accommodation at the point of need. The duty to notify the receiving borough must be met, as must checks with the Council's Children's Services to ensure any safeguarding concerns are properly considered prior to placement.
- In considering disruption to care & support arrangements – it is necessary to consider the frequency and duration of such support; the extent to which those needs can be met by someone else, or by another method and to consider the likelihood and extent of disruption to the continuity of that care and support. Generally, travel of up to an hour to deliver care or support would be considered reasonable, but individual circumstances will be taken into account.
- If specialist medical care is being provided – the extent of the disruption & the capacity for that support to be transferred to a local hospital/medical facility needs to be assessed, along with an assessment of how disruptive that transfer is likely to be to the continuity of care provided, individual circumstances will need to be taken into account.

- Distance from the borough needs to be noted; the extent to which the distance is likely to be disruptive needs to be assessed in light of the foregoing. The Town Hall, 160 Whitechapel Road E1 1BJ as the reference point for measuring distance to the borough may be used but not limited to this, and the households' individual circumstances will be considered
- Transport, local services, and amenities should generally be within a 30-minute walk (1.5 miles) of the accommodation.
- It should be noted that the above categories and priorities are for guidance only and the individual circumstances of each household, including the time likely to be spent in the accommodation, must always be taken into account when determining the suitability of an offer of temporary accommodation.
- Given the shortage of available properties, it is likely that officers will need to make decisions to prioritise the allocation of particular properties not only between households who fall into one or more of the categories described in 3.1 - 3.5, but also between households who do not fall into any of the categories.

4.8 When prioritising between households, the following circumstances will also be taken into account.

- Level of need relating to the welfare and safeguarding of any children in the household
- Level of educational needs
- Identified risks posed by living in a particular area
- Permanency/flexibility of employment
- Access to transport
- Level of need to be close to services and amenities
- Level of need to be close to health services
- Level of need to be close to support networks
- Impact on caring responsibilities
- Affordability of the accommodation
- Impact of the relocation and of occupying the accommodation on a continuing basis, and based on the wellbeing of household members
- Impact of the relocation and occupying the accommodation on a continuing basis, and on the wellbeing of any children in the household, having regard to the Council's duty under the Children Act 2004 to safeguard and promote their wellbeing

4.9 The impact of these and any other relevant circumstances will be considered both individually and cumulatively. Households that have a relatively low level of need when considering the above circumstances are more likely to

be offered accommodation in zones B, C and D. However, even if a household is considered to have a lower level of need than other applicants to be in or close to the borough, they will be allocated available units in Zone A or Zone B if these units are not required by higher priority households.

4.10 Accommodation placements for households or individuals who make a homeless application within two years of arriving in the UK, hereinafter referred to as 'new arrivals', the following criteria will be used;

- In pursuance of the Homelessness (Suitability of Accommodation) (England) (Amendment) Order 2024, ('2024 order') which has extended the Homelessness (Suitability of Accommodation) (Amendment) (England) Order 2022, ('2022 order') and follows an extension of the '2022 order' by the Homelessness (Suitability of Accommodation) (England) (Amendment) Order 2023, this authority reserves the right to use greater flexibilities when placing 'new arrivals' when placing them into accommodation.
- The operative justification for using greater flexibilities and considering accommodation in Zone D when placing 'new arrivals' reflects the need for pressures to be eased on local authorities, particularly in areas of high housing demand such as London, the South East and other metropolitan areas which was highlighted in the government's explanatory memorandum to the '2024 order' at paragraph 5.7 [The Homelessness \(Suitability of Accommodation\) \(England\) \(Amendment\) Order 2024 \(legislation.gov.uk\)](#) The effect of using these greater flexibilities when placing new arrivals in locations removes the need for us to giving mandatory consideration to disruption to education and employment when making placements and restricts mandatory consideration to the disruption caused by the location of accommodation for those with caring responsibilities of the person or persons household for persons with who there are family associations.

5. Affordability

5.1 The property must be affordable. An affordability assessment will be carried out to identify how much disposable income a household has after assessing all essential expenditure and the amount of rent they will have to pay. The assessment will consider whether the applicant can afford the housing costs without being deprived of basic essentials such as food, clothing, heating, transport, and other essentials specific to their circumstances. The property will not be regarded as affordable if the household would be left with a residual income that is insufficient to meet these essential needs. Universal Credit standard allowances may be used as a guide when assessing the income that an applicant will require to meet essential needs aside from housing costs. Wishes, needs and circumstances of the applicant and their household should also be taken into account.

5.2 When expenditure on essential items is higher than might be expected, the wider context of the applicant's particular circumstances will be considered.

The Code of Guidance gives the example of an applicant with a disabled child having higher travel costs to ensure that the child is able to access additional support or education that they require and so this should be taken into account when assessing their essential needs, and the income that they have available for accommodation costs.

6. Other matters affecting suitability

- 6.1 All households provided with temporary accommodation will be assessed at the point of placement in order to identify any support or resettlement needs arising from the location of the accommodation. These include but are not limited to, identifying those with mental or physical health issues or learning disabilities, those with substance misuse issues, care leavers, and older people
- 6.2 The Temporary Accommodation Team will also provide details of the incoming household to the receiving borough as required. Where a particular area outside the borough is used on a regular basis for the provision of temporary accommodation, an information pack will be provided to households being provided with temporary accommodation covering local services and facilities in that area.
- 6.3 For any household placed in temporary accommodation outside of the borough, information will be provided on how to access local services, amenities, and facilities in the local area. In particular they will be given an information sheet which has a range of useful information which includes:
- Registering for local Council Tax Support
 - Registering with the local GP
 - What to do if they need emergency funds
 - How to apply for a school placement in the borough that they are going to reside in
- 6.4 When determining suitability, we will have regard to the Suitability of Accommodation Order (England) 2012 and including but not limited to, the Housing Health & Safety Rating System (HHSRS), Homes (Fitness for Human Habitation) Act 2018. The council will also ensure that it is managing its costs, although not using costs as a barrier to procure suitable accommodation, so that we are achieving value for money and discharging our duties as per legislation, as we have a fiduciary duty to the taxpayers in the borough
- 6.5 The Temporary Accommodation Team will provide the household with their Housing Officers details at the time of the placement so that there is early dialogue between the household and the Housing Officer. The Housing Officer will be able to provide a range of advice and assist the household with accessing support and/or other need

- 6.6 The Temporary Accommodation Team will endeavor to confirm the availability of school places, and develop links with schools' admissions services, in any areas outside Zones A and B.
- 6.7 This policy takes fully into account the requirements of the Homelessness (Suitability of Accommodation) (England) Order 2012. Applicants accommodated under this policy under section 193 of the Housing Act 1996 can request a statutory review of the suitability of any accommodation offered to them, in accordance with section 202 of the Act.

7. The right to view accommodation

- 7.1. Whilst the Homelessness Code of Guidance recommends that applicants generally are given an opportunity to view accommodation provided on anything other than an interim or emergency basis and it also suggests that applicants be given a reasonable period to consider such offers the **Court of Appeal in R(Khatun) -v- Newham London Borough Council (2004) EWCA Civ 55** held that there is no inherent right afforded to applicants to view accommodation which is temporary before deciding whether to accept or reject it.
- 7.2. For operational reasons that are directly connected to the local authority's ability to procure accommodation which would see many opportunities in procuring accommodation lost, and significant revenues affected, the local authority justifies its position in refusing to allow routine viewings and giving extended periods of consideration before deciding whether to accept or reject temporary accommodation. To do otherwise would so adversely and disproportionately affect homeless households it does or may owe housing duties to because the supply and availability opportunities in procuring would be seriously and adversely affected in a climate where such accommodation is already in extremely short supply
- 7.3. The local authority may consider offering viewings in circumstances where there is an exceptional and compelling need for households or individuals to do so, and in exercising its discretion as to what is a reasonable period to accept or in giving an applicant an opportunity to view, there may occasionally be exceptional and compelling circumstances that warrant the need for a viewing of temporary accommodation related specifically to an applicants designated and specific disability needs connected to particular properties being offered
- 7.4. Viewings for Final Offers of Accommodation and Private Rented Sector Offers (FOA & PRSO will be accommodated for all households).

8. Priorities for private rented sector accommodation

- 8.1 The Council's homelessness prevention approach is aimed at reducing the need to place households in temporary accommodation and to support households into settled and sustainable accommodation to meet their housing

need. This will often be in the private rented sector and, for households who find Tower Hamlets unaffordable, often in other areas outside the borough. This approach means that where possible, households should not face repeated moves of temporary accommodation, or only for the minimum necessary duration if unavoidably required and without needing to face repeated moves and ongoing disruption. This approach also minimises the amount of temporary accommodation the Council has to provide

- 8.2 The Homelessness Code of Guidance states: 'For many applicants, working with the housing authority to prevent or relieve their homelessness will provide an opportunity to explore what realistic options are available to them and consider what compromises they may wish to make in order to achieve the best option for them. The opportunity to consider more than one property can play an important part in this process. '(para 14.29)
- 8.3 To help homeless households to evaluate the pros and cons of often limited options, the Council aims to provide a maximum of 2 offers of private rented sector accommodation for households at the prevention stage of their application. This would go some way to ensuring households are given choice of a new home in the PRS.
- 8.4 The 2 offers at the prevention stage would be subject to supply. Given that the PRS market changes from time to time, it may not always be possible to make 2 offers. The current market is seeing less and less supply of PRS accommodation given that the private sector lets have significantly increased and landlords are achieving higher rents through private lets.
- 8.5 Where possible, the Council will use its best endeavors to make 2 offers to prevent their homelessness, and a further 1 offer to relieve homelessness should prevention fail. Households already at crisis stage are likely to receive 1 offer, reflecting the urgency of their situation. Homeless households in temporary accommodation owed the 'Main Homelessness duty' and whose cases were accepted post- Localism Act are entitled to 1 suitable PRS offer through the Localism Act PRSO power (Private Rented Sector Offer).
- 8.6 The approach does not guarantee an offer. The property needs of some households may be in short supply in the PRS stock – e.g., wheelchair adapted housing – and, for those in crisis, the statutory time frame - 56 days – may have expired without a suitable accommodation offer becoming available.

9. How private rented sector accommodation will be allocated

- 9.1. PRS property is sourced by the Council to meet homelessness duties by the Council's in-house procurement team.
- 9.2. When a property is made available, suitable applicants will be identified. Allocating accommodation procured in the private sector is often time-critical, as landlords want to minimise lost rents due to void periods and the Council

needs to limit the risk of the property being let elsewhere. Due to the short time frames involved in the allocation of private sector properties, potential applicants will be contacted directly by the Council to arrange a viewing. Where an applicant cannot be contacted within a reasonable period so that there is a risk of the property being let elsewhere, another potential applicant will be contacted. The final decision to accept or reject a household will usually rest with the landlord. If the landlord refuses a nominated household, the offer will be withdrawn and a further offer will be made when a suitable property becomes available. If the refusal is due to behaviour of the applicant, this may result in them being withdrawn from further offers whilst we work with them to address any issues raised. Once both the applicant and landlord accept, an assured shorthold tenancy is issued generally for a minimum fixed term of 12 months where a main duty has been discharged or 6 months if the offer is made at the relief stage.

- 9.3. For applicants owed the statutory homelessness prevention or relief duty and who are assessed as being able to sustain a tenancy, a maximum of three reasonable offers (2 at prevention and 1 at relief, as per paragraph 8.4) of affordable private rented housing will be made. Individual circumstances are considered in making these offers, including time scale, affordability, household preferences and needs. If a household is actively engaging with the Council but a choice of suitable offers has not been available but is expected to be, the Council may consider extending the statutory relief casework period. An acceptance of any suitable offer will end the Council's statutory duty. Ultimately a final suitable offer will be made, and the household will be notified in writing and the Council's statutory duty will be formally ended, whether the offer is accepted or refused. Where the Council have not been able to prevent or relieve homelessness, and a household is owed the main homeless duty, the Council will usually bring the duty to an end with one suitable offer of private sector accommodation.
- 9.4. Offers on in-borough accommodation will follow the prioritisation criteria set out above.
- 9.5. Where a household is claiming housing benefit or Universal Credit, properties will be offered that meet a household's bed need that are in areas where the LHA rent is affordable. In the current climate of rising rents and caps on benefits, such properties are likely to be out of borough, and increasingly out of London, particularly for larger properties. The Council will consider a household's income and their ability to meet any shortfall between the housing benefit paid and the rent to ensure that accommodation is affordable and sustainable.
- 9.6. Regard will be had to Homelessness Code of Guidance, Chapter 17 with respect to basic minimum standards, both physical property standards and management standards, and there will be compliance where applicable with Article 3, Homelessness (Suitability of Accommodation) (England) Order 2012.

Appendix B Homelessness Accommodation Procurement Strategy

1. Introduction

- 1.1 Tower Hamlets, along with the rest of London, is facing an unprecedented housing crisis. Homelessness has increased and remains extremely high across London.
- 1.2 The Supreme Court judgment in the case of *Nzolameso v Westminster City Council* required local authorities to have “a policy for procuring sufficient units of temporary accommodation”, and that secondly that, “each local authority should have and keep up to date, a policy for allocating those units to individual homeless households.”
- 1.3 This strategy has been developed to meet the statutory duties and obligations owed by the council to homeless households under both the Housing Act (1996) and the Childrens Act (2004), including the discharge of our duties under the Homelessness Reduction Act (2017)

2. Purpose

- 2.1 The Homelessness Accommodation Procurement Strategy sets out how the council will procure a sufficient supply of temporary and privately rented sector accommodation to meet the demand for homeless households under the relevant legislation.
- 2.2 The strategy provides the council’s principles for meeting demand and cites the procurement activities that will be followed to procure a sufficient supply of accommodation.
- 2.3 It will guide the Housing Options Accommodation Procurement Team to ensure that suitable accommodation is procured for homeless households to prevent and relieve homelessness.
- 2.4 This strategy is to be used in conjunction with the ‘Homelessness Accommodation Placement Policy.’

3. Background and Context

- 3.1 The council has a statutory duty to provide temporary accommodation as emergency housing for homeless households where a homelessness duty may be owed.
- 3.2 Temporary accommodation takes two forms – In the first instance, it is emergency, emergency accommodation (called stage 1), for use during the relief stage of homelessness and while a household’s homeless application is being assessed.
- 3.3 The second type of temporary accommodation is longer-term, (stage 2). This accommodation is for households where the council has accepted a

housing duty to them and is provided until a household is rehoused into a final offer of long-term settled accommodation.

- 3.4 Stage 1 accommodation may be 'nightly booked' as it is only intended to be for short periods and it may be more expensive than longer-term Stage 2 accommodation
- 3.5 The council has arrangements to secure accommodation from landlords, property agencies and developers in addition to its own stock and also obtains accommodation from partner registered providers (housing associations) to provide Stage 2 accommodation. In addition to these leased forms of accommodation, the council makes Private rented sector offers ("PRSOs") to homeless households where it has accepted a housing duty to them to provide private rented accommodation on an Assured Shorthold Tenancy. The Localism Act 2017 allows the council to make these offers to provide households with sustainable, affordable, and more settled accommodation to reduce the burden of lengthy waits in temporary accommodation for social housing which can be a number of years.

4. **Principles of Procurement**

- 4.1 The council will apply the following principles in its approach to the procurement of both temporary and private rent sector offers to meet its statutory duties and obligations owed to homeless households.
 - The council will act to ensure accommodation is compliant with all relevant legal obligations and have regard to all relevant legal guidance.
 - The properties procured need to be affordable and sustainable in the longer term to the households that occupy them, so they are within affordability levels and temporary accommodation subsidy rates. This will give homeless households the lowest likelihood of being unable to pay the rent or of having to move again.
 - The properties offered to households will be suitable, compliant with health and safety specifications and be in reasonable condition.
 - The affordability of properties will be a key factor when procuring properties. Where possible (given market forces) properties should be within allowable subsidy rates or benefit levels to meet budgetary targets and therefore cost neutral to the council.
 - Where the council is procuring properties outside Greater London it will, as far as possible, focus on urban areas whose diversity so far as practicable reflects that of Tower Hamlets and so are likely to have more facilities and support networks for people from Tower Hamlets with protected characteristics.

Evidence of the scope and range of employment opportunities and the quality of local schools will also be considered.

5 Checks to be undertaken in the procurement of accommodation.

5.1 When procuring settled accommodation in the private sector, inspections or virtual inspections will be conducted if possible. This assessment aims to determine the suitability of the property and its alignment with our requirements, ensuring compliance with Article 3 of the Homelessness Suitability of Accommodation (England) Order 2012. Additionally, all relevant legislation, such as the Housing Health & Rating System (HHSRS) and the Homes (Fitness for Human Habitation) Act 2018 (HFHHA), will be taken into account. If an inspection is not undertaken, alternative methods such as assessing the condition of the property using a completed inspection report and photos may be utilised to satisfy requirements.

5.2 Where a license is required to let a property, the council will ensure that all due diligence has taken place, including but not limited to, ensuring that the appropriate licenses are in place and that checks are made with the local authority where the property is located in.

5.3 In areas with suitable ample available accommodation is available, we'll conduct the necessary checks and provide essential information, as outlined in our Homelessness Accommodation Placement Policy (refer to paragraphs 3.1-3.3 and 6). This includes:

- Local amenities information being provided.
- Guidance on GP registration
- How to apply for a school placement
- Ensuring reasonable transportation links to the borough are available

6 Legislative Framework

6.1 The local authority has a statutory duty to provide suitable temporary accommodation for homeless households in accordance Part VII of the Housing Act (1996) and the Homelessness (suitability of accommodation) (England) Order 2012.

6.2 Following the case of *Nzolamesco v Westminster* in 2015, additional guidance has been issued. The Supreme Court held that where local authorities offer accommodation outside of their own district in discharge of their duties under Part VII of the Housing Act 1996, they must explain, ideally by published policies, the choices that have been made and why.

6.3 This strategy, will sit alongside the Homelessness Accommodation Placement Policy 2024 and will have adherence to the following legislation and case law:

Housing Act (1996), Part 7.

Homelessness Reduction Act (2017).

Homelessness Code of Guidance for local authorities, particularly 'Chapter 17: Suitability of Accommodation'.

The Homelessness (Suitability of Accommodation) (England) Order (2012).

The Equality Act 2010

The Localism Act 2011

The Children Act 2004

Domestic Abuse Act 2021

The Homelessness (Suitability of Accommodation) Order 2012

Relevant case law relating to affordability of accommodation in relation to suitability– notably, but not exclusively, the judgement of the Supreme Court in the case of *Samuels v Birmingham City Council* (2019).

Travel to school for children of compulsory age 'Department for Education Statutory Guidance for Local Authorities'.

7 Monitoring and review of this strategy

7.1 This strategy will be subject to review from time to time, for example, when there has been a change in legislation or where the demand for accommodation has substantially changed.

7.2 An Action Plan is set out in Appendix 1 providing specific initiatives which officers will undertake over the course of the next 2 years for procuring temporary and private rented sector in line with the procurement strategy


Action	By when
Set temporary accommodation (private licensed accommodation (PLA) nightly paid (NP) section 106) rents at the 2024/25 local housing allowance to ensure that rents are affordable	February 2024
Hold more landlord forums and open days, to build new partnerships and increase supply. This includes online campaigns	September 2024 January 2025
Submit 'Exit B&B action plan' to DLUCH	July 2024
Review the incentives and rents paid to landlords, keeping up with the market demands. Implement a competitive rent incentive package. These packages may include various incentives for landlords, including covering the difference between the local housing allowance rate and the private market rent, when feasible to do so.	July 2024 (Quarterly reviews)
Carry out cross-regional work with other Local Authorities including Registered Social Landlords (RSL's) to pool resources to jointly procure accommodation with greater influence and efficiency.	July 2024
Review all current temporary accommodation lease agreements between the council and accommodation suppliers, to place more onus on the landlord to get repairs done, with a mechanism embedded to carry out repairs when the landlord does not and recharge the landlord directly by making a deduction to their monthly payment.	October 2024
Engage with a range of established larger stakeholders who procure volume quantities of accommodation which is then leased to the council to use as private rented sector accommodation, therefore, enabling the council to discharge its homelessness duties.	October 2024
Identify opportunities for existing council or community assets to be repurposed for temporary accommodation	December 2024
Partner with the council's Energy Sustainment Team to offer energy incentives to landlords in return for longer leases, of up to 5 years.	December 2024
Partner with the council's Private Housing Improvement Team to secure funding to carry out adaptations on properties acquired through the council's acquisition scheme to meet the needs of households that would benefit from adapted properties.	December 2024
Develop an in-house property management team (subject to finance's and demand) to act as a central hub for all temporary and private rented sector procurement, acting as an accommodation management service on behalf of landlords and providing full housing management and repairs services, this could include rebranding the current team and working cross directorate with other services, including Children's Social Care (CSC) and Adult Social Care (ASC)	March 2025
Carry out cross-regional work with other Local Authorities who have procured in LBTH, and whereby LBTH have procured in their district to explore stock swaps	April 2025
Acquire/purchase homes for temporary accommodation use via grant funding routes such as CHAPS and LAHF which the council has bid for.	April 2026
Acquire properties under the Council Acquisition Program – this is interdependent with the Housing Supply Team	December 2024

Appendix C Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy, or project
Approval of the councils revised Homelessness Accommodation Placement Policy and new Homelessness Accommodation Procurement Strategy 2024.
Service area and Directorate responsible
Housing Management & Procurement, Housing and Regeneration
Name of completing officer
Una Bedford, Senior Strategy and Policy Officer, Governance and Resources
Approved by (Corporate Director / Divisional Director/ Head of Service)
Karen Swift, Director of Housing
Date of approval
Click or tap to enter a date.

Where a proposal is being taken to a committee, please append the completed EIA(s) to the cover report.

Conclusion – To be completed at the end of the Equality Impact Analysis process.

Conclusion	Current decision rating (see Appendix A)
<p>This revised policy and the new strategy will ensure that the Housing Options Service in making placements fairly and consistently and to mitigate the risk of inequality for residents who are provided with accommodation, both temporary and in the private rented sector, in accordance with the relevant legislation. Resident's circumstances will be considered on an individual basis; however, categories where special consideration will be given are outlined in the policy.</p> <p>The Housing Options Service is accessible for all, however residents who are affected by this policy and strategy are limited to those that have been assessed as requiring temporary or emergency accommodation, as outlined in the legislation.</p> <p>This policy will inform residents of what is likely to happen should they require accommodation, and this will ensure they are better informed to look at their options, i.e., are they able to privately rent, stay with family etc.</p>	<p>Green</p>  <p>Proceed</p>

While officers have had due regard to the council's Equality duty in the development of this policy, the council has a range of other responsibilities including a duty to set a balanced budget.

The council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. It is important that resources are allocated in accordance with priorities and that best value is achieved. The continued use of expensive temporary accommodation, the pro-longed use of nightly or bed and breakfast or commercial hotel accommodation in the borough is not sustainable to the public purse or to the benefit of residents who are placed in this accommodation due to a lack of affordable temporary and private rented sector accommodation in the borough.

It is evident that any risk of a disproportionately negative impact existing to one or more of the groups of people who share a protected characteristic under the Equality Act 2010 will be removed or reduced by implementing the actions detailed within the policy and by officers conducting of the suitability of accommodation test for all placements.

The necessary checks will be made to ensure that where placements are made outside of the borough and outside of Greater London, officers will ensure that there are established communities whereby a diverse community can be catered for.

In assessing the suitability of an offer of accommodation, each case will be considered on its own merits, considering both the nature of the property and the community that surrounds the property, to ensure that residents are not isolated in their new communities.

Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available. Regular checks will also be made to ensure that there are adequate school placements and GP's available and support networks as required.

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

Section 2: General information about the proposal

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

The Homelessness Accommodation Procurement policy is a revision of the council's existing Placement Policy.

The council has a statutory duty to assist households presenting as homeless where they are eligible for assistance and in priority need. This policy relates to the temporary or emergency accommodation that is provided to homelessness households who meet this criterion. The policy is used as a guide to decide what accommodation is allocated to particular customer including the use of out of borough accommodation. The policy includes rehousing homeless households into private rented sector accommodation, to discharge the council's homelessness duties.

It relates to the placement of homeless households into temporary accommodation pursuant to Section 188 of the Housing Act 1996 and longer-term temporary accommodation placements for households accepted as homeless under Section 193 of the Housing Act 1996.

The revised policy considers other relevant statutory legislation, and requirements on Local Authorities in respect of the suitability of accommodation, including The Homelessness (Suitability of Accommodation) (England) Order 2012, and the Homelessness Code of Guidance 2017. It also has reference to Section 208 of the Housing Act 1996.

The notable change between the October 2021 Placement Policy and the new Homelessness Accommodation Placement Policy is the removal of the 90 minutes journey time back to the borough from where a placement has been made.

The council will now use 'zones' when procuring and allocating temporary and private rented sector accommodation.

The zones will enable the council to have a robust and clear policy and procedure on how properties are allocated. This policy will also serve to reduce the number of judicial reviews brought against the council when being challenged on suitability. Having zones, will give the council greater control on allocating accommodation, while being able to audit placements made for transparency. Areas in zone C are subject to change depending on the readiness and availability of supply in a specific area or county. The zones are as follows:

- Zone A – located in the borough of Tower Hamlets
- Zone B – located in Greater London
- Zone C – located outside Zones A and B but in the neighbouring counties and districts of Essex, Hertfordshire, Kent, Surrey, Berkshire, and Buckinghamshire
- Zone D – located outside of Zones A, B and C

This change in policy will affect customers who are approaching the council's Housing Options Service as homeless and are to be provided with accommodation. The policy will also benefit the Emergency Bookings & Allocations Team and the Accommodation Procurement Team, who will be able to make placements in a more structured way. It will also benefit various stakeholders to understand the criteria in which placements are made and accommodation is allocated.

The policy will enable the council to move away from placing families into unsuitable bed and breakfast accommodation, in particular, commercial hotels where costs are significantly higher, currently averaging £982.10 per week (January 2024). Where families need to be accommodated in hotels, the policy will allow the council to move families into self-contained

or settled accommodation within the statutory 6-week period. At present, our ability to move people on sooner is impeded by the lack of suitable affordable accommodation in the borough leading to residents remaining in hotels and bed and breakfast accommodation for longer than is legally permitted, which can be to the detriment of the health and well-being on our residents.

The revised policy will also empower the council to be more proactive when being legally challenged concerning a placement made for a homeless household where a homelessness duty is owed.

The council will also be able to move more households on from bed and breakfast temporary accommodation into settled accommodation in the private rented sector therefore enabling a faster move-on option into self-contained accommodation for those families in unsuitable bed and breakfast accommodation within 6 weeks, as there would be a better churn of available properties arising from the wider scope of supply beyond the borough and its neighbours.

The revised policy will enable the Housing Options Service, at the prevention stage of a homelessness application, to prevent more households from being placed into temporary accommodation, both bed and breakfast and self-contained, by rehousing households into more settled accommodation sooner as the scope of the areas for resettlement would be broadened.

The revision of this policy has been driven by more recent changes in case law, [Katie-Leigh Webb-Harnden v London Borough of Waltham Forest](#) (2023) EWCA Civ 992) but also in the consideration of the current and ongoing scarcity and demand for affordable housing in the borough and this includes within the provision of Temporary Accommodation.

There is not enough supply of social and affordable housing to meet demand in the borough. The Housing Options Service currently has over 2,805 households in temporary accommodation. At present, 48.6% of households are placed in the borough, with 49.8% of households placed in other London boroughs and only 1.5% of households placed in the neighbouring counties and districts.

There are circumstances beyond the council's control which make it increasingly difficult to acquire properties for use as temporary accommodation or indeed for the council to discharge its housing duty through an offer of private rented sector accommodation (PRSO) in the borough and London Boroughs.

Homelessness is increasing nationally due to market conditions and the cost of living. This can be costly and means that it is unlikely that officers will be able to place every household in accommodation within the borough. It also depends on the units which are available on a given day - which can vary. In addition, there are difficulties in procuring accommodation which meets the standards required. Consequently, the council may therefore need to acquire properties in a range of other locations where housing costs are affordable without depriving residents of food, clothing, heating, transport, and other essentials.

The policy sets out to ensure that people are placed in the most suitable form of accommodation as quickly as possible - taking into consideration the applicant's housing needs, and range of circumstances, including health, welfare, social, and financial situation as well - as the costs that the household will incur. In the assessment of the suitability of accommodation offered to residents, officers will also consider the distance from the borough, potential disruption to employment, education, caring responsibilities, access to essential medical services and local amenities.

The policy documents what officers need to take in account when considering whether accommodation is suitable and how households are prioritised for an in-borough placement of temporary accommodation (TA) or the Private Rented Sector (PRS).

The new Homelessness Accommodation Procurement Strategy sets out the council's approach as to how accommodation will be procured to discharge the council's statutory homelessness duties and responsibilities. It will ensure that officers follow current legislation and provides a reference point for Housing Options staff to make their decisions.

The strategy details the end to end processes for officers when they are procuring accommodation for homelessness households, including how we assist with ensuring that a household settles into a new area, where applicable, and that they are able to access the local amenities.

Section 3: Evidence (consideration of data and information)

What evidence do we have which may help us think about the impacts or likely impacts on residents, service users and wider community?

The following data has been compiled from data obtained from Tower Hamlets Housing Options Service (through information obtained from most recently collated H-Clic returns to DLUHC (Department for Levelling Up, Housing and Communities) (Department for Levelling Up, Housing and Communities) from Q2. 2023/24, this is limited to only providing data on age, gender, and race of the main applicants. The EIA also uses data from the most recently available Census (2021) to describe some of the key features of the borough's population, and the Housing Options Services' IT system, Northgate.

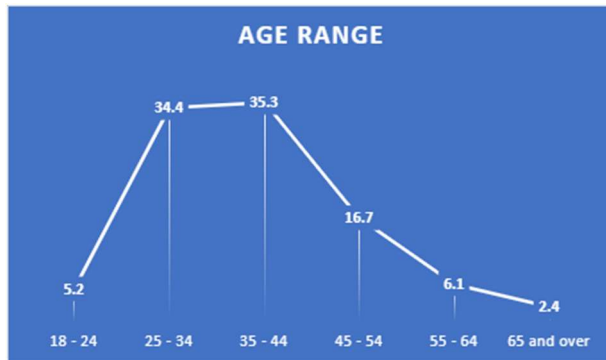
Age

Tower Hamlets is the youngest Local Authority district in England by median age. The median age within Tower Hamlets is 30 while in comparison to the rest of England, the median age of the population is 40 years of age (Census 2021).

The Census 2021 data revealed that the numbers of children, working age adults and older people in Tower Hamlets have all increased since 2011, with the largest proportionate rise in the working age population (25% increase). Tower Hamlets age structure shows the working-age population to be 240,393 which is 77.0% of the population. People under the age of 16 represent 17.4% of the population, and over 65s represent 5.6% of the population. Despite the proportion of older people in Tower Hamlets being the smallest in the country, it is characterised by elevated levels of need, with many older people requiring help with certain tasks or experiencing difficulty getting around.

Children and young people represent a slightly smaller proportion of all residents than in 2011, despite a numerical increase of 10,500. There are around 9,300 fewer children aged 0-14 when compared to the 2020 mid-year estimate.

When looking at the most recent available data on who the Housing Options Service supports, it is evident that working age residents may be disproportionately impacted by the new policy. Residents aged over 65+ are the least represented among residents who are placed in accommodation by the Housing Options Service.



The most prominent age groups among the main applicants are those within the 35-44 years age group (35.3%) and those aged 25-34 years (34.4%). Followed thirdly by those applicants aged 45-54 years (16.7%). The lowest represented age group are those aged 18-24 years (5.2%) which conversely suggest that the interventions involving mediation to prevent 'family and friends no longer willing or able to accommodate' younger residents may be working.

Disability

Data from the Housing Options Service on residents placed in Temporary Accommodation who identify as having a disability is not collated, however where a need for suitable accommodation is identified for the applicant or a member of their household, officers work to place the household in accommodation that meets their needs.

Census 2021 data sets out that 12.9% (40,125) of residents across the borough reported having a disability/. This is slightly lower than in 2011 when 13.5% had a disability.

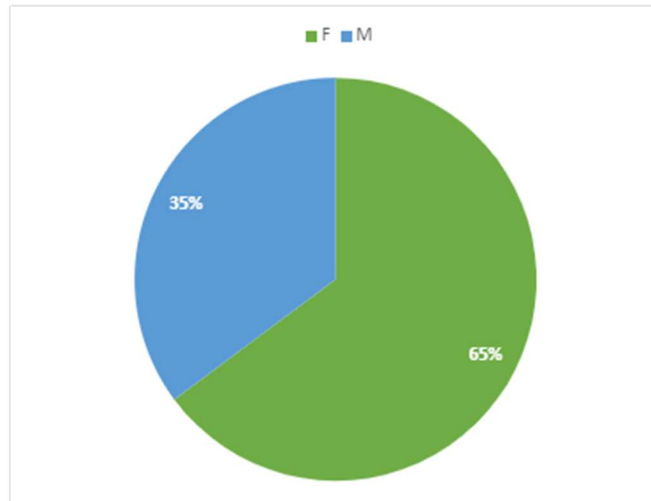
Of these, 5.7% (17,599) reported that their activities were limited a lot and 7.3% (22,526) reported that their activities were limited a little.

A further 4.5% had a long term physical or mental health condition that did not limit their day-to-day activities. However, 25.7% of all households had at least one person with a disability.

Sex

Tower Hamlets is unusual in having slightly more males than females within the population (50.2% of residents are male) and this is related, at least in part, to the age structure and the specific economic opportunities that attract residents to come and live in the borough.

However, among the cohort whom the Housing Options Service support and place in accommodation to relieve their homelessness, women main applicants vastly outnumber men (a ratio of 13:7). This implies that females are more likely to be impacted by the changes in the policy.



Gender reassignment

Official data suggests that transgender people make up a small proportion of people experiencing rough sleeping and homelessness. However, due to multiple factors trans people experiencing homelessness are more likely to be part of the 'hidden' homeless group. Official data from the Census 2021 found that about one per cent of residents have a different gender identity to their sex registered at birth in Tower Hamlets.

However, among the residents who seek assistance from the Housing Options Service in the provision of emergency or temporary accommodation, there is a reluctance to disclose this information.

Marriage and civil partnership

Data on marriage and civil partnerships of homelessness applicants is lacking as it is not collected by DLUHC or internally by the Housing Options Service.

This policy will not adversely affect this group unless they are members of one or more other protected groups. For example, a joint income household could be more likely be able to have more disposable income. Lone parents however maybe more disproportionately affected by homelessness compared to their share of the population so are more likely to be affected.

Religion or philosophical belief

The religion or belief of residents seeking assistance and requiring emergency or temporary accommodation is not recorded. However, the Census 2021 provides extensive data on the religion of the general population of Tower Hamlets. 39.9% of residents in Tower Hamlets identify as Muslim making it the most prevalent religion within the borough. Religious groups in Tower Hamlets identified from Census 2021 data shows:

- **Christian** - 69,223 people or 22.3%
- **Buddhist** - 2,961 people or 1.0%
- **Hindu** - 6,298 people or 2.0%
- **Jewish** - 1,341 people or 0.4%
- **Muslim** - 123,912 people or 39.9%
- **Sikh** - 966 people or 0.3%

- **Other** - 105,605 people or 34.0%

Race/Ethnicity

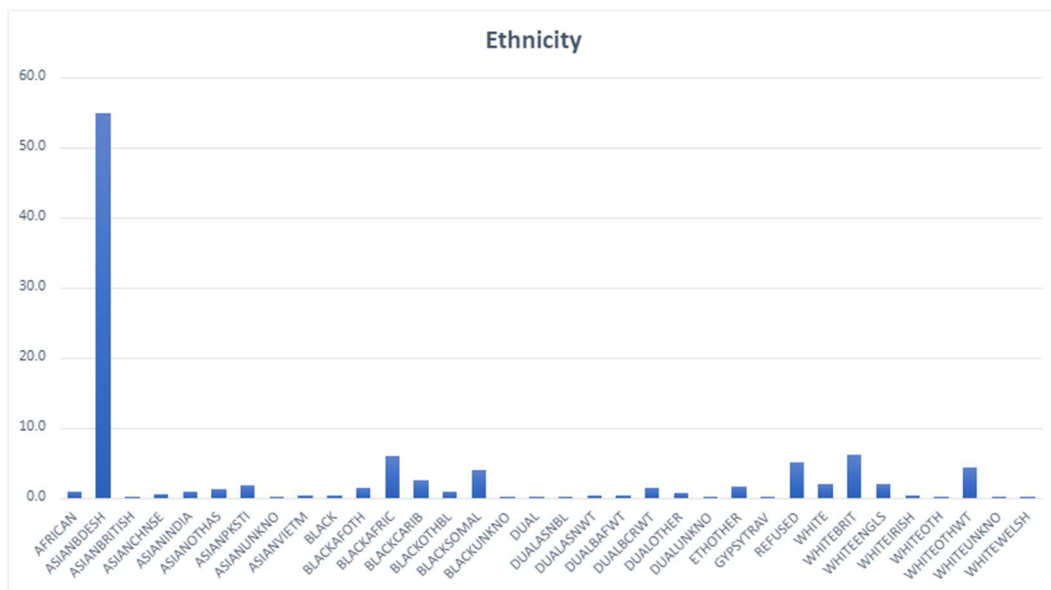
In common with much of London, most residents from Tower Hamlets are not from a White British ethnic background and the 2021 census reveals that almost half (47%) are born outside of the UK. Beyond this, Tower Hamlets has a very distinctive ethnic mix due to its longstanding Bangladeshi population (34.6% in 2021).

Tower Hamlets has by far the largest proportion of Bangladeshi residents in the UK with one in six people of Bangladeshi origin in England and Wales living in the borough. The Census 2021 has revealed that 43,561 Tower Hamlets residents were born in Bangladesh making it by far the largest country of birth of residents behind the UK.

The borough also has significant Black African populations, with a particularly notable Somali population, 5% of the population is now from a Black African background and these populations have grown rapidly in recent years. Among this population, the number of residents from Somali and Somalilander communities totals 6180 residents– 2% of the borough’s population.

White people were the largest minority group in Tower Hamlets accounting for 39.4% of the population.

Mirroring the general demographics of the population in the borough, data from the Housing Options Service reports that the largest group of applicants identified as Bangladeshi (54.9%). In terms of representation, White British/English applicants make a combined 8.1% of applicants, followed those who identify as Black African (5.9%) and Black Somalian (4.0%).



Sexual orientation

The Housing Options Service does not request this data from applicants. According to Census 2021 data, Tower Hamlets has a substantial proportion of residents who identify their sexual orientation as Lesbian Gay, Bisexual or other (7.2%) compared to England and Wales as a whole (3.1%). 83.1% of Tower Hamlets residents aged 16+ identified as straight or heterosexual.

9.8% of residents chose not to answer this voluntary census question. This was a relatively high proportion compared with England and Wales and was slightly higher than London.

Pregnancy and maternity

This data is not recorded for the purposes of reporting back to DLUHC on those residents who the council has assisted through the provision of accommodation.

Other

Socio economic status

Homelessness impacts on our most financially vulnerable residents - those with higher incomes are very unlikely to ever be threatened with homelessness.

This means that households in temporary accommodation are largely dependent on welfare benefits.

The freeze on Local Housing Allowance has meant that the local private rented sector is unaffordable for most households. The growing gap between benefits and rents is set out below.

	Room only	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms
LHA (Local Housing Allowance) Rate 2023/24 (per week)	£136.50	£295.49	£365.92	£441.86	£585.70
Average Weekly Rent* 1/10/22 – 30/09/23	£195.00	£380.76	£461.54	£553.85	£761.45
Weekly difference	£58.50	£85.27	£95.62	£111.99	£175.75

NB: Average Rent* taken from Private rental market summary statistics in England: October 2022 to September 2023 – ONS.

The growing gap between benefits and rents disproportionately affects those who are already disadvantaged with an even greater impact on those households who are benefit capped.

The difference between benefit levels and rents, makes it impossible for the council to fully mitigate the impact on low-income households without finding affordable accommodation in areas of the country where rents and benefits are more closely aligned.

60% of the borough falls within 30% of the most deprived areas of England and 29,000 residents earn less than the London Living Wage. DLUHC collects data on the employment status of those owed a duty by the council, the vast majority are registered unemployed with sizable minorities in full time work or unable to work due to long term health issues.

In the borough, unemployment is higher than the national average for residents (4.6% compared to a national average 3.7%) and many lack the skills to succeed. Women in particular are much less likely to be employed (59.7% compared with 72% in Great Britain). While half of adult residents are highly qualified, 16% have no qualifications at all.

Children and older people in particular are far more likely to be living in poverty in Tower Hamlets than those living elsewhere in the country. The Covid-19 pandemic and the cost-of-living crisis have impacted disproportionately on our most vulnerable residents.

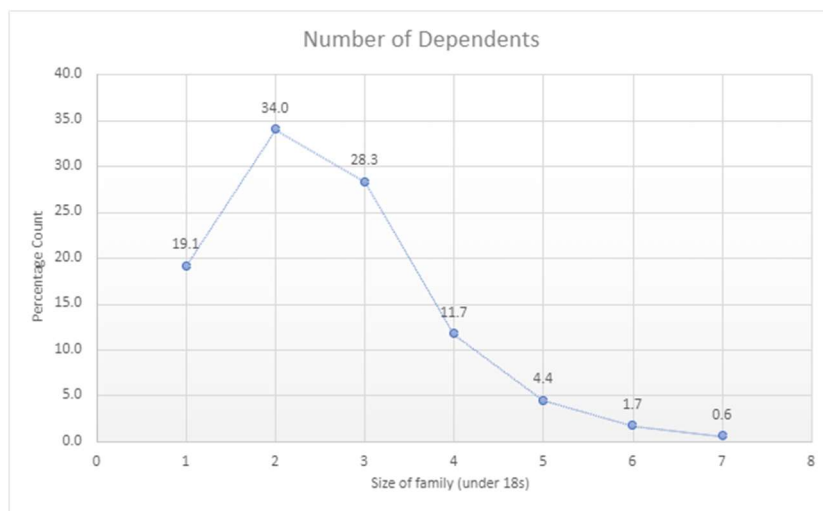
Parents/carers

Census data 2021 provides the following information: 32,666 households had dependent children. This was 27.1% of all households. This was a lower proportion than both England and Wales (28.3%) and London (31.3%)

As 6.6%, Tower Hamlets had a lower proportion of lone parent households than England and Wales (6.9%) or London (7.8%).

This represented a total of 7,961 lone parent households in Tower Hamlets.

In terms of data, information from the Housing Options Services' IT system Northgate reports that currently (January 2024) out of the 2805 households currently placed in TA, 2,239 are households that include children, however despite there being 566 households placed in temporary accommodation without children, this should not discount that these may include a household member who is currently pregnant. The graph below shows the percentages of children (dependents) within those households.



People with different Gender Identities e.g., Gender fluid, Non-Binary etc

The Housing Options Service does not collect this data. Best estimates can be derived from the Census 2021 which found:

90.7% residents identified their gender identity as being the same as their sex registered at birth. 0.6% of residents aged 16+ had a gender identity different from their sex registered at birth with no specific identity given.

0.1% identified as a Trans woman, 0.1% identified as a Trans man, 0.1% identified as Non-binary and 0.06% identified as having another gender identity.

Collectively, 1% (2,643) of Tower Hamlets residents had a gender identity that was different to their sex registered at birth. This was the same proportion as London but twice the proportion in England and Wales (0.5%)

8.3% chose not to answer this voluntary question, which was higher than the proportion in England and Wales and in London

People who have Care Experience

Data is unavailable on residents who identify with this protected characteristic.

Groups	Positive	Negative	Neutral	Considering the above information and evidence, describe the impact this proposal will have on the following groups?
Protected				
Age (All age groups)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Residents of working age may appear to be more disproportionately impacted. Consideration will be given in terms of employment for those residents who work.</p> <p>Many households include children of school age. Accommodation provided outside of the borough and neighbouring localities could impact on children having to change schools, potentially losing any educational support services and networks. However, children taking exams (at Key Stage in their education) will not to be placed where this would affect their ability to attend schools. This also includes those attending specialist schools.</p> <p>When considering placing a family outside of the borough, the council will take children's ages and their educational and support needs into consideration and will make every effort to establish the availability and location of schools and required services in the new area. Medical needs (in terms of regular appointments for specialist treatment) which necessitate that a household member needs to remain in or be placed in a neighbouring borough will also be considered.</p> <p>Households with children at risk, on the Child Protection Register or significantly disadvantaged, will be prioritised for an offer of accommodation in the borough or as close as we can get dependent on the availability and suitability of accommodation. In all cases, a suitability of accommodation assessment will be undertaken for all placements into temporary accommodation or PRS accommodation which will identify any overriding needs of all household members.</p> <p>All household members will benefit where they are placed in accommodation which they are able to financially sustain.</p>
Disability (Physical, learning difficulties, mental health,				<p>The council recognises that less-able residents could be negatively impacted by being placed out of the borough. These impacts could arise from accommodation that is secured further away</p>

and medical conditions)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>from hospitals, clinics, support centres etc, they may also find it harder to travel.</p> <p>Disabled residents who have regular medical appointments in the borough will be prioritised for an offer of accommodation within or as near as possible to Tower Hamlets. The policy recognises this, and the council aims to allocate suitable accommodation where we can, with the assistance of other stakeholders to resolve issues to the best of our ability.</p>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Women represent a sizeable percentage of applicants who the Housing Options service place in Temporary Accommodation (65%). There is a significantly higher number of female applicants than males and it is anecdotally known that many these cases are single parents.</p> <p>Potentially applicants moving out of borough could be placed away from their support networks, however the policy assures that officers would look to ensure that this distance is manageable. Similarly, many of these cases are more likely to struggle the most financially and moving to accommodation in cheaper areas will help these applicants reduce the financial burden on the family.</p> <p>The council will continue to endeavour to place women applicants in safe and secure accommodation, in areas with good transport links, and with support and community facilities in place.</p>
Gender reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Residents are reluctant to disclose this information - this disclosure is entirely at the discretion of residents - consequently there is a gap in the data available on residents who identify with this protected characteristic. However, the council recognises that transgender people who have or may be in the process of changing gender may be more dependent on local support networks or health services.</p> <p>Where it is not possible to offer or place a resident locally, we will ensure that similar services and support are available in the new location, and that they are placed in a safe locality.</p>
Marriage and civil partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There is unlikely to be an adverse or disproportionate impact on households based on the main applicant's relationship status unless they identify with one or more other protected characteristics which are affected. Increasing the</p>

				<p>reach and scope of where the council can accommodate, and place homeless households has the potential to reduce waiting time spent in interim temporary hostel or emergency accommodation for all households.</p> <p>Moving to a new location may be challenging for single applicants either with or without children who may be more reliant on local support networks. Although the revised Policy will prioritise the more vulnerable households with extenuating circumstances for local accommodation, the policy will ensure that where single parents are moved outside of the borough and further away from London, they have access to local support networks and provided with links to local community groups.</p>
Religion or philosophical belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The council recognises that religious households are supported by the communities that they live in, and it is important to ensure that in making out of area placements, the communities that we are placing into are supportive and sufficiently diverse. In assessing the suitability of an offer of accommodation, each case will need to be assessed on its own merits, considering both the nature of the property and the community that surrounds the property, to ensure that residents are not isolated in their new communities. As well as any extenuating circumstances that necessitate that it is critical that the applicant or a member of their household remain in the borough or are placed in an area nearby.</p> <p>Where local accommodation is not possible, we will ensure that similar services are available to the residents in a new location and that support with the transition is available.</p>
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A considerable proportion of residents placed in temporary accommodation are from the BME community – specifically Bengali. Culturally, residents from some ethnic backgrounds need to be close to their community/ the area where they currently live and there could be a potential inequality arising from them being placed into accommodation in other areas further away - if they were to be placed in areas which are less diverse, this could lead to isolation and potential discrimination.</p> <p>Officers will ensure that if local accommodation is not available, that residents and their households are placed in an area where there is an existing community and support networks available.</p>

Sexual orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Data on the sexual orientation of residents placed in temporary accommodation is insufficient.</p> <p>There may be impacts arising from the relative lack of support and other services designed specifically for LGBTQ+ people in some places outside London, but the needs for these specific services would be considered before an offer is made. Where specific needs are identified, the council will take these into consideration when allocating temporary accommodation.</p>
Pregnancy and maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The number of people living in interim or long-term temporary accommodation who are in the maternity or paternity leave phase is not data which is collated by the council and therefore the impact of the policy on this group cannot be analysed.</p> <p>However, a transition of services during pregnancy could have a potential negative impact, as could a potential loss of support networks. The council will actively seek to link residents into maternity and support services in their new area.</p>
People who have Care Experience	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Data is unavailable on those who have care experience. It is likely though that individuals who have care experience will not be disproportionately or negatively impacted by the revised policy and new strategy and will benefit from the council's approach in the same way as residents with other protected characteristics.</p> <p>When considering placing a person who has experience of care outside of the borough, the council will consider the individual's support needs and the availability and location of these services in the new area where the person will be placed. Where an individual has any medical needs that require them to remain in the borough or be placed in a neighbouring borough, due consideration will be made in the allocation and placement of any temporary accommodation placement or PRS offer made to the person.</p> <p>The suitability of accommodation test will ensure that residents who identify with this or multiple protected characteristics will not be disproportionately affected.</p>
Other				
				<p>Accommodation both in the borough and in neighbouring boroughs can still be expensive and sometimes unaffordable. This policy has</p>

Socio-economic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	looked to address this by widening the options available to customers who are socio-economically disadvantaged. Unless there are extenuating circumstances as set out in the policy, households will benefit from the procurement and placement of people in accommodation outside of London where rents are cheaper and more affordable.
Parents/Carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Parents and carers could be more negatively impacted by being placed outside of the borough.</p> <p>Welfare and support requirements are considered in the suitability assessment of the accommodation for the households needs. This includes consideration of the need for any children to be in close proximity to support services due to health, medical needs, for child protection purposes and care reasons. It will also consider the need for families to remain close to existing schools; however, considerations for in-borough placements will only apply for children at key stages of education.</p>
People with different Gender Identities e.g., Gender fluid, Non-Binary etc	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>People with different gender identities are more likely to choose not to disclose this information. Consequently, obtaining this data can be challenging. The policy ensures people of all backgrounds can access transparent guidance on the placements process that will be beneficial to all gender identities.</p> <p>The council has a statutory legal duty to provide accommodation for people of all protected characteristics including people who have different gender identities who are eligible, homeless and in priority housing need.</p> <p>This policy therefore ensures people across a range of equality backgrounds can access clear guidance on the whole placements process. People with different gender identities will not be discriminated against in the homeless placements process.</p> <p>As part of the duties under the Equality Act 2010, the council will have due regard to the gender identity of an applicant when determining the suitability of a property. For example, a victim of harassment or violence will not be placed in locations close to a perpetrator. Placements will made in a suitable area which is safe.</p>
Any other groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No other groups have been identified who might experience an adverse or disproportionate impact arising from this policy.




Section 6: Monitoring

What monitoring processes have been put in place to check the delivery of the above action plan and impact on equality groups?

N/A .

Appendix A

EIA decision rating

Decision	Action	Risk
As a result of performing the EIA, it is evident that a disproportionately negative impact (direct, indirect, unintentional, or otherwise) exists to one or more of the nine groups of people who share a Protected Characteristic under the Equality Act and appropriate mitigations cannot be put in place to mitigate against negative impact. It is recommended that this proposal be suspended until further work is undertaken.	Suspend – Further Work Required	Red 
As a result of performing the EIA, it is evident that there is a risk that a disproportionately negative impact (direct, indirect, unintentional, or otherwise) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, there is a genuine determining reason that could legitimise or justify the use of this policy.	Further (specialist) advice should be taken	Red Amber 
As a result of performing the EIA, it is evident that there is a risk that a disproportionately negatively impact (as described above) exists to one or more of the nine groups of people who share a protected characteristic under the Equality Act 2010. However, this risk may be removed or reduced by implementing the actions detailed within the <i>Impact analysis and action plan</i> section of this document.	Proceed pending agreement of mitigating action	Amber 

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Appendix D: Equalities Impact Analysis Screening – The piloting of x2 new schemes 1) Cost of Living Grant and 2) Find your own PRS Accommodation Grant

Section 1: Background information

Name of completing officer	Date of screening
Una Bedford, Senior Strategy and Policy Officer	7 January 2024
Service area and Directorate responsible	
Housing Management & Procurement, Housing and Regeneration	
Approved by (Director / Head of Service)	Date of approval
Karen Swift, Director of Housing	

The Equality Act 2010 places a ‘General Duty’ on all public bodies to have ‘due regard’ to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with ‘protected characteristics’ and those without them
- Fostering good relations between those with ‘protected characteristics’ and those without them

This Equality Impact Analysis provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above. For more information about the Council’s commitment to equality, please visit the Council’s [website](#).

Section 2: Summary of proposal being screened.

For the purpose of this document, 'proposal' refers to a policy, function, strategy or project.

Name of proposal
Approval of two pilot schemes: <ol style="list-style-type: none">1. Cost of Living Grant Scheme2. Find Your Own PRS Accommodation Grant
The aims/objectives of the proposal
<p>The council is proposing to pilot two new schemes, the Cost of Living Grant and the Find Your Own PRS (Private Rented Sector Accommodation) Grant.</p> <p>Cost of Living Grant</p> <p>The Cost of Living Grant provides a cash grant to hosts to allow family members (non-dependents who could be adult children or other extended family members) to remain in the host's household – where the host is evicting family members as a consequence of the continued cost of living pressures that householders face.</p> <p>The availability of this grant may help to stem the flow and contribute to the reduction in costs associated with the council placing those to whom it owes a housing duty into expensive statutory temporary accommodation.</p> <p>Find Your Own PRS Accommodation Scheme</p> <p>The Find Your Own PRS Accommodation Grant will be delivered by the Housing Options Service, who proactively work with households who are threatened with homelessness, to help them to secure accommodation in the PRS, before they become homeless.</p> <p>The main purpose of the Find Your Own PRS Accommodation Grant scheme, is to prevent homelessness and to achieve a better outcome for households who are threatened with homelessness, by avoiding the need for them to have to access emergency temporary accommodation (bed and breakfast or commercial hotel accommodation) and to empower residents to secure accommodation which is suitable and affordable for them.</p> <p>Through the scheme. households will be enabled to access support and resources to secure a property in the PRS, which they are able to choose for themselves. In the main, this will assist residents at risk of homelessness. In addition, residents currently placed in Temporary Accommodation will also be encouraged to utilise this scheme.</p>

Section 3: Equality Impact Analysis screening

<p>Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below ?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p>	Yes	No	Comments
<ul style="list-style-type: none"> ▪ Sex 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Applicants irrespective of their gender will benefit from the piloting of both of these grant schemes.</p> <p>Female applicants in particular represent a greater proportion of residents who the Housing Options Service supports in the provision of temporary accommodation and moves into the PRS from Temporary Accommodation.</p> <p>Gender is an issue in relation to economic status with women being adversely affected. National, London-wide and local level research indicates women earn less than their male counterparts and have a higher representation in economically inactive households, largely explained by the take up of care roles. The trends described and the notable 'gender pay-gap' affects women's ability to access affordable housing in the borough and places women at greater risk of homelessness.</p> <p>The FYO PRS Accommodation grant may remove the financial barriers that residents face in finding and maintaining a tenancy in the PRS, particularly where we are unable to find suitable move-on PRS accommodation in the borough. The grant will empower and provide financial relief in the costs related to securing accommodation in the PRS.</p>

<ul style="list-style-type: none"> ▪ Age 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Both grant schemes are available to residents over working age.</p> <p>For residents under the age of 35, who are single or couples without children, they may have difficulties if they are in receipt of Local Housing Allowance (LHA) to source PRS accommodation which is affordable within the borough. This is because they can only receive the Single Room Rate of LHA. These residents will benefit from the incentivisation of hosts through the Cost of Living Grant to allow non-dependents to remain in the property.</p> <p>This will negate any financial obstacle which places a resident at risk of homelessness where friends and family who host the resident are no longer willing or able to accommodate them. It should ensure that residents living in host households do not become roofless as a result of the cost of living crisis and negate their need for accommodation to be found by the Housing Options Service, in turn helping to alleviate the financial costs to the council in the delivery of this service.</p> <p>Residents who successfully apply for the Find Your Own Scheme will have additional financial assistance to source their own PRS accommodation giving them an element of choice as to where they chose to move to. As the FYO PRS Accommodation Grant can cover expenses associated with finding and moving into PRS Accommodation, this may provide further financial relief to residents to residents who have no choice but to move out of the borough with the additional associated expenses this may bring.</p>
<ul style="list-style-type: none"> ▪ Race 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Data from the Housing Options Service demonstrates that the demographics on race and ethnicity among residents who approach because they are at risk of, or, who become homeless is very much in keeping with the demographic of the wider population in Tower Hamlets. Both of these grant's schemes will be considered on a case by case basis and applicants who are eligible for assistance under either of these schemes will benefit from such an award.</p>
<ul style="list-style-type: none"> ▪ Religion or Philosophical belief 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>People with religious or philosophical beliefs will not be negatively impacted by the introduction and piloting of these two new grant schemes.</p>

			<p>The council recognises that religious households are supported by the communities that they live in, and it is important to ensure that wherever an individual or household resides that the communities that we are placing into are supportive and sufficiently diverse. All requests for funding from these two grant schemes will be assessed on their merits.</p> <p>The FYO PRS Accommodation support will assist residents to settle into their new home and will help residents to adjust to their new area.</p>
<ul style="list-style-type: none"> ▪ Sexual Orientation 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Like all residents who identify with any one or number of protected characteristic, residents who identify as LGBTQ+ will benefit from the intended outcomes of both of these pilot grant schemes.</p>
<ul style="list-style-type: none"> ▪ Gender re-assignment status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>People who identified as in the process of, or who have undergone gender reassignment will not be negatively impacted by the piloting of these two Grant Schemes and will be able to apply for these funds to support them to remain in their current households or to source alternative PRS accommodation on their terms.</p> <p>All requests for assistance from these grant schemes will be considered on a case by case basis on their own merits.</p>
<ul style="list-style-type: none"> • People who have a Disability(physical, learning difficulties, mental health and medical conditions) 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Residents who have identified as having severe disabilities and or health, mental health conditions are more likely to be directly offered council accommodation and/or meet high priority banding within the council and its partner's Common Housing Register Allocations scheme.</p> <p>The Cost of Living Grant will enable those residents whose disabilities are less severe to remain in the host's home.</p> <p>If a resident at risk of homelessness or needing to move-on from temporary accommodation identifies with this particular characteristic, the additional costs that the FYO PRS Grant scheme will cover may give the resident greater financial choice as they move on from Temporary Accommodation and relieve the worries of the additional financial costs associated with securing PRS accommodation.</p>
<ul style="list-style-type: none"> ▪ Marriage and Civil Partnerships status 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Residents irrespective of their marital or civil partnership status will benefit from the piloting of both of these grant schemes. Each request</p>

			for assistance from these two grant schemes will be considered on a case by case basis on their own merits.
<ul style="list-style-type: none"> • People who are Pregnant and on Maternity 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Residents who identify with this protected characteristic will benefit from the Cost of Living Crisis Grant because it will enable the resident to remain in their current home, particularly important where the resident is reliant on the support of household members during and after their pregnancy.</p> <p>This protected group will also benefit from the FYO PRS Accommodation scheme as they will be able to use the funds associated to meet the costs of moving and the associated costs of resettling into a new area.</p>
<p>You should also consider:</p> <ul style="list-style-type: none"> • Parents and Carers • Socio-economic status • People with different Gender Identities e.g. Gender fluid, Non-binary etc. • Other 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Single parent or carers who may have only one source of income may struggle with the financial costs of moving home or may need additional financial support to find accommodation that meets their needs.</p> <p>The FYO PRS Accommodation Grant may remove any additional financial costs that might dissuade a resident from sourcing accommodation in the PRS. Where a household is unable to remain in the borough and the household includes children, new school uniforms will be needed if the move means that children need to change schools. The grant can also be used to support families in taking part in social and supporting activities in their new area to make the transition into their new local area smoother.</p> <p>Similarly, those who are hosted by another household may find that the Cost of Living Grant enables them to remain in their current home and they may be able to retain the existing support network that they have in their current home.</p> <p>There is a lack of data concerning residents who identify as having 'other' identities but those who may want to remain in the family home but are threatened with eviction as a result of the cost of living crisis may benefit from remaining in the family home, particularly where the source of tension is derived from the household costs arising from the national cost of living crisis.</p>

			Similarly, if the resident needs to source accommodation in the PRS, they may be able to exert choice into where they move to and will be able to negate the additional financial costs associated with moving and settling into the PRS accommodation that they have secured.
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If you have answered **Yes** to one or more of the groups of people listed above, a **full Equality Impact Analysis is required**. The only exceptions to this is if you can 'justify' the discrimination (Section 4). **If there are equality impacts on Council staff please complete the restructure equality impact analysis on the ['Organisational change process' pages of the intranet](#).**

Section 4: Justifying discrimination.

Are all risks of inequalities identified capable of being justified because there is a:	
(i) <i>Genuine Reason</i> for implementation	<input type="checkbox"/>
(ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i>	<input type="checkbox"/>
(iii) There is a <i>Genuine Occupational Requirement</i> for the Council to implement this activity	<input type="checkbox"/>

Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal.

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below.

Comments

Householders currently providing accommodation for friends or relatives do not receive financial help associated with having long-term guests. Financial assistance to meet these costs at a time when household budgets are already overstretched could help to sustain hosting arrangements and prevent and reduce the incidence of family and friends no longer willing or able to allow a homeless applicant or household to remain in the property.

The Find Your Own PRS Accommodation Schemes empowers residents to take ownership and control over their housing options with more flexibility and choice in terms of the location and type of property they are able source in the PRS. Those residents who receive a "Find Your Own" Grant payment should see the payment help to reduce any financial barriers which prevented a resident from securing and settling into a new PRS tenancy. This in turn should minimise the risk of the tenancy breaking down.

The Grant also encourages households to take pride in their new home and supports long-term tenancy sustainment and fundamentally aims to reduce the risk of repeat homelessness which is costly to the council and disruptive to the resident and their household.

The use and payment of both grants will be considered and managed in line with Tower Hamlets Adult Safeguarding procedures to ensure minimal risk of harm or exploitation to vulnerable individuals and families. Any concerns raised or noted regarding a particular individual or family will be considered on a specific case-by-case basis.