

TEMPORARY ACCOMMODATION POLICY 2026



1. Introduction

1.1 This Policy sets out Hinckley & Bosworth Borough Council's approach to the provision, use and management of Temporary Accommodation for households who are homeless or threatened with homelessness.

1.2 The Policy reflects the Council's statutory duties under the Housing Act 1996 (as amended), the Homelessness Reduction Act 2017, the Homelessness Code of Guidance for Local Authorities, and relevant case law.

1.3 The purpose of this Policy is to ensure that all Temporary Accommodation provided by the Council is:

- Suitable for the household's needs;
- Allocated lawfully and fairly;
- Managed consistently and transparently;
- Delivered in a way that makes best use of resources.

2. Legislative and Statutory Framework

2.1 The Council provides Temporary Accommodation in accordance with the following statutory duties and powers:

- **Section 188 Housing Act 1996:** Interim duty to accommodate applicants where the Council has reason to believe they may be homeless, eligible and in priority need.
- **Section 189B Housing Act 1996:** Relief duty to help secure accommodation for eligible homeless households for up to 56 days.
- **Section 190 Housing Act 1996:** Limited duty to accommodate households found intentionally homeless but in priority need.
- **Section 193 Housing Act 1996:** Main housing duty owed to eligible, homeless households who are in priority need and not intentionally homeless.
- **Section 204A Housing Act 1996:** Discretionary power to accommodate pending a homelessness appeal.
- **Severe Weather Emergency Protocol (SWEP):** Power to provide emergency accommodation to protect life during severe weather conditions.

2.2 The Council must also have regard to the Homelessness Code of Guidance, in particular Chapter 17 regarding the suitability of accommodation.

3. Principles of Temporary Accommodation Provision

3.1 Suitability

All Temporary Accommodation offered will be assessed as suitable, considering:

- Household composition, including the presence of children or a pregnant household member;
- Physical standards and safety;
- Location, including employment, education, support networks and risk factors;
- Any welfare, medical or safeguarding considerations.

3.2 Fair Allocation

Where the Council must choose between households for limited accommodation, decisions will be made on:

- Statutory duty owed;
- Urgency and risk;
- Cost-effectiveness;
- Length of time already spent in Temporary Accommodation;
- Local connection as defined by homelessness legislation.

3.3 Minimising Use of Bed & Breakfast

The Council is committed to avoiding the use of bed and breakfast (B&B) accommodation except in emergencies, and never for families or pregnant households for more than six weeks.

3.4 Cost Management

The Council must ensure the provision of Temporary Accommodation represents value for money and is financially sustainable.

4. Types of Temporary Accommodation

4.1 The Council uses a range of accommodation types, depending on need and availability, including: Interim and emergency accommodation;

- Council-owned or leased Temporary Accommodation;
- Hostels or supported housing operated by partner organisations;
- Self-contained units provided by 3rd party suppliers;
- Hotel accommodation

4.2 All accommodation, regardless of provider, must meet the Council's standards for suitability and safety.

5. Out-of-Area Placements

5.1 The Council aims to accommodate households within Hinckley & Bosworth wherever possible.

5.2 When local provision is unavailable, the Council may place households outside the Borough. In making such placements, the Council will consider:

- Protection and safety, particularly for those fleeing domestic abuse or violence;
- Disruption to education, especially for Year 10 and 11 pupils;
- Employment, caring responsibilities and support networks;
- Cost-effectiveness and availability.

5.3 Households with a residential local connection to Hinckley & Bosworth (e.g. minimum six months' residence out of the previous twelve) will normally be prioritised for in-borough accommodation over households without such a connection, where the connection solely arise based on family living in the area or previously living in the area.

5.4 The Council will notify the relevant local authority within required timescales in accordance with statutory guidance, regarding out of area placements.

6. Personal Charges for Temporary Accommodation

6.1 All households placed in Temporary Accommodation are required to apply for Housing Benefit or relevant housing costs under Universal Credit.

6.2 The Council will levy reasonable personal charges for accommodation. These charges will be published annually within the Council's Fees & Charges schedule.

6.3 Personal charges associated with Temporary Accommodation are not eligible for Housing Benefit and must be paid directly by the household to the Council; failure to do so may result in termination of the temporary accommodation.

7. Ending Temporary Accommodation

7.1 Planned Move-On

Temporary Accommodation will normally end when the Council:

- Secures suitable longer-term accommodation under its statutory duties;
- Assists the household to secure alternative suitable accommodation; or
- Concludes that no further duty is owed.

7.2 Termination Due to Behaviour or Non-Compliance

7.2.1 Households are expected to comply with the terms and conditions of stay included in their temporary accommodation letter as well as any licence or tenancy conditions associated with their Temporary Accommodation.

7.2.2 Behaviour that may result in warnings, enforcement action or termination includes:

- Failure to pay personal charges
- Nuisance or anti-social behaviour
- Violence, threats, harassment or intimidation
- Criminal activity
- Damage to property
- Allowing non-household members to stay without prior permission from the Council

7.2.3 The Council will operate a proportionate and transparent enforcement approach.

This may include:

- Verbal or written warnings
- Review meetings
- Conditions attached to continued occupation
- Notice to quit
- Termination of accommodation where lawful and appropriate

7.2.4 Where enforcement action is linked to safeguarding, risk or criminal activity, the Council may take immediate action to protect households, neighbours, or staff.

7.2.5 Ending Temporary Accommodation may impact the statutory homelessness duty owed. Any decisions will be made lawfully and communicated in writing.

7.4 Abandonment

7.4.1 Where the household abandons their accommodation, the Council will take reasonable steps to verify abandonment and end liability promptly.

7.4.2 Ending Temporary Accommodation may impact the statutory homelessness duty owed. Any decisions will be made lawfully and communicated in writing.

7.4.3 In cases where the Council are unable to verify the whereabouts of the household, and there are concerns the Council will follow its safeguarding policy, and may also notify the police, and contact the next of kin.

8. Health, Safety and Property Standards

8.1 All Temporary Accommodation used by the Council must meet minimum health and safety standards, including:

- Valid gas safety certificates (where applicable)
- Up-to-date electrical installation condition reports
- Working smoke alarms and carbon monoxide detectors
- Adequate fire escape routes and building fire precautions
- Heating, hot water and bathroom facilities

8.2 The Council will carry out property inspections at appropriate intervals to ensure suitability, condition, and compliance with standards. The frequency of inspection will depend on the accommodation type and risk profile.

8.3 Households are responsible for keeping their accommodation clean, reporting repairs promptly, and complying with any health and safety requirements set by the provider or the Council.

8.4 Any serious safety concerns raised by occupants will be responded to as a priority, and alternative accommodation may be provided where a property is deemed unsafe.

9. Domestic Abuse and Violence-Related Placements

9.1 The Council will adopt a trauma-informed approach to all applicants fleeing domestic abuse, honour-based abuse, stalking or harassment.

9.2 When placing survivors, the Council will consider:

- The risk posed by the perpetrator
- Distance from prior address
- School continuity for children
- Confidentiality and address protection
- Suitability of the property type (e.g. avoiding mixed shared accommodation)

9.3 The Council will not place survivors in accommodation where there is any identified risk of further harm.

9.4 Information about the location of survivors will be shared only where legally required or for safeguarding purposes.

10. Pets and Assistance Animals

10.1 The Council has no obligation to accept pets into Temporary Accommodation. Whether pets are permitted will depend on the property, provider rules, and the household's circumstances.

10.2 Where possible the Council's aim is to always place households with their domestic pets into suitable temporary accommodation.

10.3 Assistance animals required under the Equality Act 2010 will always be permitted where reasonably possible.

10.4 Where pets cannot be accommodated, the Council will provide information about kennelling options or other arrangements.

10.5 Under the Council's fees and charges, the household will be expected to contribute towards the additional cost of pets in temporary accommodation.

11. Financial Support, Hardship and Arrears Prevention

11.1 The Council aims to prevent arrears and homelessness caused by affordability issues within Temporary Accommodation.

11.2 The Council will offer support including:

- Welfare benefit checks
- Support in applying for Housing Benefit or Universal Credit
- Referral to debt or budgeting support services

11.3 Where a household is at risk of arrears, the Council will:

- Contact the household early
- Work to understand the cause of non-payment
- Agree an achievable repayment plan where appropriate
- Signpost to external support agencies

11.4 Failure to engage with support or pay required charges may result in enforcement action as set out in Section 7.2.

12. Safeguarding and Risk Management

12.1 The Council has a statutory duty to safeguard children, young people and adults at risk. Safeguarding considerations will be central to all Temporary Accommodation decisions.

12.2 The Council will review relevant safeguarding information prior to making a placement. Although this does not constitute a formal written risk assessment, appropriate safeguarding factors will be considered, including (but not limited to):

- Domestic abuse, exploitation or violence
- MAPPA status
- Substance misuse, mental health or complex needs
- Risks to children or vulnerable adults
- Risks posed to neighbouring households or accommodation providers

12.3 The Council will ensure that information relevant to the safety of the household, other residents, and staff is shared appropriately with accommodation providers in accordance with UK GDPR and statutory safeguarding guidance.

12.4 Where safeguarding concerns arise while a household is in Temporary Accommodation, staff will follow the Council's safeguarding procedures and make relevant referrals as required.

12.5 Staff involved in coordinating placements and visiting Temporary Accommodation must hold an up-to-date Disclosure and Barring Service (DBS) check where their role requires it.

12.6 The Council may be under a duty to notify schools and health authorities when children are placed into temporary accommodation, including the address and reason for homelessness, in line with statutory guidance.

13. Reviews and Appeals

13.1 Applicants have the right to request a review of:

- Suitability of temporary accommodation offered under the main duty;
- Suitability of final accommodation offered to discharge duty.
- Decision to cease temporary accommodation offered under the main duty, subsequently bringing the duty to an end.

13.2 All review rights will be set out in writing at the time of offer.

13.3 Temporary Accommodation provided during the relief duty is not generally subject to statutory review rights unless it forms part of a decision that brings the duty to an end.

14. Data Protection and Information Sharing

14.1 The Council processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

14.2 Information may be shared with:

- Housing providers and landlords
- Other local authorities
- Support agencies
- Safeguarding bodies
- Police and criminal justice agencies

14.3 Information will only be shared where necessary to deliver homelessness services, ensure safety, or comply with legal obligations.

14.4 Households may request access to their personal information in line with the Council's Data Protection Policy.

15. Provider Standards and Contract Monitoring

15.1 All providers delivering Temporary Accommodation on behalf of the Council must comply with:

- Statutory housing standards
- Fire and building safety regulations
- Contracted service level agreements
- Safeguarding requirements
- Equality and non-discrimination duties

15.2 The Council will monitor provider performance, including:

- Property condition
- Responsiveness to repairs
- Conduct and professionalism of staff
- Compliance with licence and contractual terms

15.3 Providers who fail to meet required standards may be subject to performance notices, suspension or removal from procurement frameworks.

16. Equalities Statement

The Council recognises that it delivers its homelessness services to communities within which there is a wide social diversity and is committed to providing equal opportunities and valuing diversity. Through the management of its homelessness service, the Council will treat all customers fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.

Discrimination on the grounds of race, nationality, ethnic origin, religion or belief, gender, marital status, sexuality, disability and age is not acceptable.

The Council will tackle inequality, treat people with dignity and respect and continue to work to improve services for all service users. The legal framework for the Council's approach is provided by the Equality Act 2010 and specifically by the Public Sector Equality Duty, under which a public authority must work consciously to eliminate discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people with differing characteristics.

To enable customers to have clear information and equal access to our Housing Options service information will be made available in a range of appropriate languages and formats, when requested.

17. Measuring Quality and Performance

The Council is committed to ensuring that its temporary accommodation placements are delivered to a high standard, providing high levels of customer satisfaction and value for money. We monitor all placements through an effective record-keeping system. Government indicators to measure performance will be published on the website

18. Complaints

If for any reason an applicant is not satisfied with the service that has been provided, they can make a complaint in accordance with the Council's Complaints Policy. This can be viewed [here](#).

19. Governance and Monitoring

19.1 The Policy will be monitored and reviewed on an annual basis or more frequently as changes in legislation or regulation dictate. Changes will be made to the document under the authority delegated to the Directorate of Housing or Head of Environmental Health and Statutory Housing Services in consultation with the Portfolio Holder responsible for Housing.

19.2 The Council will monitor:

- Temporary Accommodation usage;
- Cost and budget performance;
- Out-of-area placements;
- Compliance with statutory time limits on B&B use.

19.3 The Allocations and Temporary Accommodation Manager will oversee implementation of this Policy.