



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Temporary Accommodation Policy

2025

Version	Date	Author	Change
1.0	May 2025	R Smith	

Contents

1. Introduction.....	3
2. Aims and Objectives	4
3. Statutory guidance	4
4. Policy Outline.....	5

1. Introduction

The Temporary Accommodation Policy sets out how Cherwell District Council will meet its responsibilities to people that are homeless or threatened with homelessness and who are approaching the Council for support.

The Policy covers both interim placements made under Section 188 Housing Act 1996, whilst homelessness enquiries are undertaken, and longer-term temporary accommodation placements for households that have been accepted as homeless under Section 193 Housing Act 1996. For the purposes of clarity within this document, placements in accordance with these differing duties are referred to generically as temporary accommodation placements.

To meet its housing duties and provide assistance to households that approach the Council in housing crisis, the Council is reliant on adequate supply of accommodation or a supply of suitable accommodation options that meets its demands. When the Council is unable to assist applicants into accommodation before they become homeless or where accommodation is required without forewarning, the Council is required to source accommodation or have accommodation in place to deal with these eventualities.

The Council will wherever reasonable and practicable secure suitable accommodation within the Cherwell District in order to allow households to maintain their existing care and support, employment and schooling and other networks. The Council will however take into account and assess each household's circumstances before making a placement. If it is necessary to place a household outside the district area, these placements will be made.

The Council's strategic objectives with regard to temporary accommodation are outlined in the Council's Housing Strategy 2025-30 and the Homelessness and Rough Sleeping Strategy 2024-2029.

2. Aims and Objectives

The Temporary Accommodation Policy aims to.

Set out the Council's approach to placing homeless households in emergency and temporary accommodation.

Ensure the Council is compliant with legislation, guidance, case law and good practice relating to the provision of temporary accommodation.

Set out the factors that will be considered to ensure that the temporary accommodation being offered is suitable and allocated fairly.

Keep households that are homeless safe and supported, including those that are homeless due to personal safety reasons, such as domestic abuse.

Set out expectations and service levels that households can expect should they require the services provided by the temporary accommodation service.

Ensure the effective management of temporary accommodation premises, either those within the direct management of the Council or those provided by third party providers.

Outline how the Council supports households who approach the Council in need of temporary accommodation, to ensure that they are treated in a consistent and fair manner, with a view to improving customer experience.

Reduce costs of temporary accommodation by facilitating move on, making timely decisions and judgements and reducing placements in nightly charged temporary accommodation.

3. Statutory guidance

The provision of temporary accommodation sits within Part 7 Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

The Policy has considered the provisions outlined within the following associated legislation and guidance

- Homelessness Code of Guidance for Local Authorities (Ministry of Housing, Communities and Local Government, MHCLG)
- Children Act 2004
- Equalities Act 2010
- Localism Act 2011
- Homelessness (suitability of accommodation) order 2012
- Care Act 2014

- Domestic Abuse Act 2021

There is also case law that is relevant to homelessness placements and temporary accommodation that is considered when delivering the service to households.

4. Policy Outline

4.1 Temporary Accommodation Portfolio

Temporary housing provided by the Council comprises of a number of different options. This includes properties that are directly managed by the Council and are within the Council's own ownership portfolio, properties that are leased from third parties and properties that are designated as temporary accommodation by other Registered Providers as part of a partnership arrangement.

When these options are not available or suitable, alternative accommodation is sourced on a nightly basis. This is typically by provision of a room or rooms within a hotel.

Temporary accommodation, by definition, is not a permanent home and permanent accommodation. Therefore, it will not meet all the household requirements that a permanent home offer will.

The Council attempts to ensure that there is an adequate provision of self-contained temporary accommodation to meet its demand requirements. It reviews its needs and demands on a regular basis, using trend data and comparisons with other neighbouring or similar localities. The Council does experience spikes and/or reductions in demand, related to outside factors, which does affect the amount and level that the Council has to access emergency accommodation through hotels.

The Council will utilise suitable and appropriate accommodation opportunities that become available, that are affordable, within the Cherwell area. This improves the Council's ability to meet its statutory duties

4.2 Self-contained units of Social Housing

These properties are either owned and managed by the Council or owned and managed by another Registered Provider.

Where the Council owns and manages the property, a licence to occupy the property is issued to the household. The Council also provides a full housing management service to the occupiers whilst they are in occupation.

Where properties are provided by another Registered Provider, housing management services, such as rental payments and repairs and maintenance, are managed and delivered by the provider themselves.

These units are more appropriate for longer term occupancy and therefore are typically used where the Council owes or is likely to owe the full homelessness duties.

There are no statutory duties to provide furnished accommodation. However, the accommodation that is owned and managed by the Council is furnished with essential furnishings.

For households that are within properties provided by other registered providers, support is provided to access furnishings for those who require them.

4.3 Shared houses

These properties are either owned by the Council or are leased from another commercial landlord.

These properties provide a room within a shared house, with communal facilities, such as the kitchen with appliances, being shared amongst other occupants. All rooms provided have en-suite facilities.

4.4 Private Sector Leased properties

These are properties that are leased from private landlords for the use as temporary accommodation. The Council then lets them as temporary accommodation and provides management services to the landlord and tenant.

Properties are provided with basic furnishings and white goods.

4.5 Hotels

The Council utilises hotels when all other accommodation options are full or unsuitable.

This accommodation is also used typically when properties are required in an emergency and at very short notice, such as a call to the Cherwell out of hours homelessness emergencies service. In these circumstances, it is not practicable to place a household in any other form of accommodation apart from a hotel.

When a household is placed in hotels, attempts to assess their circumstances fully and offer alternative accommodation that is more suitable, such as self-contained accommodation, commence. The Council seeks to minimise stays in hotels as much as possible.

4.6 Specialist Temporary Accommodation

The Council does not commission any temporary accommodation that is specifically for people with certain support needs.

However, as part of wider commissioning arrangements with partner organisations, secure accommodation for survivors of domestic abuse, such as refuge, supported accommodation for those who have been rough sleeping and specialist accommodation for young people are also provided and can be accessed through the Housing Options Team. The accommodation and management of these placements are managed outside the Council's normal processes and service offer and provided by other partner organisations commissioned separately.

4.7 Food and Cooking Facilities

The Council is not under any legal obligation to provide cooking facilities or pay for enhanced provision, such as breakfast on hotel stays. It does not routinely provide food or cooking facilities unless they are existing characteristics of the property that has been provided.

If a hotel establishment provides additional facilities within the room, these are at the owners/proprietor's own discretion.

Assistance and guidance on food provisions within the local area of the placement will be provided by the team.

If food provision is required in the event of a household having zero income, for instance, efforts will be made to minimise any severe hardship whilst supporting the household to restore an income.

4.8 Temporary Accommodation and Clients with Mobility Needs

The Council will make all possible provision to assist those with specialist mobility needs in emergency placements within hotels.

Where longer term temporary accommodation is required, the Council will ensure that provisions for bathing and access are made within placements.

4.9 Offers and Temporary Accommodation Agreements

The Council will make one suitable offer of temporary accommodation (section 188). If this is an interim offer of accommodation pending a decision on the households' homelessness application and the accommodation offer is refused, the household will need to make their own accommodation arrangements until a final decision and determination is made on the households' homelessness application, when all the relevant enquiries have been made.

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

Households will be expected to either agree to the tenancy arrangements offered by the landlord offering the accommodation, the licence agreement and/or the terms or rules applied by the hotel, whichever is applicable.

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

At the start of a placement, and at all other placements that may be made during the households stay in temporary accommodation, households will be asked to sign agreements with the Council. These agreements set out the terms of the occupancy and the consequences of breaching the agreements will be explained.

For those in temporary accommodation that are subject to the Council's licence agreement, if agreements are breached, the Council will issue warnings to households, either verbally or in writing or both. For the most severe breaches, such as for serious behaviour issues that threaten the safety of other members of the public, the Council will consider ending the accommodation at any time and terminate the placement.

The Council will assess what support is required for the person within temporary accommodation and, where possible, enable access to that support. The Council will provide housing related support, such as advice on rental payments, through the temporary accommodation officer.

For households that are accommodated under a Section 193 main housing duty, if their behaviour leads to the loss of accommodation and thus is a deliberate act or omission, this could lead to an intentionally homeless decision being reached. This would end the Council's accommodation duties.

4.10 Suitability of a Temporary Accommodation Placement

If the Council accepts a duty to provide temporary accommodation, the Council will consider the needs of the household as part of their assessment. This will identify any risks to help determine a suitable temporary accommodation placement.

The Council will give regard to and comply with legislation, including Homelessness (Suitability of Accommodation) (England) Order 2012 and the Code of Guidance.

In determining whether a temporary accommodation that is offered is suitable for a household, the Council must take account of factors such as:

- The location of the accommodation and whether the accommodation is within the district area. This will allow a customer to maintain established links and networks. We understand that clients may have links to certain areas within the district, and we will attempt to allow links to be maintained, but this is not always possible due to the limited availability of accommodation.

- Size and condition of property. Temporary accommodation must provide adequate space and rooms standards and be fit to occupy. If self-contained accommodation is provided, customers will be expected to use a living room as a bedroom if necessary. The quality of decoration, layouts and provision of facilities such as parking and gardens are not valid reasons for refusal.
- The proximity of local amenities and transport. The Council will consider what local transport links are available to customers so that they can maintain networks. Further consideration will be given as to whether a household member has a vehicle. The Council will consider the proximity to schools, public transport and primary care services.
- The Council will consider health factors, such as ability to manage the stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in the district. If the customer or a member of their household provides medical information that was not available during the initial assessment, the customer must submit this within 24 hours. The impact on health of occupying certain accommodation may be subject to an assessment by an independent medical advisor. The key test in determining the impact of any medical issues is whether the condition itself makes the housing offered unsuitable. For example, problems such as depression, asthma, diabetes or epilepsy would be unlikely to make a property unsuitable as these problems would persist in any sort of accommodation. Medical needs that have a reliance on specialist services provided locally will be considered when providing temporary accommodation and will be one of the criteria that would be considered for priority for accommodation in the district.
- The likelihood and significance of any disruption that would be caused to caring responsibilities due to the location of the accommodation. The Council will consider significant caring responsibilities for people who are not part of the customer's household and the need to reach people who are being cared for. Proof of receipt of carers allowance or attendance allowance will be required.
- The likelihood and significance of any disruption that would be caused to the education of households' members. Attendance at local schools will not normally be considered a reason to refuse accommodation, although some priority will be given to special education needs and students who are close to taking public examinations in determining property for in-district placements.
- The Council will consider the need of customers who are in paid employment to reach their normal workplace from the temporary accommodation that is provided. This will apply to those that have access to a car and those that rely on public transport.
- The ability to access medical facilities and other routine support needs that are required to be accessed or provided to household members that are essential to their wellbeing.

- Any risks associated with living in a particular area, such as previous domestic abuse. Placements can also be changed/moved linked to the reasons of safety.
- Welfare and safeguarding of children (Children's Act 2004): All decisions made will take account of the welfare and safety of children who are part of the household.
- The Council will take into consideration circumstances covered by the Equalities Act 2010 and the specific needs of the household.

In some circumstances, it may be more appropriate to make placements outside the district area because of risks posed to the household of remaining in the district.

If there are any safeguarding concerns relating to the household, the Council will request the support of other and the appropriate statutory agencies and make the relevant risk information available for disclosure prior to the placement being made.

The suitability of a placement will remain under review following it being made. The Council will respond to any relevant change in circumstances that may affect the suitability of a placement, such as the safety of household members, until such time as the temporary accommodation duty comes to an end.

The Council is aware that placements made as an emergency (section 188) and thus are likely to be in a hotel, may not necessarily be suitable for the duties under section 193. The Council will endeavour to make sure that self-contained properties with facilities are sourced as soon as practical for those households.

Before making a placement into temporary accommodation, a risk assessment is completed by the Housing Options Team.

4.11 Out of Area Placements

The Council does not own or lease any properties that are outside of the Cherwell district. It also does not have interest or agreements for properties, such as with other Registered Providers, that are outside of the Cherwell district.

As outlined above, on occasions, particularly in cases where personal safety is at risk, such as domestic abuse, placements are routinely made outside of the Cherwell district.

On occasions, it is not possible to source suitable accommodation within the Cherwell district and placements are made out of the district area. Whenever an applicant is accommodated outside of the Cherwell district, attempts will be made to identify alternative temporary accommodation within the district area as soon as possible.

In the eventuality of an out of area placement, the Council will notify the relevant authority of the placement being made as per our duties within legislation.

4.12 Prioritisation of placements

The Council will balance the needs of individual customers and balance these against the type and location of temporary accommodation available.

Priority for in-district accommodation will be given to certain customers whose circumstances indicate that they would best be housed as close to the district as possible. These include:-

- Customers with a severe and enduring health condition requiring intensive and specialist medical treatment that is only available in the district.
- Customers who are in receipt of a significant package and range of health care options that cannot be easily transferred.
- Customers with a severe and enduring mental health problem who are receiving psychiatric treatment and aftercare provided by community mental health services and have an established support network where a transfer of care would severely impact on their wellbeing.
- Customers with a child registered on the Child Protection register in Oxfordshire or families who have high social needs who are linked into local health services and where it is confirmed that a transfer to another area would impact on their welfare.
- Customers with a child with special educational needs who is receiving education or educational support in the district, where change would be detrimental to their wellbeing.
- Customers with a child over the age of 14 who is enrolled in public examination courses in the district and with exams to be taken within a year. If in-district accommodation is not available, the Council, where practical, will seek to place such customers within reasonable travelling distance of their school or college.
- Customers who have a longstanding arrangement to provide care and support to another family member in the district who is not part of the household and would be likely to require statutory health and social support if the care ceased.
- Any other special circumstances will also be considered.

Where practicable, the Council will endeavour to place a customer who works in paid and settled employment within a reasonable travelling distance. A reasonable travelling distance is two hours by public transport from their place of employment. For consideration, a customer should be working a minimum of 16 hours per week for a single person or a lone parent and 20 hours per week for a couple. Maternity leave will be considered where the requisite hours were routinely worked prior to maternity leave and there is an intention to return to work. The customer would have been employed continuously for more than six months.

4.13 Families and Hotel Placements

Whilst families are placed in hotels, this is used as an emergency and in the absence of an alternative placement to prevent their homelessness. The Council will adhere to the Homelessness (Suitability of Accommodation) (England) Order 2003 and the Code of Guidance by ensuring that households with children or who are pregnant stay in this type of accommodation for longer than 6 weeks.

If there are reasons where this unavoidably occurs, the Council will endeavour to find an alternative placement or accommodation using its means available as quickly as possible and engage the Ministry of Housing, Communities and Local Government.

4.14 Young people

Hotel accommodation is not regarded as suitable for households that approach who are 16 and 17 years old.

Where a young person is homeless, the Council will work closely with Children's Services at Oxfordshire County Council to ensure that the appropriate assessments are made to meet the young person's needs.

The Council has agreements in place with Oxfordshire County Council to ensure that clients that are young people are supported through Children's Services.

4.15 Households with Pets

Pets are not considered household members when assessing homeless applicants and providing temporary accommodation and the Council has no duty towards pets.

Households are encouraged and advised during their homelessness interviews to make alternative interim or permanent arrangements for their pets. The Council will provide advice and information about organisations locally that may be able to assist.

It is not always possible for alternative arrangements to be found, and in these circumstances, the Council will endeavour to find temporary accommodation that will allow households to keep pets. This however is not always possible or practicable. In circumstances where accommodation cannot be sourced that will allow pets and pets remain within the household when placed, the Council will consider ending the placement due to a breach of a licence conditions.

Assistance animals, such as assistance dogs, that are part of the household and have the correct registration and documentation are considered part of the household and are not classed as pets.

4.16 Storage of Belongings

Within Section 211 of the Housing Act 1996, someone placed in temporary accommodation and there is a likelihood of loss of personal property, and they are unable to make alternative arrangements, the Council may have duties to take

reasonable steps to protect those possessions. Protecting property could include carriage to a location and or arranging storage of personal property. Personal property will be classed as items that the household would reasonably expect to have with them. Affordability assessments will be undertaken by the Council to assess if the household requires additional support or whether they should be reasonably expected to arrange storage themselves.

Due to the size, type, tenure and length of stay, it is not usually possible for items of furniture to be moved with households. Items to assist with care for a baby are not included, however, additionally, the Council will provide cots for small children if required. Certain items that will assist with a households' health needs, such as for storage of medication, will be enabled by the Council.

If the Council is required to dispose of property, it will make reasonable charges for doing so to the household.

When the household has found accommodation, they will be expected to collect their items in a timely manner or take over payment of the storage from the Council.

If the Council is in possession of items and the whereabouts of the owner are unknown, the Council will store items for 28 days and serve the relevant notices on the last known addresses and contact methods, where possible. At the end of this period, personal property will be disposed of if no contacts or arrangements are made by the household who the belongings are being stored for.

4.17 Moves within Temporary Accommodation

When a unit of self-contained accommodation becomes available with the available temporary accommodation stock, the Council will use its discretion to decide who is prioritised and how placements are made, and these are dependent on individual household circumstances. Available temporary accommodation within the portfolio is not advertised when available.

Households are moved routinely within the temporary accommodation portfolio when duties owed become clear and units become available, as outlined in previous sections. The Council does aim to minimise moves however and will not move households without reason. The Council will aim to provide as much notice as practicable before moving a household, but due to the pressures on the accommodation and the nature of the accommodation being emergency housing, the length of notice is routinely less than 1 week.

In general, moves within temporary accommodation will be for the following reasons, this list is not exhaustive

- Where a placement has been made out of area due to availability of accommodation and the household is moving a placement back within district.
- Where there is a safety issue or other suitability requirement that becomes apparent that necessitates a move.

- Where the accommodation that the household is housed in is unavailable.
- Where a more suitable unit of accommodation is available, such as a self-contained unit and the household is in a hotel.
- Where the household is within a unit of accommodation that has features, such as adaptations for a disabled person, that would meet the requirements of that household more so the current household.

Where moves are requested by the Council, households will be required to move. If a household refuses to move, the Council will consider ending its duties and the temporary accommodation placement.

Where temporary accommodation is being provided by a third party, such as another proprietor or another landlord, they will manage households and the accommodation as they wish and will reserve the right to refuse or end placements. The Council endeavours to retain positive relationships with suppliers and other landlords to ensure that placements are not ended without good reason.

On occasions, due to the risks presented to or by an individual household means that a placement cannot be sourced that will accept the household, the Council will continue to seek temporary accommodation in accordance with its responsibilities within legislation. It will engage other appropriate agencies to assist with this as appropriate.

4.18 Temporary Accommodation Charges

Households are expected to pay charges associated with their temporary accommodation placement.

Those households that can claim housing benefit will be assisted to do so by the housing team to assist with the costs associated. If households are not eligible for housing benefit, because they have income which is too high, for instance, they will be expected to pay for their accommodation and stay.

The Council charges a weekly service charge, on top of any accommodation charges, to contribute towards wider costs associated with accommodation and placements.

Failure to pay charges associated with temporary accommodation will be managed by the housing team. Warnings will be issued, and non-payment will be discussed with households. The Council may enter into payment agreements with households to recover arrears. If agreements are not kept to and arrears continue to accrue due to non-payment, the Council will consider ending the placement. The consequences of this for a household's placement and application are outlined in the above section.

Additionally, the Council may recharge households for costs it incurs that are related to a household's stay in temporary accommodation. These could include, but are not limited to

- Damage caused to the accommodation provided
- Where fixtures and fittings are removed from the accommodation provided

4.19 Rights of review and refusals

The Council will offer suitable accommodation to households. If a household has concerns that the accommodation offered is not suitable, they should discuss them with their housing options officer. Households can request a review of placements that are made under Section 193 Housing Act 1996.

The household will be provided with informed guidance regarding the potential consequence of refusing accommodation or failing to occupy them. This will include their rights to review.

Households will be provided with housing options to advise that they should accept the offer that has been made but can pursue a review. This is to prevent a situation where someone does not have access to accommodation.

Accommodation during review periods is at the discretion of the Council and based on individual circumstances. Considerations include the merits of the review, taking into account the evidence available when the original decision was made.

4.20 Supporting applicants and move on

The Housing team will ensure that applicants received appropriate advice and assistance with their housing whilst they are within temporary accommodation and are assisted to achieve move on. If appropriate, referrals to other agencies, such as other statutory agencies or support agencies will be made so households can receive more specialist support.

The Council's temporary accommodation officers manage placements on a day-to-day basis, ensuring that households are in occupation and agreement conditions are being met.

The housing team will also provide housing related support to assist with their long-term housing and move on. This support could include

- Ensuring that the needs of the household are reasonably being met.
- Benefit claims and maximisation.
- Helping to access healthcare or education facilities.
- Managing household charges and arrears.
- Support with joining the housing register and providing supporting documentation.
- Helping to access furnishings.

- Advising regarding rent in advance and or deposits.

The temporary accommodation officer also plays an important role in the welfare of applicants. Where necessary, safeguarding referrals will be made, and multi-agency meetings will be attended.

The temporary accommodation officer will also make the necessary follow ups should an individual leave temporary accommodation without notice, liaising with the appropriate agencies as appropriate.

4.21 Ending placements and discharging duties

The level of notice, reasons and methods of ending placements and discharging duties is dependent on the status of the homeless application and the duties owed.

Section 188 Housing Act 1996

Ending a placement under this duty is likely to be because of a breach of licence terms or due to a not in Priority Need decision being made by the Council.

The Council is not required to serve a 4 week Notice to Quit and can use its discretion on the level of notice given and what it considers reasonable. This is done on a case-by-case basis and is informed by the circumstances presented.

Section 193 Housing Act 1996

Ending a placement under this duty will be due to the following circumstances:

- Accepts an offer of suitable accommodation.
- Refuses an offer of suitable accommodation.
- Is homeless intentionally from the temporary accommodation provided by the Council
- It becomes apparent that the household is no longer eligible for assistance
- The household withdraws their application

Where the main duty is discharged by a suitable offer of accommodation being made and refused, a minimum of 28 days' notice will be given by serving the appropriate notice.

If a household is asked to leave a hotel placement, or similar, the Council may accommodate the household elsewhere, depending on the situation, facts and circumstances.

Depending on the circumstances and the duties owed, the Council may consider that the behaviour within the temporary accommodation constitutes intentionality. In these circumstances, applicants will be informed of the intentionally homeless decision in writing and the appropriate notice will be served as applicable.

If the Council discharges its duties and there are children within the household, the Council will notify Children's Services for assistance. Notifications can be made to Children's Services with or without the households' consent, depending on the circumstances.

4.22 Equality and Diversity

The Council has a statutory duty to have due regard to the need to promote disability, race and gender equality.

The Council will also be proactive about putting in place arrangements to ensure that they do not unfairly discriminate against individuals on the grounds of their age, religion, personal relations or living and caring arrangements, or whether they live in an urban or rural area. Equality should be integral to the way in which social care is prioritised and delivered.

4.23 Monitoring Performance and Review

The performance against the policy will be reviewed regularly by the service.

Performance against the policy will be monitored in a number of ways, outlined below: (this list is not exhaustive)

- The number of households within temporary accommodation.
- The number of households within hotel accommodation.
- The number of households that have been in hotel accommodation longer than 6 weeks, and who have children.
- Out of area placements.
- Voids within the temporary accommodation portfolio.
- Occupancy of units and standards of accommodation.
- Evaluation of customer feedback and complaints, including member and MP enquiries.
- Customer satisfaction surveys, where appropriate.
- Monitoring of budget and spend on temporary accommodation.

The policy will be monitored and reviewed on a 3 yearly basis and will be reviewed more frequently if there are changes in legislation or guidance that affect the policy, for instance.

Minor changes which make no significant difference to service provision will be made to the document with the agreement of the Assistant Director – Wellbeing and Housing and the Portfolio Holder for Housing.