

Consultation Response

ODPM: 'Improving standards of accommodation for homeless households placed in temporary accommodation'

From the Shelter policy library

August 2003

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Shelter

Shelter is the largest provider of housing advice in the UK. In 2002/03, Shelter provided advice to 91,702 people on problems related to their housing in England, Scotland and Wales. People living in temporary accommodation approached Shelter for advice on 13,000 problems, a third of which related to bed and breakfast (B&B) hotels used by local authorities. Common problems included the unsuitability of their accommodation, related health problems and threats of violence from inside and outside the home.

Overview

We welcome Government legislation to prevent the use of bed and breakfast (B&B) hotels to house homeless families with children. This represents an important commitment to improving the way in which we deal with homelessness and particularly ensuring that children suffer as little as possible from the experience.

We also welcome statutory guidance to ensure existing minimum standards are met for all temporary accommodation, that additional standards are met for B&B accommodation and that homeless households access basic services. Shelter's Housing Advice Centres see homeless people every day living in poor housing conditions, having to spend long periods of time in temporary accommodation and placed out of their local area, without support. In the long term, we would like to see an increase in the supply of affordable housing. In the mean time, these measures are vital to ensure that temporary accommodation is of as high a standard as possible and that homeless people are enabled to live as normal a life as possible while they wait for an offer of permanent housing.

Support

We would like to see the proposals go further in two key areas. First, we suggest that the Draft Order provides a good opportunity to incorporate the Government's policy objectives on support for homeless households into legislation. We see support as being essential to solving homelessness for many people. When people approach their local authority as homeless, it is at a crisis point in their lives when they need help as well as housing. Many are women with children escaping a violent relationship, many have been evicted from their home and many have fled from persecution in another country - nearly all have problems in addition to their homelessness. We believe that the assessment of support needs and provision of support should form an integral part of authorities' homelessness procedures.

This would build on the wider approach to housing and homelessness set out in the Homelessness Act 2002 and into local homelessness strategies. In *More than a Roof*, the Government recognised that meeting a person's support needs is as important as meeting her/his housing needs.

"Simply putting a roof over someone's head does not always solve his or her homelessness.... We also need to understand the reasons why some people are unable to stay in their own homes and what assistance would help them do so."

Young people at risk

Our Housing Aid Centres are seeing an increasing number of vulnerable young people whose safety and well being are threatened and whose tenancies fail as a result of being placed in unsuitable accommodation, without support. We see a need for further guidance on the suitability of placements of 16 and 17 year olds and care-leavers. The person's safety should be the first consideration when determining the suitability of a placement, taking account of potential threats from other residents. This should tie in with the provision of support to people placed outside their local area or in B&B accommodation, where there are not more suitable alternatives. This should be integrated into the work of other Government departments on Children at Risk.

Children excluded from protection

A more general worry we have is that children from families not eligible for assistance under homelessness legislation are excluded from protection. Children suffer from living in B&B hotels. The Government has recognised this and is acting upon it. However, children whose parents are seeking asylum in this country will have no protection. Nor will children owed a duty under the Children Act 1989. We believe that the Government should address this problem as a matter of priority.

Structure of response

This response is divided into two parts. The first part sets out our proposal for a provision in the Order to include 'appropriate support' as a factor to be taken into account when determining whether accommodation is suitable for a person. The second part provides our responses to the questionnaire accompanying the consultation paper. Our main recommendations are as follows:

On support:

- A specific provision should be made in the Draft Order to ensure that the provision of appropriate support is a factor taken into account by local authorities in determining whether or not accommodation is suitable for a person. Accompanying guidance should cover assessments, placements and provision of services
- Specific guidance should be included on the placement of 16 and 17 year olds and care leavers in temporary accommodation and their support
- Given that homelessness strategies are not due to be reviewed until 2008, the requirement that authorities ensure the necessary support for homeless households in

securing relevant education, health and social services should stand alone within guidance

- Greater detail should be included on the types of information that need to be shared between service providers to ensure that households receive necessary services

On the proposed Order:

- The definition of B&B accommodation should cover accommodation that does not have its own separate kitchen
- The six-week period for which families with children can be placed in B&B should start from the date when the family first moves in
- The 21 day period, before which authorities must provide planned alternatives to B&B for families, should start from the date when an applicant first seeks assistance from the authority when threatened with homelessness.

On the guidance on minimum standards:

- Further guidance should be issued on joint working arrangements between departments and agencies that use and inspect temporary accommodation including housing, environmental health teams, social services and NASS
- A B&B hotel grading system should be set out in guidance based on the full BABIE system operating in London. This would provide more flexibility than the proposed single set of minimum standards for B&B hotels
- Hostels managed by local authorities, RSLs and voluntary bodies should be subject to the same minimum standards as privately-run B&B hotels
- A basic criterion for an authority using a B&B hotel should be that the landlord is a 'fit and proper person' to manage the premises. Police checks should be carried out on all landlords of B&B used by authorities for homeless households checking that he/she does not have previous convictions

Suitability of accommodation and support

Shelter believes that the provision of appropriate support is essential to solving a person's homelessness. Most people who approach local authorities as homeless do so at a crisis point in their lives. We are concerned that at that point, people do not get the help that they need. Instead, the process of applying as homeless and the insecurity and isolation of living in temporary accommodation, often outside their local area, can worsen the impact of problems that led to it in the first place. We see it as a source of concern that

eight thousand homeless households - a quarter of all households living in temporary accommodation - gave up or were evicted from their temporary accommodation before they were made an offer of permanent accommodation in 2001/02.¹

We strongly welcome the recognition by Government in the consultation paper that homeless households often need support to function fully as a household and that a lack of support leads many to fall into a pattern of recurring homelessness. However, we feel that the Government could go further in the proposed legislation and guidance to ensure that homeless people receive the support that they need at all stages of their homelessness. We have identified the following three key areas of need, including:

- Assessments of support needs;
- Consideration of support needs in determining the suitability of placements in temporary accommodation/offers of permanent accommodation; and
- Provision of appropriate support services and arrangements to ensure that homeless households access other relevant services.

The assessment process is often impersonal and support needs are rarely taken into account. Peoples' private lives become open to public scrutiny and intervention and they have little control or certainty over their futures. Applicants are typically not informed approximately how long they will have to stay in temporary accommodation and are often moved between different forms of temporary accommodation with little or no prior notice. In 1999, Shelter held group discussions with 98 people that had been homeless to consult them on what they felt was necessary to tackle homelessness. All groups felt that support was a gap in existing services and that support needs should be taken into account as part of the assessment process. It was suggested that there should be a key worker for each homeless family who communicated with them right through the homelessness process.²

Placements in temporary accommodation and offers of permanent accommodation are often made without consideration of a person's vulnerability or need for support, particularly when they are placed outside their local area. The proposed legislation to phase out the use of B&B for families with children will make provisions on support more necessary. Dispersed, self-contained accommodation is clearly more desirable from a housing point of view, but may also be more isolated, particularly for families placed outside their local area. Our Housing Aid Centres have reported alarming cases of vulnerable 16 and 17 year olds and young care leavers being placed in unsuitable B&B accommodation, without support.

'They sent me to a hostel and just left me there. That was a really big shock for me because I'd say 70 per cent of the people in the hostel were older and

on drugs and stuff and I remember walking in and thinking 'what's happening?'...there should have been some kind of support after that, to try and get me back on my feet quite quickly, maybe over a couple of months, instead of years.'

Service user, Merseyside³

Nine months ago, a young man, just turned 18, approached Shelter for help with a review the local authority's homelessness decision. The authority had carried out a brief homelessness interview. While they made their enquiries, he was placed in one of the worst B&B hotels in the local area, along with older drug users. In this environment, without support, he started using drugs. He had not used drugs before. He won the review and was moved to another B&B hotel. But the damage was done and he died two months ago of a drugs overdose.

Many homeless households have support needs that are not severe enough to warrant social services intervention, but prevent them from accessing basic, general services they need to cope in their temporary accommodation or settle in a new home. Tenancy sustainment and resettlement services are important in bridging this gap. For homeless people, they can provide a point of contact and a source of practical and emotional help at a time of great stress and uncertainty. Support covers a wide range of activities including emotional support, help with applying for and sorting out welfare benefits, advice on money management, advocacy on repairs and help accessing school places or specialist services. Evaluations of existing schemes demonstrate the effectiveness of support in helping people sustain tenancies.⁴

The Homelessness Act 2002 places a duty on local housing authorities to formulate a homelessness strategy, which must include provisions for securing satisfactory support for people who are homeless or those who have been housed and who need support to prevent them becoming homeless again.

The Supporting People Grant for England was recently announced as £1.4 billion for 2003-4, funding services for nearly 800,000 households. Around 45,000 single homeless people, 14,500 homeless families with support needs and 5,000 women at risk of domestic violence will receive services funded by Supporting People monies. In addition, the ODPM has recently funded a post within Shelter to further develop and promote tenancy support services nationally.

We see a need for additional resources to be made available to achieve adequate provision of support services. In the immediate future, there will be little capacity for expansion of services within the Supporting People programme. Support needs and services identified in homelessness strategies have missed the first annual round of

Supporting People funding in many areas and pipeline applications for planned floating support services will not be funded for the year 2003-4. In the medium term, there is uncertainty about the level of savings that the Treasury/ODPM will require over the next few years. Future funding will be centrally determined and we are concerned that resources may be re-directed away from London boroughs, which have the highest numbers of homeless households living in temporary accommodation.

In relation to the proposed legislation, we believe that the Draft Order and revisions to guidance provide an important opportunity to integrate an identified need for support services into core homelessness legislation on the suitability of accommodation. This would encourage authorities to take an integrated and holistic approach to discharging their homelessness duties as part of wider support and prevention work identified in their strategies.

Shelter proposal for provisions in the Draft Order

Assessment and provision of support

5. Accommodation is not to be regarded as suitable for an applicant to whom article 6 applies unless:

(a) the housing authority has made an assessment of the support needs of the applicant and the applicant's household in that accommodation; and

(b) has made arrangements for any support services identified by the assessment to be in place within a reasonable time.

6. This article applies to an applicant who is, or who the local housing authority has reason to believe is in priority need under Part VII of the Housing Act 1996.

Assessments

Housing authorities should incorporate assessments of support needs into their homelessness enquiries and housing needs assessments. For example, assessments carried out jointly with social services or by specialist assessment workers within the Homeless Person's Unit. Assessments should cover the need for support or key workers, specialist services and supported housing. Much of the information required to assess support needs is already collected as part of the authorities' homelessness enquiries to establish vulnerability and priority need.

Authorities should provide written information to applicants indicating that an assessment of support needs has taken place and specifying what actions will be taken as a consequence.

Placements

The provision of appropriate support should be a factor taken into account when determining the suitability of a temporary placement or offer of permanent accommodation. For example, a household may require support in settling into a new area where an out-of-borough placement is made.

Support needs and the location of accommodation should be considered together. Proximity to family and existing support networks and access to schools should be central factors in making a decision about a placement. Where a household is placed out of their area due to a lack of local accommodation, support should be provided to ensure that the household links into services in their new area.

Services

As part of their keeping homelessness strategies under review, authorities should ensure that appropriate support services are available to all homeless people and people who are likely to become homeless in their local area as set out in s.3(1)(c) of the Act and paragraphs 1.46 and 1.47 of the Homelessness Code of Guidance.

Young people

Particular care should be taken in placing 16 and 17 year olds and care leavers, ensuring that other residents will not pose a threat to their safety and well being. Risk assessments should take into account the gender, age and needs profiles of other residents. Housing staff should monitor placements regularly to ensure that young people are not at risk of violence, harm or abuse.

Social Services potentially have a duty to regard all homeless 16 and 17 year olds as "Children in need" under the Children Act 1989. Housing authorities should make efforts to engage Social Services to carry out assessments and take the lead on the provision of support.

Authorities should ensure effective joint working arrangements between agencies are in place so that all 16 and 17 year olds and care leavers receive support during their stay in temporary accommodation. Where reasonably practicable, vulnerable young people should be offered places in supported housing schemes, which provide opportunities to develop independent living skills.

Responses to questionnaire

Chapter 1 Introduction

Question 1 Is the definition of B&B accommodation outlined clear and does it cover the right categories of accommodation?

We welcome the working definition of B&B accommodation used throughout the consultation paper. This reflects concerns with overcrowding, lack of privacy and the higher risk of accidents associated with living in B&B-type accommodation. We are concerned that the definition provided in the Draft Order does not reflect these priorities. Please see our response to question 9.

We would welcome a push toward all temporary accommodation used for families with children being self-contained. Shared facilities and lack of space and privacy are problems common to B&B hotels and local authority hostels (see our response to question 15). We have also received information that in some areas, authorities are making use of direct access hostels to discharge an interim duty. This is completely inappropriate and has the knock on effect of reducing places available for non-priority homeless people. However, we accept that it may put too much pressure on authorities at this stage to include public and voluntary sector hostels within the Order. We recommend that the guidance on the suitability of accommodation should state that all temporary accommodation provided for families with children and pregnant women should be self-contained, in so far as is reasonably practicable. It should specifically state that local authorities should not use direct access hostels to discharge an interim duty to accommodate in cases of apparent priority need.

Question 2 Are the three main proposals adequately covered in the consultation document

Please see our recommendations on support services in the first part of this response and responses to questions.

Question 3 Is 1 April 2004 appropriate for the main Order to come into effect? Is three months notice adequate?

We believe that the main Order should come into effect on 1st April 2004 as proposed. We are aware of a need to target sufficient resources at smaller, rural authorities, with lower levels of B&B use and fewer alternative options, to enable them to meet the target. Authorities that have been funded by the BBU and are subject to significant scrutiny have at least stopped the increasing trend. However in the low to middle bed and breakfast using local authorities overall numbers have continued to increase.

We hope to see the revised Code of Guidance issued at the earliest opportunity, taking on board responses to the current consultation and previous comments on the whole Code.

Chapter 2: Limiting length of stay in bed and breakfast accommodation

Question 4 Do you agree that B&B has a role to play in an efficient and effective homelessness system - as a flexible form of accommodation for short periods only?

We believe that B&B should play a much smaller role in the homelessness system than at present. B&B hotels are accommodation of the last resort, even for short periods. We believe that the long-term objective should be to phase out the use of B&B accommodation for anyone other than people who choose to live there.

Bed and breakfast hotels may continue to be a necessary option for a small minority of homeless people, including those that have exhausted all of their other housing options, people that cannot cope with the rules and regulations involved in living in a hostel or supported housing and people that cannot manage in their own tenancy, even with support. However, we would envisage this to be a far lower proportion than the current 15 per cent of homeless households placed by local authorities in B&B accommodation.

Question 5 The Government proposes that the limit on B&B should apply only to households including pregnant women and/or dependent children. Is this the right definition and is it clear? If not, how can it be amended?

We agree that the Draft Order should only apply to pregnant women and those with children at the present time. In the long term, we would like to see legislation that would deem B&B hotels unsuitable accommodation for anyone other than people who choose to live there. We are particularly concerned that very vulnerable single people are placed in B&B accommodation without support. More provision needs to be made for young people and for people that are often excluded from hostel accommodation, including ex-offenders and people with mental health problems.

Question 6 Do you agree that public, social and voluntary sector accommodation should be excluded from the Order?

See response to question 1.

Question 7 Is the six week time limit clear and workable? If not how should it be amended? Is it appropriate for the time limit to count from day one?

We are aware that some authorities are concerned about placing homeless households in more secure temporary accommodation in cases where they are deemed intentionally homeless or where cases are pending review. We do not think that these objections are sufficient argument for undermining the intention of the Order to limit the stay of families with children in B&B accommodation to six weeks.

Many authorities take weeks or even months to make a decision. In 2001/02, around 15 per cent of applications were not processed within the target time of 33 working days. In London, a third of applicants had not received a decision within this time period and the worst authorities processed only half of applications on time. If the six weeks started from the date on which a s193 decision was made, families could potentially spend several months in B&B, which is against the intention of the Order.

Changes to the performance framework on homelessness for local authorities will mean that counting from day one of the placement is even more important. The current Best Value Performance Indicator (BVPI) on the time taken by authorities to make homelessness decisions is to be replaced by a new indicator on the length of time spent by homeless households in temporary accommodation. Without a clear six-week time limit, this change could provide a perverse incentive to authorities to delay decisions in order to meet both the new BVPI and the B&B target. We strongly support the Government's proposal that the time limit starts on the date of first placement in B&B, not from the date on which a homelessness decision is made.

Question 8 Is 21 days sufficient time to find accommodation?

We agree with the Government view that 21 days notice of impending homelessness should be sufficient time for authorities to find accommodation.

We suggest that the 21 days is outlined more precisely to start from the date on which a person threatened with homelessness first approaches the authority. This would provide clarity to local authorities and the applicant. It would also provide a basis for challenge if, for example, a family threatened with homelessness was discouraged from making an application and subsequently placed in B&B accommodation. We suggest the following amendment to the Order:

4. (5) For the purposes of sub-paragraph (4) above an applicant is treated as making an application on the date on which he or she first seeks assistance from the authority in anticipation of becoming homeless.

Question 9 Does the Draft Order cover all the points set out in the chapter? Does it accord with the initial proposal set out at paragraph 35(i) of chapter 1?

We are concerned that the Draft Order does not sufficiently cover the points set out in paragraphs 14, 16 and 17 of Chapter 1. The current wording of the Order could potentially allow B&B hotel rooms to be converted into self-contained accommodation, through the installation of amenities, without substantially improving space and safety standards. Government research into fire risks in HMOs in 1997 found that households living in bedsits and in houses converted into self-contained flats were between two and

17 times more likely to die in a fire than households living in comparable single occupancy houses. It found that children were particularly at risk.⁵ We recommend that the definition set out in paragraph (2) of the Order is amended to cover accommodation which does not have its own kitchen i.e. in which cooking facilities are provided in the bedroom:

2. This article applies to accommodation -
 - a) Which is not in separate and self-contained premises;
 - b) Which does not have its own separate kitchen; and
 - c) In which any of the following amenities is shared by more than one household -
 - A toilet;
 - Personal washing facilities;
 - Cooking facilities.

Hotels or houses converted into self-contained accommodation should be subject to inspection by environmental health officers to ensure that accommodation is suitable and in particular that kitchens are adequate.

Chapter 3: Suitability of temporary accommodation

Question 10 Do you believe housing authorities give adequate consideration to key legislation governing unfitnes, overcrowding and houses in multiple occupation when determining suitability?

Evidence from our Housing Aid Centres (HACs) suggests that housing authorities do not give adequate consideration to these factors. In 2002/03, we advised homeless people on 13,000 problems related to their temporary accommodation, including 4,000 problems related to bed and breakfast (B&B) hotels used by local authorities. Common problems experienced by people placed in B&Bs included the unsuitability of their accommodation and associated health problems.

Question 11: Does the BABIE grading system represent too much detail to be included in statutory guidance?

One of the strengths of the cross-London Bed and Breakfast Information Exchange (BABIE) system is its flexibility, based on five clear grades, ranging from unsuitable (Grade E) to high standard (Grade A). To achieve minimum physical and management standards in temporary accommodation, we believe that it would be more effective to set out the full Bed and Breakfast Information Exchange (BABIE) hotel grading system and code of practice within guidance. This would be both more ambitious and more practical and flexible in its immediate achievability.

We fear that setting out a single set of minimum standards in guidance, as suggested, will both limit the options for smaller rural authorities that cannot access B&B that meets this standard and also undermine efforts of other larger authorities to raise standards above the minimum.

Question 12 Do you agree that the main factors affecting suitability are room sizes / occupancy levels and the location and accessibility of kitchen, toilet and bathing facilities as well as the management regime of the establishment?

We agree that the factors identified are important. However, as set out in the first part of our response, we believe that the provision of appropriate support and considerations of safety are equally important in determining the suitability of accommodation for a person. We are also concerned that the details of the proposals do not adequately reflect a concern about occupancy levels. Please see our response to question 15.

In addition, we suggest that the layout of rooms is an important factor for large families placed in more than one room. We have cases of families where children are placed in a room on a different floor from their parents.

Question 13 The guidance covers all households placed in temporary accommodation by local housing authorities. Should there be any exceptions.

No, fitness, overcrowding and HMO standards legally apply to accommodation occupied by any household.

Question 14 Do you feel the Government's proposal to restate key elements of existing legislation clearly within guidance is helpful? If not what, if any, further guidance is required?

We are not convinced that restating existing legislation within guidance would be the most effective way of achieving basic, minimum standards in accommodation used by authorities on two grounds. First, as noted in paragraph 31 of chapter 1, existing fitness and HMO standards are likely to be updated as part of proposals contained in the Draft Housing Bill. We are also concerned that the overcrowding standards are inadequate. It is not possible for housing authorities to change their procurement or use of temporary accommodation rapidly and it may be misleading to provide guidance that will need to be revised and updated when authorities are part way through implementation. Second, we believe that environmental health officers are the right people to make decisions about the physical suitability and management of accommodation. They have the necessary expertise in the application of existing legislation. Providing detailed technical excerpts from legislation may prove dangerous in untrained hands. It would be useful to have a

'user friendly' summary of the existing and proposed legislation provided as a good practice note to all authorities. Authorities should provide this to homeless households, to ensure they know what standards should be met.

Overcrowding

We are concerned that the suitability of the size of temporary accommodation provided will be based on the outdated statutory definition of overcrowding first introduced in 1935. These standards allow a degree of crowding far in excess of our understanding of the need for space and privacy, particularly for children. For example, children under the age of twelve months are not included in an assessment of statutory overcrowding and living rooms and even kitchens are considered as rooms permanently available to sleep in. Most local authorities accept that the current definition is outdated and actually use a more liberal measure determine the size of accommodation required by households, including families placed in temporary accommodation. We are therefore concerned that the specific reference to Part X of the Housing Act 1985 may result in some homeless families being placed in temporary accommodation that is more crowded than the authority would currently allow.

Shelter believes that the definition in Part X of the Housing Act 1985 should be updated in line with the 'bedroom standard', a statistical measure used in the Survey of English Housing. This was put forward in the Housing (Overcrowding) Bill, introduced by Andy Love MP in January 2003, and has been backed by the ODPM Select Committee during its recent inquiry into the draft Housing Bill. We are hopeful that Ministers will agree to take the opportunity provided by the Housing Bill to update the definition. We recommend that any summary of legislation for authorities should set out higher standards in line with the 'bedroom standard'.

Inter-agency and inter-authority working

Without co-operation to improve private rented and B&B accommodation for all users, local efforts by housing authorities to improve standards may be undermined by procurement of sub-standard accommodation by other agencies.⁶ For example, housing authorities may refuse to use a particular B&B, environmental health may serve a notice, but it may continue to profitably operate through contracts with NASS, social services or other authorities. We regularly deal with many cases of very vulnerable people being placed by social services in unacceptable B&B accommodation.

A care leaver aged 16 was in B&B accommodation. He had been assessed as not suitable for independent living and was placed in B&B, with no support. He stayed there for several months because there was no move on accommodation. In that time, he increased his drug use and re-offended. After being held in custody, he appeared in court, was bailed and re-

offended the same day. The Leaving Care team have placed him in another B&B, which will provide 2 weeks accommodation.

We believe that further guidance is required to set out good practice in joint working between agencies and between authorities involved in the supply, funding, use and monitoring of B&B accommodation. Local forums should include housing authorities, environmental health, social services, Youth Offending Teams, NASS, the rent service, housing benefit department, landlords' associations, private tenants groups, the probation service, housing advice agencies, the police and outreach services. Examples of good practice on joint working can be found in 'More than a Bed'⁷, the BABIE system in London and the Chartered Institute of Environmental Health (CIEH) Good Practice Principles on Asylum Seeker Accommodation.⁸

Review of homelessness strategies

Shelter's campaign officers working with local authorities on the implementation of the Homelessness Act have found that consultation with homeless people living in temporary accommodation has been a powerful tool, both in making decisions about particular properties and improving people's sense of involvement in decisions about their accommodation. Consultation has thrown up unexpected results, such as the value of communal areas in shared accommodation and the perceived lack of safety in some self-contained accommodation. Additional guidance on homelessness reviews & strategies should be added on seeking the views of statutory homeless people about their temporary accommodation as part of the review of strategies (paragraph 1.41).

Question 15 Comments are invited on all aspects of the proposed minimum standards in B&B accommodation

As outlined in responses to other questions, our primary concern is that an effective approach is taken to improving standards. In seeking to set a single minimum standard, we feel that the proposed space standards and the proposed standard of a bathroom shared between eight households are too low, although we welcome the counting of children and babies in the assessment of space standards. The introduction of a graded system would provide a more effective and flexible approach.

Local authority/voluntary hostels (Chapter 3, paragraph 19)

We are concerned that hostels managed by housing authorities, RSLs and voluntary bodies share many of the undesirable features of B&B hotels. The last major Government survey of temporary accommodation found that sharing and shortage of space in local authority hostels were similarly widespread, though facilities for cooking and preparing meals were better. Two-thirds of the hostels inspected were judged to have unsatisfactory means of escape from fire and the majority (76 %) did not, in the

professional view, provide tolerable temporary accommodation and a quarter were assessed as sub-standard. The case study authorities believed that these hostels were 'up to standard'.⁹ More recent studies have highlighted poor condition of local authority hostels for families and children, particularly the lack of privacy or space to play.¹⁰

It is important that the introduction of additional standards for B&B hotels be linked to the introduction of national HMO standards and licensing. These should be based on the model standards produced by the Chartered Institute of Environmental Health (CIEH).¹¹ Environmental health officers (EHOs) already inspect hostels, guesthouses and B&B hotels as 'Category D' HMOs. These are not defined on the basis of ownership or management, but simply type of accommodation. We do not see any reason or justification for hostels managed on a social or voluntary basis not to be subject to the same minimum standards as B&B accommodation provided on a commercial basis. Clearly, enforcement measures would not apply, but Service Level Agreements/joint working protocols as proposed in response to question 14 would provide a basis for compliance with environmental health recommendations to the housing authority.

Management standards (Chapter 3, paragraph 40)

Safety and security are often primary concerns for homeless people placed in shared accommodation. We believe that a basic criterion for an authority using a B&B hotel is that the landlord is a 'fit and proper person' to manage the premises. This would involve checking that he/she does not have convictions for criminal offences such as violence or manslaughter, housing benefit fraud, or convictions for major breaches of housing or health & safety legislation. Allegations of discrimination or harassment would have to be dealt with as a matter of priority, either by homelessness officers or tenancy relations officers. Police checks should be carried out on all landlords of B&B used by authorities for homeless households. Once licensing of houses in multiple occupation (HMOs) is introduced, authorities should ensure that the properties they use are inspected and licensed.

Question 16 Do you agree with the Government's view on the importance of support services for homeless households?

We fully agree with this view. Please see our proposals set out in the first part of this response.

Question 17 The Government believes all homeless households in temporary accommodation should receive support to ensure that their health, education and social services needs are met. Do you agree with this principle?

We fully agree with this principle. Please see first part of response.

Question 18 Comments are invited on the coverage and appropriateness of the proposals for draft guidance on support.

We suggest that more details on the types of collection to be collected and shared between authorities and agencies to ensure consistency. Also, we suggest that housing benefit departments should be included, since homeless people placed out-of-borough have to apply for housing benefit from their own (placing) authority and council tax benefit from the host authority. Households are often not informed of this and end up in debt. It would be more sensible if the application made to the placing authority were forwarded and processed as a claim for council tax benefit by the host authority. NOTIFY, the London-wide temporary accommodation notification and information system, could provide such information and an example of good practice within the guidance.

End Notes:

- 1 Meth, F. (2003) More than a number: Report on the analysis of ODPM homelessness statistics 2001/2, London: Shelter
- 2 Waller, S. (2000) Closing the Gap, a national consultation of people who have experienced homelessness, London: Shelter
- 3 *ibid*, p.37

- 5 Department of the Environment, Transport and the Regions, Fire Safety in HMOs: A Summary Report, London: DETR
- 6 *ibid*.
- 7 Carter, M. (1996) More than a bed, good practice in managing bed and breakfast self-placement, London: Shelter
- 8 Garvie, D. (2001) Far from Home, the housing of asylum seekers in private rented accommodation, London: Shelter
- 9 Thomas, A. & Niner, P. (1987) Living in temporary accommodation, London: DoE/HMSO
- 10 Griffiths, S. Life on Hold, researching the housing and support needs of families in Leeds, Leeds: Leeds City Council (Supporting People team)
- 11 The Institution of Environmental Health Officers (1994) Amenity standards for Houses in Multiple Occupation, A Profession Practice Note, London: IEHO