

# Dorset Council

## Emergency and Temporary Accommodation Placement Policy



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## 1. Introduction

The Emergency and Temporary Accommodation Placement Policy sets out how the council will meet its duties to households who are homeless or at risk of homelessness and required temporary accommodation. It is intended to ensure that placements into emergency and temporary accommodation are made consistently, fairly and transparently considering household circumstances, statutory requirement, available accommodation and is efficient in its use of resources. Accommodation may be both inside and outside of the Dorset Council area.

## 2. Purpose and Aims

The Council is committed to meeting its statutory duties where required to provide suitable emergency and temporary accommodation for eligible households. The purpose and aims of this policy are to set out how it will do this in accordance with relevant housing legislation and guidance, and best use of resources.

## 3. Scope

This Policy sets out how the council will make decisions about the placement of households in temporary and/or emergency accommodation provided under its homelessness duties and powers.

This policy applies where placements are required due to:

- Planned moves, client move-on arrangements, or the end of a licence/tenancy
- Transfers, decants, or placement changes
- Lease expirations, property hand backs, or contract terminations
- Evictions, abandonment, or legal possession
- Enforcement action, the death of an occupant, or safeguarding and legal interventions

It applies to all emergency and temporary accommodation used or managed by Dorset Council or provider partners for these purposes including (but not limited to):

- Properties owned by Dorset Council
- Properties leased or licensed from private landlords and any other private provider partners
- Properties managed in partnership with housing associations, commissioned support providers, or other accommodation partners.



Dorset Council will use available accommodation effectively and equitably. Accommodation will be suitable and consider the circumstances, needs, risks and support requirements for each household

## 4. Legal Framework

The Council has a statutory duty to ensure emergency and further temporary accommodation is available to homeless applicants in certain circumstances. This is governed by legislation. The council will have regard to the Homelessness Code of Guidance for Local Authorities when determining how such a duty is met.

Other legal duties that the council must adhere to in accordance with homeless legislation includes (but is not limited to):

- Part VII of the Housing Act 1996
- The Homelessness Code of Guidance for Local Authorities
- The Homelessness (Suitability of Accommodation) (England) Order 2003
- The Homelessness (Suitability of Accommodation) (England) Order 2012
- The Homelessness Reduction Act 2017
- The Equality Act 2010
- The Localism Act 2011
- Section 17 of the Children's Act 1989
- Section 11 of the Children's Act 2004
- Domestic Abuse Act 2021
- Prevailing case law

### 4.1 Specific Focus for this Policy

- Interim Placements made under section 188 of the Housing Act 1996
- Interim Placements made or continued under section 190 of the Housing Act 1996
- Longer term temporary accommodation placements made under section 193 of the Housing Act 1996
- Other discretionary placements made outside of our statutory duties

This policy does not specifically address accommodation placements made during periods of severe weather; instead, these are covered by the countywide Severe Weather Emergency Protocol (SWEP). Such placements are not a statutory requirement and may also be offered to individuals who are not otherwise eligible for assistance.

## 5. Types of Emergency and Temporary Accommodation

This policy applies to all property types within a defined scope. There is a wide range of accommodation types, including:

- Hostels (Self-contained or shared rooms with communal facilities)
- Shared accommodation (e.g. with shared kitchens and/or bathrooms)
- Self-Contained accommodation (exclusive use of all living facilities)
- Supported housing schemes, specialist housing, or Rough Sleeper Accommodation Program (RSAP/NSAP) properties

The council prioritises placements into council-owned or managed temporary accommodation where possible as it reliably meets residents needs and can deliver better value for money. However, other types of temporary accommodation such as nightly charged, privately owned (typically bed and breakfast) may still be used to meet high demand for homelessness services and mitigate a shortage of affordable move-on accommodation.

## 6. Emergency Accommodation Placements

In some cases, the council may need to provide emergency temporary accommodation at very short notice to ensure an eligible household has somewhere safe to stay while further enquiries or assessments are carried out.

Placement requests can be urgent, and there may be limitations on the accommodation options available. The council will seek to make emergency placements within the council's area but may also make placements outside the council area where necessary.

Placements are kept under review and, where appropriate and practicable, more suitable accommodation that meets the household's needs and location requirements will be identified.

## 7. Temporary Accommodation Placements

The council will allocate temporary accommodation based on availability and an assessment of the individual household's needs and circumstances. Factors considered include household size and composition, medical and welfare needs, risks including those associated with domestic abuse or violence, accessibility requirements, location, and any safeguarding needs.

People placed in temporary accommodation are expected to comply with the terms of their occupancy agreement and engage constructively with the council and any relevant support

services. Residents are also expected to take reasonable steps to secure their own settled accommodation where required.

## 8. Suitability Considerations

This policy explains how the council will meet its legislative requirements when considering the suitability of emergency and temporary accommodation placements.

Dorset Council will assess the suitability of all temporary accommodation on a case-by-case basis, considering the individual circumstances of the applicant and their household. Priority will be given to ensuring that accommodation is safe and suitable in relation to health, welfare, and safeguarding needs.

In making this assessment, the council will consider a range of relevant factors, including but not limited to those set out in this policy, alongside the availability of accommodation and the level of competing demand within Dorset and neighbouring areas at the time of placement.

In line with legislative requirements relating to suitability assessments, the council will consider:

- Level of any disruption to employment, caring responsibilities, or education.
- Proximity and accessibility of the accommodation to medical facilities and recognised support services.
- Proximity and accessibility of the accommodation to local services and transport links.
- Affordability
- Distance of the accommodation from Dorset.

All emergency and temporary accommodation will be expected to meet relevant health and safety standards, including those relating to gas, electrical, and fire safety, and the broader requirements set out in statutory guidance. Consideration will be given to whether facilities such as kitchens, bathrooms, or laundry areas are shared, and the impact this may have on the applicant and their household.

### 8.1 Emergency and Temporary Accommodation Size

The council will consider the size, layout, and bedroom provision of any emergency or temporary accommodation and will aim to provide accommodation that is suitable for the size and composition of the household. Wherever possible, accommodation will meet normal bedroom and space requirements.



The council may make temporary accommodation placements that exceed occupancy standards where necessary to comply with its statutory duties and where no suitable alternative accommodation is available. In these circumstances, the decision will be subject to a documented suitability assessment, appropriate management oversight, and regular review until more suitable accommodation becomes available.

## 8.2 Affordability

In exceptional circumstances, where accommodation that is affordable without additional support is not available, the Council may make a placement following an assessment of the household's circumstances, including consideration of any financial assistance that may be available. This may include the provision of financial assistance by the Council, welfare support, or other appropriate measures. Such placements will be subject to regular review to ensure the accommodation remains suitable and that affordability concerns are addressed at the earliest reasonable opportunity.

## 8.3 Location

The location of accommodation is an essential element of suitability. In accordance with section 208 of the Housing Act 1996, the council will seek to secure accommodation within the Dorset Council area wherever reasonably practicable.

Where this is not possible, accommodation may be secured outside the area, and in such cases will be located as close to Dorset as reasonably practicable, having regard to suitability and safety.

The Council will consider how the location may affect the applicant's employment, including whether they can continue working. Consideration will be given to whether the applicant's job requires specialist or professional qualifications, or whether their skills are transferable and they could reasonably find similar employment in another area.

The Council will consider the impact of the location on education, particularly for households with children, including during key stages of education and examination periods. The Council will also have regard to its duties to safeguard and promote the welfare of children, including their physical, emotional, and mental wellbeing.

The Council will consider the impact on any care arrangements or responsibilities, whether provided or received by the applicant or members of their household.

Consideration will also be given to access to essential services, including healthcare, public transport, local amenities, and support networks.

When emergency or temporary accommodation is secured outside the Dorset area to discharge the Council's homelessness duties, a documented assessment will explain why the placement is necessary and the circumstances of the case. These placements will be reviewed regularly to ensure more suitable accommodation is secured as soon as reasonably practicable and will remain under review until a more suitable or closer placement becomes available, subject to availability and demand. Where appropriate, the Council will work with partner agencies to minimise disruption.

## 8.4 Health, Welfare and Disability-Related Needs

The Council will consider any health, medical, welfare support, and disability related needs of the applicant or members of their household when assessing suitability, including the likely impact of the accommodation on those needs.

Any identified support needs, including those arising from vulnerability or risk factors, will be considered. The Council will also consider the impact of disruption to existing support arrangements and what steps can reasonably be taken to maintain appropriate support.

Relevant information provided by health professionals, social care, or other agencies will be considered where available.

The Council will consider whether the applicant has any relevant protected characteristics in accordance with the Equality Act 2010, the extent of them, and what their likely effect would be in relation to any proposed emergency or temporary accommodation.

## 8.5 Risk of Violence, Abuse or Harassment

Any known or likely risk of violence, domestic abuse, harassment, hate crime, exploitation, stalking and safeguarding concerns towards the applicant or members of their household will be considered and treated as a significant factor in assessing suitability. Accommodation will not be regarded as suitable where the location of the accommodation may place any member of the household at risk of harm. In these circumstances, it may be necessary to secure accommodation outside the district to protect the safety and wellbeing of the household. Relevant information provided by the applicant and partner agencies will be taken into account when making these placement decisions.



## 8.6 Expected Length of Occupation

When assessing the suitability of a placement, the likely duration of the placement will be taken into account. Accommodation that is suitable for a short-term placement may not be suitable for a longer-term placement. Placements will be reviewed periodically to ensure that they remain suitable, taking into account both the anticipated and actual length of occupation.

## 8.7 Specific Groups

The council recognises some households may require additional consideration due to their vulnerability and will have due regard to any relevant statutory duties and guidance. This policy aims to ensure suitable emergency or further temporary accommodation is provided to all households, including specific groups identified in legislation and statutory guidance, including care leavers, pregnant women, households with children, disabled people, older people, survivors of domestic abuse, young people and those with welfare, health and/or support needs.

For care leavers, the council will consider their age, maturity, current and required care and support arrangements, including any responsibilities owed by Children's Services.

For pregnant women and households expecting a child, the council will have regard to legal restrictions relating to the use of bed and breakfast accommodation. The council will ensure accommodation is safe, appropriately located for access to healthcare and support networks.

The council will seek to provide placements that take account of the age and individual circumstances of all members of the household. It will consider the specific needs of younger and older people, including factors such as personal safety, independence, health and wellbeing, and access to education, employment, healthcare, carers, support networks, and social networks.

For households that have experienced, or are at risk of, domestic abuse, the council will assess the safety of the household, the level of risk, and any need to access specialist support services. Placements may be made outside the Dorset Council area where necessary to safeguard household members from harm and may include additional security measures.

## 8.8 Accommodation Standards and Checks

The council will take all reasonable steps to ensure that all emergency and temporary accommodation used is suitable, safe, and of an acceptable standard. It will carry out checks and inspections to ensure compliance with relevant property standards and health and safety requirements, including statutory certification. This will include ensuring relevant documentation, including but not limited to the EICR, landlord gas safety record and Fire Safety Risk Assessment being compliant and all safety requirements actioned.

Reports of disrepair, hazards, and defects will be investigated, and appropriate remedial action or mitigation measures will be taken to ensure that the accommodation remains suitable throughout the period of occupation.

Where any accommodation arrangement includes roles and responsibilities for a third party, agent, or provider, the council will seek assurance that the accommodation meets relevant legal and compliance requirements. Third parties, agents, and providers are expected to maintain accommodation and respond promptly to repairs, health and safety issues, and compliance matters where these may affect the suitability of the accommodation.

## 8.9 Pets

Where reasonably practicable, Dorset Council will seek to secure temporary accommodation that enables households to remain with their pets or other companion animals. This will be subject to the availability of suitable accommodation and any restrictions imposed by accommodation providers, managing agents, landlords, or other third parties.

When assessing the suitability of temporary accommodation, the Council will take into account the household's circumstances, including the presence and welfare needs of any pets or companion animals. Whilst reasonable efforts will be made to identify suitable accommodation, this may not always be possible due to factors including, but not limited to, property size, health and safety requirements, licensing conditions, the type or number of animals, location, and restrictions imposed by accommodation providers away from our owned stock.

Where emergency accommodation is required, particularly outside normal working hours or where accommodation options are limited to support the emergency need, Dorset Council may need to secure the most suitable accommodation available at the time, irrespective of whether animals can be accommodated. In such circumstances, the Council's primary duty is to prevent homelessness and secure safe accommodation for the household. Where pets cannot initially be accommodated, the Council will consider whether alternative accommodation can reasonably be secured at the earliest opportunity, subject to availability and suitability.



Applicants remain responsible for the care, control, and welfare of their animals at all times. Where accommodation that can accommodate pets cannot be secured, households may need to make alternative temporary arrangements for their animals. Dorset Council may, where appropriate, provide information about organisations or services that may be able to assist, but responsibility for such arrangements rests with the applicant.

Households must inform the Council as early as possible of any pets or companion animals that form part of their household and provide any information reasonably requested. Early notification will assist the Council in assessing accommodation options and suitability. Accommodation suitable for households with animals will generally be self-contained wherever possible, although availability cannot be guaranteed.

## 8.91 Assistance Animals and Reasonable Adjustments

The Council recognises that assistance animals required by disabled persons are not ordinary pets and may be an important aid in enabling a person to live independently. When securing temporary accommodation, Dorset Council and its accommodation providers will have regard to their duties under the Equality Act 2010, including the duty to make reasonable adjustments where required.

The Council expects accommodation providers, managing agents, and other partners to give appropriate consideration to households requiring an assistance animal as a consequence of a disability. Decisions will be made on an individual basis, taking into account the needs of the disabled person, the characteristics of the accommodation, and any relevant health and safety considerations.

There is no statutory register or compulsory certification scheme for assistance animals in the United Kingdom. However, the Council may request reasonable evidence that an animal is required in connection with a person's disability where this is necessary to inform accommodation decisions.

Assistance animals may include, but are not limited to, animals trained to support individuals with visual impairments, hearing impairments, mobility impairments, autism, epilepsy, diabetes, mental health conditions, or other disabilities where the animal performs specific tasks or functions related to the person's disability.

## 9. Right to Review and Legal Challenge

Applicants placed in emergency or temporary accommodation under the council's homelessness duties have the right to request a review of certain decisions made by the authority, including, where applicable, the suitability of the accommodation provided.



Where an applicant considers that their emergency or temporary accommodation is unsuitable, they may:

- Request a statutory review under section 202 of the Housing Act 1996 within 21 days of being notified that the accommodation is suitable.
- If dissatisfied with the outcome of the review, appeal to the County Court under section 204 of the Housing Act 1996 on a point of law.

A statutory right to a section 202 review applies to the suitability of emergency or temporary accommodation provided under the main housing duty.

There is no statutory right to a section 202 review of the suitability of accommodation secured under the interim duty in section 188 of the Housing Act 1996. Applicants may raise concerns about the suitability of their accommodation with the council at any time, and suitability will be kept under review.

Applicants may seek independent legal advice on legal remedies including a Judicial Review, where it is believed that the Authority has acted unlawfully, unreasonably, or failed to follow proper procedures.

Where an applicant requests a review in relation to emergency or further temporary accommodation, the council will comply with its statutory homelessness duties whilst the review is considered.

In the event that an applicant appeals to the County Court following a review decision, the council will consider whether to continue to provide accommodation pending the outcome of the appeal. In most cases, this is a discretionary power, and decisions will be made having regard to the applicant's individual circumstances and the merits of the case.

## 10. Roles and Responsibilities

The council's Service Manager for Housing Solutions is responsible for the day-to-day management and suitability of emergency and temporary accommodation placements and for adherence to this policy.

The service works closely with council Homeless Advice and Guidance services, Revenues and Benefits services, Children's Services, Adult Social Care, and Safeguarding services.

In addition, the service works collaboratively with external partners to fulfil relevant statutory duties, identify risks, protect vulnerable people, address anti-social behaviour, and respond to safeguarding concerns. Partners may include the Police, probation services, domestic abuse services, health services, registered providers, support agencies, commissioned services, and voluntary sector organisations.

This policy will be reviewed at least every three years, or sooner if triggered by any of the following:



- Significant changes to legislation, regulatory requirements, or government guidance.
- Evidence of systemic delays or proven poor performance through KPI monitoring.
- Introduction of new accommodation types, service delivery models, or contractual arrangements.
- A formal request from senior management, internal audit, or the Regulator of Social Housing.

The review will be coordinated by the relevant service with consultation from operational teams, contractors, and other stakeholders.

The latest version of this policy will be made available to staff, partners, and stakeholders.

## 11. Equality and Diversity

This policy meets the council's obligations under the Equality Act 2010, which provides that, in carrying out its functions, a local authority must have due regard to the following requirements to:

- Eliminate unlawful discrimination, harassment, victimisation, and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

## 12. Document Control

| Field         | Details                                                      |
|---------------|--------------------------------------------------------------|
| Policy Owner  | Service Manager – Temporary Accommodation and Housing Supply |
| Version       | 1.0                                                          |
| Status        | Complete                                                     |
| Date Approved | 02.07.2026                                                   |
| Next Review   | April 2029 or earlier if required                            |
| Approved By   | (Interim)                                                    |

## Appendix 1

### Relevant Housing Duty Considerations

Section 188 of the Housing Act 1996 provides that the Council must secure that accommodation is available for an applicant where it has reason to believe they may be homeless, eligible for assistance and in priority need (these are all defined terms in law). This duty is known as the 'interim duty' and typically continues until the Council has made a final decision as to whether the applicant is owed the 'main housing duty' under s.193.

Section 193 of the Housing Act 1996 provides that the Council must secure that accommodation is available for an applicant where it determines that they are homeless, eligible for assistance, in priority need, not intentionally homeless, and where it has not successfully 'prevented' or 'relieved' homelessness (these are all defined terms in law) and has not referred the application to another local authority. This is known as the 'main housing duty' and continues indefinitely until the applicant accepts an offer of a settled home, or until one of another of a list of prescribed events occurs.

Section 206 of the Housing Act 1996 provides that any accommodation provided under section 188 or 193, whether emergency, temporary or otherwise, must be suitable.

Chapter 17 of the Homelessness Code of Guidance codifies the factors, borne from various legal instruments, local authorities should consider when determining whether emergency or temporary accommodation is suitable. Such factors include the standard, affordability, and location of any accommodation.

Section 208 of the Housing Act 1996 provides that, so far as reasonably practicable, accommodation found by the Council should be in the local authority area. The law does recognise there are times where being accommodated out of area offers a clear benefit to the applicant, for example where they would be at risk of domestic abuse or other violence in the area. When accommodation is provided out of the area, the Council should notify the local authority in whose area the accommodation is situated.

### Specific Suitability Guidance

The council will adhere to specific suitability guidance where it is available, including:

- The Homelessness (Suitability of Accommodation) (England) Order 2003, which provides that households containing children or pregnant women should only be housed in bed and breakfast accommodation where no other accommodation is available and that, even then, such occupation should not exceed six weeks.
- Section 11 of the Children's Act 2004. The council will have regard to the need to safeguard and promote the welfare of children when assessing the suitability of emergency and temporary accommodation. Where a household includes dependent children, the council will consider the potential impact of the placement on their safety, health, education, development, and overall wellbeing.



## Appendix 2

### Rough Sleeper and Discretionary Placements

Dorset Council is committed to providing 'discretionary placements' in exceptional circumstances. There is no legal obligation on the council to provide this, and as such any additional placements need to be carefully applied to ensure that we are prioritizing customers that have the greatest need. The provision of discretionary placements will be considered on a case-by-case basis and is subject to the Council's assessment of individual circumstances, policy criteria and available resources.

While Dorset Council understands the challenges individuals may face, we are generally unable to provide temporary accommodation outside of our statutory duties, however to acknowledge this approaching need, Dorset Council has secured specified Rough Sleeper targeted accommodation models, which will be prioritised when considering this cohort and need for placement:-

For us to consider a discretionary placement, the following must apply:

- The individual must display clear evidence of rough sleeping – such as establishing street contact with relevant outreach teams
- The individual must have a timely, defined housing pathway available to them.

This section is in addition to our statutory duties. We are under no obligation to provide this and therefore there is no right to review the decisions around discretionary placements. This does not replace any of our statutory duties.

All individuals approaching this pathway are discussed weekly between dedicated teams both inside Dorset Council, and with partner agencies, to ensure timely decisions, set actions and supporting to define available pathways and case management.

If an individual has been previously evicted from temporary accommodation it is highly unlikely that we will be able to enact this process for that individual. If individuals pose significant risk to other residents or staff, it may also not be possible to provide a placement under these discretionary duties.

Discretionary placements are intended to provide short-term accommodation in limited circumstances where they can support an individual's move towards longer-term housing. They may also provide an opportunity for relevant services to assess support needs, coordinate assistance and help ensure that any subsequent accommodation placement is sustainable.

