

Appendix 1

London Borough of Merton

Interim Homeless Placement Policy

1. General

The aim of this policy is to provide a framework for the allocation of a limited supply of suitable affordable accommodation within and close to the London Borough of Merton. This policy applies to accommodation secured/under Housing Act 1996 Part 7 and Part 3 Children's Act 1989.

Our aim is to provide accommodation within Merton wherever possible but unfortunately, this is not always achievable. The Council is dependent on the supply that is available, and on-going welfare benefit changes mean that for many households accommodation in Merton will not be affordable. As a result, there will be an increasing need to use accommodation that may be some distance from Merton, and we must have a process in place to ensure that we prioritise those who have the greatest need to be in or close to a particular location.

In assessing the allocation of available accommodation the Council will comply with relevant case law, Section 11 (2) Children's Act 2004, Housing Act 1996 and will have regard to the Homelessness Code of Guidance. It is also necessary to give consideration as to whether the applicant and his/her family can afford the housing without being deprived of basic essentials such as food, clothing, heating, transport and other essentials.

In an emergency situation a homeless household can be placed in temporary accommodation in ANY location where this is available on that day. If deemed unsuitable they will be given priority to be rehoused to alternative temporary accommodation.

This policy recognises that individual cases must be assessed on their own merit to establish whether they are sufficiently exceptional to depart from the Policy. The Council will also take into account the affordability of accommodation in deciding where to provide accommodation.

The award of in-borough or 90 minutes travel priority does not guarantee the provision of accommodation within those areas. Where the applicant is in receipt of welfare benefits, this may place additional constraints on the availability of affordable accommodation.

Merton will continue to seek to comply wherever possible with Inter Borough Temporary Accommodation agreements.

2. **Definitions of Placements**

For the purposes of this policy the three geographical areas are:-

- In borough i.e. within the London Borough of Merton,
- Close to home, within 90 minutes travelling distance of Merton.
- Any area will be defined as anywhere beyond 90 minutes travelling distance of Merton. In these instances we will consider the availability of services such as schools, health services to ensure the welfare of children is fully considered in line with S11 (2) Children's Act 2004.

3. **In Borough Priority**

1. Priority for available in borough accommodation will be given to certain households who have a compelling need to be housed within Merton.
2. Such priority does not guarantee an in-borough placement, but should suitable and affordable accommodation be available within that area, it does give that household priority over others without that assessed priority.
3. Applicants and their household members to be housed within them who satisfy one or more of the following criteria will qualify for in-borough priority.
 - (i) They are receiving treatment for a physical or mental health condition from a specialist hospital unit which cannot be transferred to another NHS Service or they are at a critical point in their treatment.
 - (ii) They have a longstanding agreement to provide care and support to another family member in Merton who is not part of the household. Carers will need to be in receipt of carers allowance and/or the person they care for must be in receipt of middle rate or high rate DLA care component or daily living component of PIP.
 - (iii) Children subject to a Child Protection Plan in Merton which cannot be transferred to another Local Authority without causing detriment to the child.
 - (iv) Children subject to an Educational Health and Care Plan in Merton which cannot be transferred to another LA without causing detriment to the child.
 - (v) Other circumstances which demonstrate are compelling and exceptional need that cannot be met outside the borough.
 - (vi) Employment:- The Council will consider the needs of applicants, where one or (more) is in permanent settled employment (for at least six months prior to the date of their homeless application) to reach their normal workplace from the accommodation is secured.

4. 90 Minute Travel Priority

1. Priority for accommodation within 90 minutes travelling distance of Merton by public transport will be given to certain households who have a compelling need to be housed within that area.
2. Such priority does not guarantee a placement within 90 minutes traveling distance of Merton by public transport but should be suitable and affordable accommodation be available within that area, it does give the household priority over others without that assessed priority.
3. Applicants or their household members to be housed with them who satisfy one or more of the following criteria will qualify for 90 minutes travel priority.
4. They have been continuously employed within 90 minutes travelling distance of Merton for 16 hours or more per week in a role which cannot be transferred to another area. Applicants must have employed for at least six months prior to date of homelessness application.
5. Children who are enrolled in GCSE, AS or A level courses in Merton, with exams to be taken within the next academic year. Wherever possible we will seek to place households within 90 minutes traveling distance of their school, college, by public transport.

5. Any Area

All other homeless households will be offered accommodation wherever the borough is able to procure it including outside of London including:-

- Households who would otherwise be an “in borough priority” but who are unable to afford accommodation in Merton, for instance due to benefit restrictions.

6. Consequences of refusal of accommodation

Should an applicant refuse an offer of accommodation and fail to take up occupation of the property and the offer is deemed suitable, the Council will consider its duty to the applicant having met its statutory obligations.

However in accordance in Section 202 of the Housing Act 1996 Part 7, as amended the applicant will have the right to request a review of the suitability of the offer, and will be required to submit their reasons refusing the offer for consideration.

If a review of the suitability considers that the offer is not suitable, the Council will be under a duty to make an alternative offer. Applicants are reminded of their right to accept the offer of accommodation and pursue a review of the suitability of the accommodation whilst in occupation.

7. Advice and Support

All households will be offered an interview with a housing officer to address identified needs and advice will be provided regarding these needs e.g. accessing GP's, health visitors, schools, etc.