

Appendix C

Text to be added to the Temporary Accommodation Placement Policy

7 Priority for types of temporary accommodation

Placement in Hotels and Bed & Breakfast will only be made where there is no alternative supply. Where Hotels or Bed & Breakfast are the only option, the decision on which households are placed there will be governed by the Homelessness Code of Guidance and the Homelessness (Suitability of Accommodation) (England) Order 2003 (see Appendix A).

Temporary accommodation should not be considered suitable for a family with children under 2 if there is not enough space for a cot. Further, Haringey will support families to secure a cot where needed (see Appendix B 17.13).

Appendix A

Homelessness (Suitability of Accommodation) (England) Order 2003

Bed and breakfast accommodation

17.31 Bed and breakfast (B&B) accommodation caters for very short-term stays only and affords residents only limited privacy, and may lack or require sharing of important amenities, such as cooking and laundry facilities. Wherever possible, housing authorities should avoid using B&B accommodation as accommodation for homeless applicants, unless, in the very limited circumstances where it is likely to be the case, it is the most appropriate option for the applicant.

17.32 Living in B&B accommodation can be particularly detrimental to the health and development of children. Under section 210(2), the Secretary of State has made the [Homelessness \(Suitability of Accommodation\) \(England\) Order 2003](#) ('the 2003 Order'). The 2003 Order specifies that B&B accommodation is not to be regarded as suitable for applicants with family commitments provided with accommodation under Part 7.

17.33 Housing authorities should, therefore, use B&B accommodation to discharge a duty to secure accommodation for applicants with family commitments only as a last resort and then only for a maximum of 6 weeks. Applicants with family commitments means an applicant:

- (a) who is pregnant;

- (b) with whom a pregnant woman resides or might reasonably be expected to reside; or,
- (c) with whom dependent children reside or might reasonably be expected to reside.

17.34 For the purpose of the 2003 Order (as amended by the [Homelessness \(Suitability of Accommodation\) \(Amendment\) \(England\) Order 2023](#) (the 2023 Order), B&B accommodation means accommodation (whether or not breakfast is included):

- (a) which is not separate and self-contained premises; and,
- (b) in which cooking facilities are not provided, or any of the following amenities is shared by more than one household:
 - (i) a toilet;
 - (ii) personal washing facilities; or,
 - (iii) cooking facilities.

17.35 B&B accommodation does not include accommodation which is owned or managed by a housing authority, a private registered provider or a voluntary organisation as defined in [section 180\(3\) of the 1996 Act](#), or accommodation that is provided in a private home, such as lodging or as part of a sponsorship arrangement.

17.36 The 2003 Order provides that if no alternative accommodation is available for the applicant the housing authority may accommodate the family in B&B for a period, or periods, not exceeding 6 weeks in result of a single homelessness application. Where B&B accommodation is secured for an applicant with family commitments, the Secretary of State considers that the authority should notify the applicant of the effect of the 2003 Order, and, in particular, that the authority will be unable to continue to secure B&B accommodation for such applicants any longer than 6 weeks, after which the authority must secure alternative, suitable accommodation.

17.37 The [Homelessness \(Suitability of Accommodation\) \(Amendment\) \(England\) Order 2022](#) (the 2022 Order), as amended by the 2023 Order, modifies the 2003 Order to remove the 6 week limitation on placements in B&B between 1 June 2022 and 1 June 2024, where there is no accommodation other than B&B available, and where the applicant:

- (a) make an application to a local housing authority for assistance under Part 7 of the Housing Act 1996 on or after 1 June 2022;
- (b) make that application within 2 years beginning with the date on which they arrive in the United Kingdom;
- (c) are eligible for assistance under Part 7 of the Housing Act 1996; and

(d) did not have a right to occupy accommodation in the United Kingdom for an uninterrupted period of 6 months or more in the 3 years prior to the date on which they arrived in the United Kingdom.

17.38 When determining whether accommodation other than B&B accommodation is available for use, housing authorities will need to take into account, among other things, the cost to the authority of securing the accommodation, the affordability of the accommodation for the applicant and the location of the accommodation. A housing authority is under no obligation to include in its considerations accommodation which is to be allocated in accordance with its allocation scheme, published under [section 167 of the 1996 Act](#).

17.39 If there is a significant change in an applicant's circumstances that would bring the applicant within the scope of the 2003 Order, the 6 week period should start from the date the authority was informed of the change of circumstances not the date the applicant was originally placed in B&B accommodation.

17.40 If the conditions for referring a case are met and another housing authority accepts responsibility for an applicant under [section 200\(4\)](#), any time spent in B&B accommodation before this acceptance should be disregarded in calculating the 6 week period.

17.41 B&B accommodation is not suitable for 16 and 17 year old applicants even on an emergency basis.

17.42 The Secretary of State considers that the limited circumstances in which B&B accommodation may provide suitable accommodation could include those where:

(a) emergency accommodation is required at very short notice (for example to discharge an interim duty to accommodate); or,

(b) there is simply no better alternative accommodation available and the use of B&B accommodation is necessary as a last resort.

17.43 The Secretary of State considers that where housing authorities are unable to avoid using B&B accommodation to accommodate applicants, they should ensure that such accommodation is of a good standard and is used for the shortest period possible.

Appendix B

[Homelessness code of guidance for local authorities](#) issued on 28th February 2024

Cots in temporary accommodation

17.12 Accommodation will not be suitable for a household with children under the age of 2 if there is not adequate space for a cot for each child aged under 2.

17.13 Where households with babies and young children under 2 do not have access to a cot when placed in temporary accommodation, housing authorities should consider what support is available for the provision of a cot. This may involve housing authorities assisting the household to access a cot through local authority or external schemes where needed, especially in emergency situations where a household might be homeless as a result of domestic abuse.