

## **Homeless Accommodation Policy**



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## MANAGEMENT INFORMATION

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## 1. Policy Statement

Flintshire County Council (otherwise referred to as “the Council”) is committed to providing an effective and efficient Homeless Accommodation Management service that reflects best practice, complies with legislation, and protects the rights of those who experience homelessness and are owed ‘interim accommodation’ duties under the Housing (Wales) Act 2014.

The Council’s Housing Support and Homelessness Service is committed to supporting people experiencing homelessness with offers of accommodation and housing related support as required, based on legislative requirements and the needs of those residents.

Homeless accommodation is to be offered as a last resort, as all efforts will be made to sustain housing and to avoid homelessness. Where appropriate the Council will support residents to remain where they are, if safe and appropriate, whilst continuing to assist them under homeless legislation.

The Council is committed to ensuring homelessness is ‘**rare, brief and unrepeated**’, through all of its housing support and homelessness activities, as outlined in its Housing Support Programme Strategy. When considering the use of homeless accommodation, the Council are committed to occupation of homeless accommodation and periods of homelessness being brief:

<b>RARE</b>	Prevent homelessness so as few people have to experience the trauma and distress of being homeless in the first place
<b>BRIEF</b>	When people are homeless and placed in “homeless accommodation”, they should be supported to exit homelessness as quickly as possible, through increased supply of affordable housing and the removal of barriers to accessing affordable housing.
<b>UN-REPEATED</b>	Follow on support should be put in place to reduce the likelihood of repeat instances of homelessness and avoid people coming back through and experiencing the trauma of homelessness again in their lifetime

A full suite of procedures have been developed to support delivery of this Policy, along with Key Performance Indicators (KPIs) in respect of the Housing Homeless Accommodation Management to measure effectiveness of service delivery.

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Residents accessing homeless accommodation will be provided with the appropriate legal documentation for their occupation of their accommodation along with information about service standards, their rights and their responsibilities, so they know what level of service they can expect from the Council and what the Council requires in return.

When providing homeless accommodation, the Council will ensure every effort will be made to ensure that housing sustainment is a shared activity to avoid people experiencing homeless, becoming roofless. Homelessness is everyone's responsibility at the Council.

Evictions from homeless accommodation should be rare and an action of last resort but will be considered and actioned for issues relating to serious anti-social behaviour, aggression towards staff or providers of homeless accommodation and support services, as well as for high levels of homeless accommodation related debts.

## 2. Eligibility for Homeless Accommodation

Homeless accommodation will be offered to those residents and households who are eligible and homeless, and the household has met one or more of the priority need triggers as outlined within the Housing Wales Act 2014 (NOTE: "reason to believe" homeless, is the legal threshold for homeless assistance). Priority needs categories as per the Housing (Wales) Act 2014 are listed below:

- A pregnant woman
- People responsible for dependent children
- Vulnerable as a result of some special reason
- People made homeless by fire, flood or other disaster
- Victims of domestic abuse
- Young people aged 16 or 17
- People aged 18 – 20 who are at particular risk
- People aged 18-20 who have spent time in care
- Armed forces personnel
- Vulnerable as a result of time in prison
- People sleeping rough

Homeless Officers will assess residents' personal circumstances to consider eligibility and need for homeless accommodation. Consideration must be given to all possible alternatives other than homeless accommodation and when a placement is required this will be requested by Homeless Officers and authorised by senior staff within the service (Senior Homeless Officers, or Departmental Management Team).

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Consideration will be given to 1) need for and 2) suitability of placements within the limited availability of the Council's homeless accommodation. Homeless Officers will liaise with the Homefinder Team to identify suitable accommodation. Risk information will be a key part of the placement process and statutory partners involved in managing people within the community will be consulted and notified of placement details as required (most notably Probation and Public Protection Services).

All efforts will be made to provide homeless accommodation that is in County and meets the needs of residents placed. The Council is aware it can be challenged on issues of 'suitability' of any accommodation offered and will work within guidance. Every effort will be made to keep out of county placements to a minimum and when they are required, appropriate notification will be made to relevant public sector partners in line with out of county placement protocols.

Homeless duties for accommodation will be extended to those residents placed and they will be notified in writing of the duties extended to them along with specific address and location of their placement. Accommodation can be provided to residents by way of 'reasonable steps' under the Housing Wales Act 2014 where appropriate.

### 3. Homeless Accommodation Types

The Council will utilise a range of accommodation for people who are experiencing homelessness. The property types and how they are procured are detailed below:

<b>Accommodation Type:</b>	<b>Secured through:</b>
<b>Private Rented Properties</b>	Secured with local landlords by way of Lease Agreement
<b>Housing Partner Properties</b>	Secured by way of Memorandum of Understanding
<b>Homeless Hub Cabins</b>	Secured through a contract with the provider
<b>Hotels &amp; B&amp;Bs</b>	Block bookings and then rooms via spot purchase based on demand
<b>Holiday Lets</b>	Spot purchase
<b>Caravans</b>	Spot purchase

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## 3.1 Private Sector Leased Properties

When securing properties on the Lease Agreement from private landlords, officers will undertake a number of checks in relation to the landlord's ability to enter a lease agreement with the Council. Landlords must have evidence that they own their property outright, or that they have written consent from a mortgage provider or lender to be able to enter into a Lease Agreement with the Council.

Consideration will also be given to the suitability of a landlord and / or property owner entering a lease Agreement with the Council, akin to a 'fit and proper person' test. This test will be as a minimum aligned to Rentsmart Wales regulations.

The property will also be fully inspected and only taken onto the leased portfolio if the property meets the required standards expected by the Housing Support and Homelessness Service aligned to the Homes Fit for Human Habitation requirements as outlined within the Renting Homes (Wales) Act 2016 and necessary checks completed or validated by Housing Enforcement Team.

Properties are only to be accepted onto the leased portfolio upon completion of all necessary background checks and with all evidence in place. Officers, having gathered all relevant information, will then submit a formal request to the Homefinder Manager or Service Manager for approval and sign off.

Target lease fees agreed with landlords or property owners should be at 90% of the Local Housing Allowance (LHA) rate based on property size but can be negotiated to reflect local market conditions. Management will outline the range of negotiation and budget accordingly with consideration to value for money, market rates and service needs.

Once properties are signed up to the Lease Agreement, rents will be paid quarterly in advance at the agreed rate and landlords will invoice in line with the Council's financial regulations. The terms of the Lease Agreement identifies, for the all parties to the Lease Agreement, the roles and responsibilities in relation to management and maintenance of the property as well as the Lease Agreement duration period and exit clauses.

## 3.2 Council Housing Properties

When securing Council Housing properties all the same property checks will be required to ensure accommodation standards as outlined in Section 3.1 of this policy. The fit and proper person element of the property take on process is not required as the Council and Housing Partners meet the necessary requirements.

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The Housing Department will put forward properties for use as homeless accommodation, with consideration given to any local sensitivities, and provide full disclosure of any property or community specific issues or concerns to the Housing Support and Homelessness Service. This will inform the decision making process for accepting or rejecting the property offer.

The Homefinder Team will identify target property types and areas based on homeless cohort data and local need. This arrangement is not to the detriment of the Housing Revenue Account (HRA) financially and demonstrates a significant commitment from the HRA to support the homelessness challenges in Flintshire and will be reflected within the HRA Business Plan.

Councillors will not be informed of Council properties in their Wards that are used as homeless accommodation, but the local Housing Officer will be notified as joint working will be required for responding to community or housing management issues as they arise. Information relating to occupants in these properties will be shared with the Housing Department for purposes of transparency, property matching and risk management.

### 3.3 Homeless Hub

The Glanrafon Homeless Hub operates 24/7, every day of the year as a supported housing service. The main building provides space for communal activities, washing facilities, communal kitchen and office space for staff from The Wallich. There are also three indoor bedrooms with their own toilet and washing facilities in the main building.

The Wallich is engaged by the Council through Housing Support Grant (HSG) to deliver support to residents in the Homeless Hub along with site management. This service is regularly reviewed by the HSG Commissioning and Reviewing Team.

There are also twenty-three cabins located within the grounds of the Homeless Hub. These cabins provide self-contained accommodation for single people, with private toilet, wash hand basin, shower, desk, bed, wardrobe and TV. Microwave and kettle are also provided. The cabins are secured by way of a contract with the cabin provider.

The Homeless Team and Homefinder Team make referrals to the Homeless Hub, disclosing all risk information and support needs of the nominated resident. Every effort will be made by The Wallich to accept referrals, but it is accepted that there will be times when referrals may be refused based on not only risk or support needs of the resident, but also when considering the dynamics and status of the Homeless Hub at the time of the referral.

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The Wallich as site manager are responsible for identifying and reporting all issues of property condition and Health and Safety relating to accommodation for the Council and notifying the Homefinder Team for further action.

### **3.4 Hotels**

When capacity is reached within private sector properties, Council properties and the Homeless Hub, or these settings are not deemed appropriate for the residents needs, hotel accommodation will be explored to ensure accommodation duties are fulfilled to those people who experience homelessness.

Where it is possible to secure block bookings to guarantee capacity within a specific establishment, a process of block bookings will be completed for a period of 6 months and contracts exchanged for this service. Any additional capacity will be purchased through one-off spot purchase bookings and invoiced through the Councils Finance Systems or, in exceptional circumstances, credit cards or pre-pay Cards.

Where possible hotel accommodation should be secured within County but in times of high demand, hotel accommodation beyond Flintshire may be necessary.

Hoteliers are responsible for all aspects of Health and Safety in line with the local licensing conditions and property compliance standards within their local authority area. Compliance and licensing information must be available upon request of the Council.

A list of those hotels used by the Council will be held by the Homefinder Team along with relevant supporting documents for contracts and compliance and licensing requirements.

### **3.5 Holiday Lets and Caravans**

In instances where no other available or suitable accommodation is available, the Council will consider the short-term use of holiday lets and caravans. Such arrangements will be booked through resources such as Airbnb, Booking.com and other recognised holiday accommodation services.

Bookings will be kept to a minimum and booking confirmation details will be held on file as required. In some instances, deposits will also be required against these properties. Where possible these services should be paid for through the Councils financial systems, but this may not always be possible so Managers credit cards or Duty Officer pre-paid cards will be required.



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## 4. Occupying Homeless Accommodation

When placing residents into accommodation, they will be issued with the relevant legal documentation based on the type of accommodation they occupy, and the homelessness duties they are owed. As people progress within legal duties, they will be issued updated occupation documentation as required. Occupation documentation will be issued to residents as outlined below:

<b>Accommodation Type</b>	<b>Reasonable steps</b>	<b>Section 73 HWA 2014</b>	<b>Section 75 HWA 2014</b>
<b>Leased Properties</b>	License Agreement	License Agreement	Occupation Contract
<b>Council Properties</b>	License Agreement	License Agreement	Occupation Contract
<b>Homeless Hub Cabins</b>	License Agreement	License Agreement	License Agreement
<b>Hotels &amp; B&amp;Bs</b>	License Agreement	License Agreement	License Agreement
<b>Holiday Lets</b>	License Agreement	License Agreement	License Agreement
<b>Caravans</b>	License Agreement	License Agreement	License Agreement

License Agreements are issued across all forms of homeless accommodation until the point at which a resident is owed the Full Homeless Duty under Section 75 of the Housing Wales Act 2014.

Only those residents occupying private sector leased accommodation or Flintshire County Council accommodation are to be issued Standard Occupation Contract Holder rights in line with Renting Homes (Wales) Act 2016 (homeless accommodation exemption applied) from the day that a Section 75 duty is owed. Hotels, holiday lets, caravans and the Homeless Hub are exempt from the Renting Homes (Wales) Act 2016.

Eligible residents must be issued their Occupation Contracts, RHW1 Form and RHW2 Form within 14 days of the Section 75 Homeless Duty being accepted. Residents will also be issued with copies of a current Energy Performance Certificate (EPC), a current Gas Safety Certificate, if gas supply in place, and a current Electric Safety Certificate as required under Renting Homes (Wales) Act 2016 regulations.

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## 5. Accommodation Charges and Income Management

Weekly rent charges are applied on a Monday and if signing up for accommodation on another day of the week, the first weekly charge is apportioned based on days occupied before the first Monday. Rent charges to occupants are applied in line with 'Interim Accommodation' Housing Benefit Eligible Rates and a breakdown of these charges can be found in the table below:

Property Type	Rental Charge
<b>House Share</b>	£81.00
<b>1 bed</b>	£87.34
<b>2 bed</b>	£100.73
<b>3 bed</b>	£117.99

Property Type	Rental Charge
<b>Hotel FCC</b>	£90.00
<b>Hotel DCC</b>	£80.00
<b>Hotel CWAC</b>	£103.85
<b>Cabins</b>	£81.00

Where service charges are applied this is a contribution to costs associated with services such as communal cleaning, window cleaning, utilities and other operational costs. Service charges are not Housing Benefit eligible and must therefore be paid in full by the resident.

Those residents placed in accommodation will be assisted to claim housing benefit to cover their accommodation charges or a contribution towards them. Any outstanding accommodation charges not covered through Housing Benefit are for the resident to pay themselves and appropriate invoicing of these charges will be completed by the Homefinder Team.

The Homefinder Team will be responsible for charging and collection of accommodation charges and Homeless Officers and Support Officers will assist with this through offers of support, reminders and clearly documenting within Personal Housing Plans (PHPs) the responsibility of the resident to ensure accommodation costs covered in full.

The Homefinder Team will regularly review payments for accommodation charges and residents will be provided an accommodation charge statements every 3 months for their personal records.

Non-payment of accommodation charges will be dealt with promptly and offers of support around income maximisation, including help with claiming benefits and budgeting support will be extended to all residents as required. When occupants fall into arrears, repayment plans can be agreed to avoid ending accommodation but must be honoured by the occupant.

Instances of continued non-payment, where there is a lack of engagement and where offers of support can be clearly evidenced by the Council, will be tackled robustly with

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consideration given to ending accommodation for significant debt levels. Significant debt for the purposes of accommodation and / or service charges is any debt above 12 weeks in value.

### 6. Routine Inspections

Routine inspections of properties will be completed by the Homefinder Team and Homeless Officer or Support Officer where required. These visits will act as 1) a welfare check for the resident, 2) an inspection of the property to ensure it is being used and looked after by the resident, 3) an opportunity to identify and review support needs, 4) an opportunity to review the Personal Housing Plan and 5) to identify repairs.

- 1) Welfare checks are to ensure that the resident is safe, in good health and provides an opportunity to answer any general enquiries about the homeless accommodation and move on options.
- 2) Inspection of property to ensure the property is being used, ensuring the limited resource of homeless accommodation is used appropriately as a primary home during a period of homelessness, and that only the agreed occupants are using the property for its intended purpose – homeless accommodation.
- 3) At each routine inspection, officers will engage with the residents to understand if they have any unmet support needs. This should focus on those support needs, which if unmet could increase risks of housing instability and housing failure. Appropriate referrals to Housing Support Gateway or other services should be offered and actioned at the earliest opportunity as required.
- 4) Routine inspection provides the opportunity to review the residents Personal Housing Plan. This may be to gather updated information or changes in circumstances and to re-iterate to the occupant the actions that they must undertake in their Personal Housing Plan. Information should then be fed back to the allocated Homeless Officer if they are not in attendance.
- 5) Routine inspections provide an opportunity to identify issues of repairs and maintenance. Repairs identified should be those of fair wear and tear, or those as a result of tenant damage. More information regarding the actioning of repairs can be found in Section 7. Repairs & Maintenance.

Routine inspections of houses of multiple occupation will usually be conducted at least fortnightly and self-contained housing will usually be inspected quarterly. Hotels,

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holiday lets and caravans will usually be inspected monthly. The Homefinder Team will co-ordinate and lead on the routine inspections process and advance notice of inspections will be provided to residents.

Where issues of concern are highlighted during routine inspections or in advance of placing someone in homeless accommodation, a risk-based approach will be applied to the frequency of inspections. The more risk, the greater the frequency of inspections. Where actions are agreed with the resident to address issues of concern, follow up inspections will be completed.

A record of routine inspections will be made during each visit and placed on record. Issues of repairs, damage, poor housekeeping or other such issues of concern, should be documented through photographs (if safe to do so) and these will also be placed on record and actioned proportionately through warnings. Continued breaches or severe breaches of occupation or license agreement conditions may result in homeless accommodation being ended.

### **7. Repairs & Maintenance**

Reporting issues of repairs and maintenance is primarily the responsibility of the occupant but will also be identified at routine inspections as detailed above. Repairs relating to hotels should be reported to hotel reception services. Repairs within the Homeless Hub should be reported to staff from The Wallich. Repairs for holiday lets, caravans, and all other forms of accommodation should be reported to the Homefinder Team.

Where repairs and maintenance work is required due to occupants causing damage or neglecting to report repairs, consideration will be given to applying a recharge for the works. Acceptable use of property, repairs obligations and residents' responsibilities in relation to maintenance and reporting of repairs are clearly documented within both the license agreement and occupation contract. Staff will establish the nature of the repair; the cause of the repair (fair wear and tear or damage) and the repair will be completed by the Council with consideration of a recharge cost for the works if caused as a result of occupant damage or neglect.

Repairs and maintenance work for private sector leased accommodation will be actioned in line with the Lease Agreement. Detailed within the Lease Agreement are the repairs that landlord or property owner would reasonably be expected to undertake. All other repairs would be actioned by the Council. Where a landlord or property owner fails to fulfil their repairs responsibilities, the works will be completed for them by the Council, and they will be recharged.

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Routine and maintenance work for Council properties will be actioned in line with the Memorandum of Understanding. Detailed within the Memorandum of Understanding are the repairs that the Housing Department would reasonably be expected to undertake. All other repairs would be actioned by the Housing Support and Homelessness Service.

The Housing Support and Homelessness Service will usually engage the services of the Councils Housing Assets Service to complete repairs and maintenance works and a Service Level Agreement (SLA) is in place. Quarterly SLA Review Meetings will take place to monitor delivery of services against the SLA.

Residents must allow access for repairs and notification of appointments will be provided in advance. As per the terms of their license agreement or occupation contract, entry to the property can be forced in order to complete urgent repairs, or where a resident has failed to provide access on a number of occasions for routine works. Failure to allow repairs to be completed constitutes a breach of occupation conditions and will be actioned proportionately. In extreme circumstances, ending accommodation is a potential consequence.

## 8. Communal Areas

Health and safety guidance and appropriate signage will be clearly displayed within communal areas along with notification of CCTV coverage where such equipment is in place. Additional notices relating to general building related advice and guidance will also be available within communal areas along with Fire Safety information for housing staff, emergency services and security staff where necessary.

Within HMO settings, regular cleaning services will be delivered within all communal spaces including hallways, stairwells, shared bathrooms and kitchens. Residents are required to clean their own accommodation and any issues of poor housekeeping will be addressed during routine inspections.

Within house share settings, residents are required to clean their own rooms and communal areas. Support will be provided to facilitate cleaning rotas where required and conditions will be monitored through the routine inspection process.

Where there are concerns regarding cleanliness within any communal areas, additional cleans may be initiated and consideration will be given to recharges to residents. All residents should be cleaning up after themselves and their responsibilities are outlined within their license agreement or occupation contract.

## 9. Ending Accommodation

When accommodation is ended due to a resident moving out with a successful homeless outcome, residents are required to keep the Homefinder Team updated on their expected day of vacating their property. Efforts will be made to complete a resident check out visit, but a formal time bound notice is not required and residents will not be held to a set notice period to enable efficient property turnaround processes. Keys must be returned to the Homefinder team promptly on the day of vacation. Delays in returning keys may result in additional housing costs even though the property is not occupied.

When accommodation is ended due to abandonment or failing to use the accommodation, a risk-based approach will be applied to bringing the accommodation duty to an end and ending the license agreement or occupation contract. This will be based on both the legislative framework that the accommodation was issued to the occupant and the intelligence available to evidence the abandonment. A member of the Departmental Management Team must approve the ending of duties and accommodation on grounds of abandonment.

When seeking to end accommodation for significant breach of occupation conditions the appropriate legal actions must be taken to bring accommodation to an end in line with homelessness and housing law. This will depend on the homeless duties owed to the residents and the legal requirements relevant to the resident's security of tenure. Action to end accommodation must always be proportionate to the breach of the license or the occupation contract conditions. Where necessary those residents with Homeless Occupation Standard Contract Holder Rights under the Renting Homes Wales Act 2016, property repossession actions should progress through the courts.

Managing occupant's personal items and possessions left in the property following vacation will involve an inventory of items being logged along with photographic evidence. Items should be stored for a period of 28 days and a notice of tort issued in relation to the items. Upon expiration of the notice of tort items may be disposed of. Costs incurred for managing items left within homeless accommodation may be recharged to the outgoing residents.

Where consent is provided by the vacating occupant, named contacts may collect items to avoid their disposal but such requests should be put in writing. Where this is not possible consent can be issued verbally by the vacating occupant or designated professionals such as Support Staff, Social Workers, Prison Liaison Officers, who will clearly document the resident's instructions. Costs incurred for managing items left within homeless accommodation may be recharged to the outgoing residents.

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Upon the ending of accommodation and final rent statement will be produced and efforts made to pursue outstanding housing costs (rent charges and service charges). Unsuccessful collection of outstanding housing costs post occupation will be considered for write off by the Homefinder Manager.

### **10. Void Turnaround**

The Housing Support and Homelessness Service will usually engage the services of the Councils Housing Assets Service to complete voids maintenance works and a Service Level Agreement is in place. Quarterly SLA Review Meetings will take place to monitor delivery of services against the SLA.

Upon a resident vacating their property a resident check-out visit should be completed where possible. This will provide opportunity to identify issues of disrepair due to damage and where possible residents will be provided opportunity to make good on these repairs in advance of their vacation. Due to the nature and the speed of some terminations this will not always be possible.

Void properties must be refurbished to the Lettable Standard for the relevant homeless accommodation type. Once works are completed to achieve the relevant Lettable Standard an inventory of the property condition including photos should also be completed ahead of occupation.

All self-contained housing will require gas and electric checks upon each change in occupation and all compliance documentation should be kept on file and will be available for the named license or issued to the contract holder as per Renting Homes (Wales) Act 2016 requirements along with EPC documentation.

Shared housing settings will adhere to the relevant time bound health and safety compliance standards and all compliance documentation should be kept on file and will be available for the named license or will be issued to the contract holder as per Renting Homes (Wales) Act 2016 requirements along with EPC documentation.

### **11. Homeless Hub Cabin Turnaround**

When a cabin becomes available within the Homeless Hub, The Wallich as site manager, will be responsible for turning around the cabin for occupation by the next resident and they will ensure the cabin meets the Lettable Standard. Significant damages will be considered for recharge to the outgoing resident and must be supported by a record of cabin condition and damage clearly recorded through

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photographic evidence. The Council will then consider issuing recharges and make arrangement to pursue these costs.

### **12. Hotel and Holiday Lets and Caravan Turnaround**

When a room becomes vacant within hotels, holiday lets, or caravans, the hotelier or property owner will be notified and their turnaround process will commence. This is an opportunity for issues of damage to be identified and where deposits have been provided, they may be drawn upon or recharges may be issued to the Council, who will then consider recharge to the outgoing occupant. Photographic evidence of damage or visual inspection is required to verify any such claims.

### **13. Equality and Diversity**

The Council recognise that we operate in a community where there is wide customer diversity. We aim to value that diversity and shape our services around the needs of our customers.

Through the management of our homeless accommodation the Council aim to treat all residents fairly, and with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status. We will gather information on the diverse needs of our customers to ensure our services meet their needs and are consequently more efficient and effective.

To enable all residents to have clear information and equal access to our available properties, we will publish information in a range of appropriate languages and formats and through a range of media on request. Feedback is also promoted and accepted through a variety of different routes to reflect individual resident's preferences or needs.

### **14. Performance Management**

We will monitor customer satisfaction within our homeless accommodation services and the results will inform our monitoring and review processes. We will establish a range of key performance indicators for our services and report progress against these at monthly managers meetings and through measures linked to the Councils Corporate Plan.

### **15. Policy Review**

This policy will be reviewed in line with the Council's Policy Review Framework. The policy will be reviewed every 3 years or in response to changes in legislations and supporting guidance. In line with the Council's continuous improvement strategy the



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policy review will incorporate an assessment of key internal and external influencers to ensure the policy reflects best practice together with all legal and statutory requirements.

### **16. Responsibility**

The Housing Support and Homelessness Service Manager has overall responsibility for the successful delivery of the policy.

The Homefinder Team Manager will ensure that all staff within the Homefinder, Homelessness and Housing Support Teams are fully trained on their operational responsibilities in respect of homeless accommodation management.

A full set of operational procedures will be available to support the delivery of this policy, and these will be version controlled and easily available to staff for reference.