



COUNCIL HOUSING TEMPORARY RELOCATION POLICY

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Links to Council Corporate Plan 2025-28

Council ambition	Linked?
Working for a prosperous future <i>We want to ensure the best possible local economy, with opportunities for our tenants to succeed and achieve</i>	Yes/ No
Healthier, safer communities <i>Tenants should feel safe in our Borough and supported to be more active in order to improve their health and wellbeing</i>	Yes/ No
A greener and cleaner environment <i>It's important to everyone that we look after our environment</i>	Yes /No
Restoring the Council to good health <i>We will place our Council on a sound financial footing and ensure resilience – delivering the service our tenants deserve and expect</i>	Yes/ No
We ♥ Castle Point <i>We will help create and maintain the best possible place to live in, work in and visit</i>	Yes/ No

Lead Officer responsible for owning the Policy and internal approval body (meeting / board where the Policy is approved for adoption or approved for referral to PFH or Committee for adoption)

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Approved by: IAN BUTT, DIRECTOR PLACE AND COMMUNITIES

Lead Member and Committee responsible for approving Policy:

COUNCILLOR ROB LILLIS, PORTFOLIO HOLDER FOR HEALTH, WELLBEING AND HOUSING

Equality Impact Assessment undertaken? Yes

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1. Introduction

- 1.1 As a responsible social housing landlord, Castle Point Borough Council ("the Council") is committed to keeping the people safe that live in the homes it owns and manages. This will sometimes mean it needs to move them out of their home temporarily. The purpose of this document is to describe how the Council manages its legal obligations in relation to temporary relocation of its tenants. The Policy demonstrates how the Council complies with the *Regulator of Social Housing's 'Consumer Standards, 2024'* and health and safety legislation and approved codes of practice.
- 1.2 The Council will move the tenant/leaseholder out of their home only when it is not safe or possible for a tenant/leaseholder to remain in their home.
- 1.3 The Council is committed to ensuring that any disruption of moving someone out of their home is kept to an absolute minimum and is effectively managed to be tenant and leaseholder focused whilst maximising safety and rental income. The Council has a customer focused, data led, performance driven housing service.

2. Scope

- 2.1 This Policy outlines the Council's approach to moving Council tenants or leaseholders (inclusive of lawful sub-tenants) from their home to enable work to be carried out and where it is not safe or possible for the tenants or leaseholders and their household to remain.
- 2.2 In line with legislation and existing best practice, assistance, and rehousing, where appropriate, will be offered to tenants and leaseholders, their family members, partners, spouses, children and pets who are permanent members of the household. Provision for pets will be considered on a case-by-case basis.
- 2.3 The types of temporary relocations covered by this Policy are:
 - a) Unplanned – emergency temporary (up to 1 month)
 - b) Unplanned – non-emergency temporary (up to 6 months)
 - c) Planned – temporary (up to 12 months)

3. Definitions

The Council	Castle Point Borough Council
Hotel accommodation	A budget hotel where a kettle and a small fridge is provided in the room.
Household members	All the permanent residents in the home including tenants, children, leaseholders and the individuals that live at the same address including pets.
Major works	Are any works that could not be reasonably carried out at the same time as the tenant or leaseholder living at the property.
Temporary relocation accommodation	An alternative suitable home for a short period of time

4. Aims and Objectives of the Policy

- 4.1 The aims of this Policy are to provide clarity on the Council's approach to managing temporary relocation of tenants/leaseholders as quickly and efficiently as possible. The aim of this Policy is to:
 - a) enable temporary relocations to be carried out with the least amount of disruption to tenants/leaseholders;

- b) ensure temporary relocations operate in a fair, just and reasonable manner;
- c) outline the support, both financial and practical, provided to tenants/leaseholders who are required to move out of their home temporarily;
- d) minimise rent loss to the Council and to ensure that the best use is made of its housing stock; and
- e) improve the condition of its tenants/leaseholders' homes whilst keeping the disruption to a minimum.

5. Policy Statement

- 5.1 The Council will move the tenant/leaseholder out of their home only when it is necessary to do so, for example when it is not safe or it is inadvisable for a tenant/leaseholder to remain in their home because major works need to be carried out. This Policy covers the rare occasions when the Council will temporarily move a tenant/leaseholder out of their home; this will always be a last resort, and the time out of their home will always be kept to an absolute minimum.
- 5.2 The Council commits to working with its tenants/leaseholders to find a suitable temporary alternative home for them within the Borough unless by mutual consent the tenant/leaseholder agrees to move out of the Borough.
- 5.3 The Council acknowledges that moving home is a stressful experience, especially when the tenant/leaseholder may feel their options are limited. This Policy ensures that temporary relocations are carried out appropriately, efficiently, within agreed timescales where possible and with the minimum of stress and difficulty.
- 5.4 The Council will consider all of the equality, diversity and inclusion requirements of any individual who requires a temporary relocation.

6. Legislation, Regulation and Guidance

- 6.1 The Council is committed to ensuring that tenants' homes remain safe and fit for purpose, so that only very occasionally might they need to be temporarily relocated. In achieving this, the Council complies with relevant legislation and regulations.
- 6.2 The following list sets out the key legislation, regulation, and guidance:
 - Land Compensation Act 1973
 - The Health and Safety at Work Etc. Act 1974
 - Housing Act 1985 Section 105
 - Housing Act 1988 Schedule 2 Part III (Schedule 2, Part III of the Housing Act 1988 provides a definition of suitable alternative accommodation. This should provide the tenant with equivalent security of tenure and be similar in regard to rent, size and situation.)
 - The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994
 - Housing Act 2004
 - Equality Act 2010
 - Localism Act 2011 (ineligible persons)
 - Fitness for Human Habitation Act 2018
 - Property Safety Act 2022
 - Mental Capacity Act
 - Care Act

- The Local Plan
- Site specific planning permission
- Lease agreements
- S20 regulation

7. Support provided by the Council

- 7.1 At the start of the process the Housing Neighbourhood Team will carry out a temporary relocation accommodation needs assessment, which will make sure it takes all the needs of the household into account. See Temporary Relocation Request and Accommodation Needs Form (Appendix 1) for further information of needs that will be considered.
- 7.2 The Council will endeavour to offer the same size accommodation as currently being occupied or smaller by consent if the household is under-occupying, particularly if this will speed up the process of finding an alternative property.
- 7.3 There is a difficult balance to strike between moving the household quickly so that the Council can ensure the safety of tenants and finding a temporary home that fully meets the household's needs. The Council will always try to take all the needs of the household into account and wherever possible all temporary relocation accommodation offers will be made on a like for like basis. However, as the demand for Council housing in the Borough exceeds availability, the Council may ask tenants/leaseholders to be flexible with their choice of temporary accommodation especially where there is a need to move the tenant/leaseholder quickly. The Council may sometimes need to phase the tenant/leaseholder's temporary accommodation, by meeting an emergency accommodation requirement initially, to ensure they are safe and have somewhere to stay, and then a move to a more suitable longer term temporary accommodation.
- 7.4 The Council will make removal arrangements or cover the costs, as well as paying for associated moving expenses, including reconnection of appliances. Where tenants/leaseholders are able, it will ask them to pack for themselves.
- 7.5 The Council will, where required and subject to eligibility, provide additional financial help towards the move to tenants/leaseholders in the following manner:
- disturbance payments - approved by the Council prior to incurring costs, for example, redirection of mail, reconnection of telephone landlines, reconnection of broadband, extra utility costs where a fixed price contract cannot be moved.
 - discretionary payments - will be considered by the Council to cover reasonable costs associated as a result of the temporary relocation move, so that the tenant is not out of pocket as a result of the move, for example, covering extra transport costs to get to work or school, if no cooking facilities are provided or available at the hotel accommodation, food allowance per day of £20 per adult and £15 per child.
- None of the above payments shall be used to pay off any debts or arrears owed by the tenant/leaseholder.
- 7.6 Where applicable and subject to the nature of the works required, the Council will advise the tenant/leaseholder if they need to make a claim on their building or home contents insurance or if the Council will cover the costs of the alternative accommodation.
- 7.7 Where the Council need to move someone out of their home temporarily, it will either provide alternative suitable temporary accommodation or provide an allowance for a tenant

to stay with a family member or friend. The Council will advise the tenant or leaseholder of other payments or support it may offer.

8. Temporary relocation homes

- 8.1 It is the Council's aim to make sure all eligible tenants/leaseholders are made 'reasonable' and 'suitable' offers for a temporary home based on their accommodation requirements and within a reasonable timescale to enable work to proceed. 'Reasonable' and 'suitable' will take into account the needs of the tenant/leaseholder as well as the availability of stock and demands from other households whom the Council has a legal duty to accommodate.
- 8.2 Tenants/leaseholders will have the opportunity to discuss all suitable properties before a formal offer is made to minimise the possibility of a refusal. All properties offered will meet the Council's lettable standard.
- 8.3 There may on rare occasions be a legitimate reason for a tenant/leaseholder to ask the Council to consider another suitable and appropriate home for them. The Council will endeavour to strike a balance between the need to move out of the current home and the accommodation needs of the household. The Council recognises this is a difficult time for all concerned. Temporary Relocation Request and Accommodation Needs Form (Appendix 1) is attached.
- 8.4 In the unlikely event that the Council has made two reasonable and appropriate temporary home offers and the tenant/leaseholder has refused both of these offers, the Council will hold the property and apply to court for an Order to exclude the tenant/leaseholder (as applicable) and their household from living at their home for such period of time as is necessary to enable the tenant/leaseholder to safely return. If an Order is made, the Council will provide a final offer to the tenant/leaseholder, which was the last property previously offered that met the household's bedroom needs assessment and is as close to their areas of preference as possible. The Council reserves the right to commence possession proceedings in appropriate circumstances.
- 8.5 All temporary accommodation shall be occupied by the tenant/leaseholder as a licence and shall exclude secure tenancy rights. The tenancy or lease at their principal home continues with the rental and any other liability. At the end of the licence period, the tenant/leaseholder shall surrender their rights to the temporary accommodation and return to their main home.
- 8.6 The Council recognises that some tenants/leaseholders will have specific needs such as disability equipment and home adaptations. If a property is not suitable, it will assess the need and viability of making provisional adjustments to the temporary home, so the temporary relocation can take place safely. The Council will involve other agencies such as occupational health or hospital discharge teams as necessary.
- 8.7 In an emergency the Council will consider all of the household's needs and will work with other agencies to make sure that the emergency accommodation is suitable and safe. The Council will always try to make sure that a person's needs are fully considered.
- 8.7 The Council recognises that some tenants/leaseholders who need to move out for repairs may already be on the transfer register and will want their move to be permanent. However, given the shortage of homes and large number of households on the waiting list, it is not possible or fair to automatically offer a permanent home as this will be unfair to the other households on the Housing Register.

9. Moving out in the event of an emergency

- 9.1 Sometimes it may be necessary to move a resident and their household out of their main home in an emergency. In these cases where it is necessary, and where this has been approved by the Interim Head of Housing Technical Services or the Interim Director of Housing the household will move into hotel accommodation and the Council will pay for breakfast and an evening meal for each permanent household member (at a maximum of £20 per day for an adult and child over 10, and £15 for a child under 10). The Council will carry out any essential work and aim to get the household back in their home in less than one week, wherever possible. The Council will then carry out all other works with the resident and household in situ.

10. Identifying needs and managing expectations

- 10.1 When the work to the permanent home has been fully scoped, the Council will have a good indication of how long the tenant/leaseholder will need to move out for. The Council will share the scope of the work with the tenant/leaseholder and explain to them what work will be completed while they have moved out and what work will be completed once they have moved back in. The Council will always try to keep the disruption of moving out of their home for the tenant/leaseholder and their household to an absolute minimum. The Council will put the resident and their household members at the heart of any decisions it makes and will always remember it is their home.
- 10.2 The Council will complete the Temporary Relocation Request and Accommodation Needs Form on the Council's internal systems to understand the needs of the household. This form, once approved, will be sent to the Housing Options Team who will look for a property that can be used as a temporary relocation property. This property should still be advertised for transparency purposes with a note added to the advert saying "this property is being used temporarily and will be readvertised for permanent letting shortly."
- 10.3 Hotel accommodation will be used for temporary relocations of less than one month provided the hotel meets the tenants/leaseholders' needs and they can be accommodated safely. The Council might use a hotel initially in an emergency whilst it looks for a longer-term solution for a temporary relocation property.
- 10.4 The Council has no automatic right or responsibility to temporarily relocate private tenants. This will be considered on a case-by-case basis. In these very rare circumstances the Council will negotiate directly with the tenant/leaseholder concerned.

11. Keeping the tenant/leaseholder informed during work

- 11.1 The Housing Management Officer will share the initial scope of the work with the tenant/leaseholder before they move out or, in the event of an emergency, temporary relocation as soon as possible. The schedule of work will also be shared and an agreement will be made between the Council and the tenant/leaseholder on the frequency of updates regarding the progress to their home.
- 11.2 The Council will provide regular updates, including photographs, to the tenant/leaseholder detailing the progress of the work against the schedule of work.
- 11.3 When it is safe to do so, the tenant/leaseholder will be invited to visit their home to see the completed work.

12. Completion of Works

- 12.1 Once the work to the home has been completed, the Housing Management Officer will give final confirmation of the return date and confirm this in writing, together with the date they are required to leave the temporary accommodation. The Council will arrange for the safe return of all items to the main and principal home.
- 12.2 At the end of the works and when safe to do so, the tenant/leaseholder will be permitted to move back to their principal home at which point any licence agreement in respect of their temporary accommodation with the Council will be terminated and/or the Council will be absolved of any obligation to pay for any alternative accommodation.
- 12.3 If the tenant/leaseholder refuses to vacate the alternative accommodation the Council will take all legal steps to acquire vacant possession inclusive of enforcement action and instructing bailiffs.
- 12.4 The Council will be discharged of all obligations and liabilities once the temporary licence for the alternative accommodation is terminated and tenants/leaseholders will become responsible for all payments for the alternative accommodation until the property has been handed back. These payments will be in addition to those charged for the permanent home. It is unlikely that Housing Benefit or Universal Credit housing allowance will be paid on both addresses.

13. Managing risk

- 13.1 The Council needs to manage the safety risk of its tenants/leaseholders by moving them out of their permanent home quickly if their health is at risk.
- 13.2 The Council needs to manage any reputational risk of leaving a tenant/leaseholder in a home if it is not fit for human habitation or when carrying out works.
- 13.3 The Council needs to manage the risk from other people on the Housing Register thinking it is treating them unfairly by having a transparent and fair system.
- 13.4 The Council will consider the needs of the household and the financial burden on the Council in considering the suitability of all temporary accommodation.
- 13.5 Where adaptations are required, it will make sure the temporary home has any equipment needed to make sure the temporary home is safe and suitable.
- 13.6 All the Council homes used as temporary relocation properties will meet the Council's lettable standard and have floor coverings and either blinds or curtains at each window.
- 13.7 The Council needs to ensure temporary relocations occur in a timely manner to ensure costly contractual delays in rolling programmes of works are not incurred.

14. Tenant and Leaseholder Engagement

- 14.1 Under this Policy, all consultation, feedback and communication will be termed 'tenant/leaseholder liaison'. This includes all aspects of working with affected persons during refurbishment and improvement work, engaging with other linked services such as housing management; tenant/leaseholder associations; income recovery; repairs services; Housing Benefits; Housing Options; and Council Tax.
- 14.2 Each household will discuss their essential requirements for their temporary accommodation with their Housing Management Officer using the Temporary Relocation Accommodation Needs Form.
- 14.3 Tenants will not be charged any occupation charges for the alternative property while they are unable to return to their permanent home. Tenants will need to continue to pay the rent

for their permanent home and to keep to any rent arrears repayment agreements. This is particularly important where the agreement is subject to a court order.

15. Contractor Engagement

- 15.1 Before the work starts on the principal home the Council will work with the contractor to design a scheme of work. This will help determine how long the work is going to take and how long the 'temporary relocation' home is needed. The Council will share this scheme of work with the tenant/leaseholder. See Appendix 2 – Scheme of Work While Temporary Relocation in Place.
- 15.2 The Council will provide at least monthly updates to the tenant/leaseholder on the progress of the work in their home, throughout the period they are in their 'temporary relocation' accommodation. See Appendix 3 - Update on Progress of Work While Temporary Relocation in Place.

16. Monitoring and Continual Improvement

- 16.1 The Interim Head of Housing Technical Services will monitor a developed suite of performance information using the Council's housing system that measures:
 - a) average time taken to find suitable alternative temporary home for the tenant/leaseholder;
 - b) number of temporary relocations;
 - c) number of tenants/leaseholders waiting for temporary relocation;
 - d) average time taken to wait for a temporary relocation;
 - e) number of regeneration or disrepair cases waiting for temporary relocation;
 - f) number of temporary relocations waiting beyond 6 months;
 - g) average length of time tenant/leaseholder is in a temporary relocation home;
 - h) average cost of hotel accommodation and other temporary accommodation;
 - i) average cost of removal expenses;
 - j) void rent loss attributable to temporary relocations; and
 - k) number of people who have moved back into their permanent home.
- 16.2 The Council will seek feedback from tenants/leaseholders that have to temporarily move out of their home to see whether there is any learning that can feed into the Housing Service's Improvement Plan.

17. Data and Records

- 17.1 The Council will maintain a core asset register of all properties it owns or manages and update this after all work carried out while the tenant/leaseholder has temporarily relocated from their home.
- 17.2 The Council will keep all records and data in line with its Document Retention Policy and will have robust processes and controls in place to maintain appropriate levels of security for all temporary relocation related data.

18. Equality, Diversity and Inclusion

- 18.1 This Policy has been written to consider all protected characteristics, as set out in the Equality Act 2010. An Equality Impact Assessment 'initial screening' has been carried out (see Appendix 4) which has shaped the Policy.
- 18.2 This Policy aims to show that all tenants/leaseholders' differing needs and preferences are considered. Central to this is the visit or telephone call that the Housing Management

Officer makes to carry out a needs assessment at the beginning of the process, which allows the Council to:

- a) identify those who may need more support;
- b) ensure tenants/leaseholders are kept informed in the way most appropriate to them; and
- c) make suitable temporary relocation accommodation offers, with full consideration given to the household requirements, including proximity to schools and any adaptations required.

18.3 Where it is necessary to temporarily relocate a tenant/leaseholder, the Council will consider the needs of each individual and household – having regard to their protected characteristics and, where required, a support plan will be agreed for the temporary relocation process. This will include details of any additional assistance that the Council has agreed to provide. If a disabled or vulnerable tenant is unable to move to the temporary relocation accommodation because the Council has been unable to find accommodation that meets their ability or other needs, it will work with them, when it is viable to do so, to assist them to vacate the rooms the contractor needs to work in while they remain safely in their home.

19. Communication

- 19.1 Once the Policy is approved, a summary document, "a policy on a page," will be placed on the Council's website with a link to the full Policy. An approved version of this Policy will be published internally and accessible to staff.
- 19.2 The Council will ensure that relevant information is communicated in an accessible and understandable way with the aim of keeping people fully informed. This may include translation, and in some cases liaising with those giving support to a tenant (in accordance with Data Protection).

20. Review of Policy

- 20.1 This Policy will be reviewed every three years, unless new legislation, good practice, or a relevant major incident means it needs to be reviewed sooner.

21. Consultation

- 21.1 The Council is committed to meaningful tenant/leaseholder engagement and involvement. The Council has consulted with tenants who have experienced a temporary relocation from their home in developing this Policy, who all said that the communication while they were out of their home needed major improvement.

22. Training

- 22.1 The Council will maintain a skills/training matrix to ensure that all Council employees undertaking key roles within the scope of this Policy have appropriate training.
- 22.2 Training will be carried out to ensure that all staff understand their responsibilities for the effective management of the Council's temporary relocation of tenants/leaseholders.
- 22.4 Training records will be kept for all courses attended.

23. Significant Non-compliance and Escalation

- 23.1 The Council's definition of significant non-compliance is any incident which has the potential to result in a breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible and no later than 24 hours after the incident occurred or of the Council employee being made aware.
- 23.2 Any non-compliance issue identified at an operational level will be formally reported to the Housing Compliance Manager in the first instance, who will agree an appropriate course of corrective action with the relevant Assistant Director, and Interim Head of Housing Technical Services. The Assistant Director will report details of the same to a member of the Senior Leadership Team which includes the Chief Executive, Director, Corporate and Customer, Director, Commercial and Assets and Director, Place and Communities, Assistant Director, Legal & Democratic Services and Monitoring Officer and Assistant Director, Finance & Procurement and Section 151 Officer.
- 23.3 In cases of serious non-compliance the Chief Executive will notify the Leader, Deputy Leader and the Cabinet Member for Health, Wellbeing and Housing.
- 23.4 In cases of serious non-compliance, the Chief Executive will consider whether it is necessary to disclose the issue to the Regulator of Social Housing, as required by the regulatory framework, and/or any other relevant organisation such as the Health and Safety Executive.

24. Governance

- 24.1 The Council has overall responsibility for ensuring that this Policy is implemented to ensure compliance with the law and requirements placed upon the Council by the Regulator of Social Housing. In particular, the *Safety and Quality Standard 2024* sets out the requirements to provide tenants with quality accommodation and a cost-effective repairs and maintenance service. *The Tenancy Standard 2024* sets out the requirements "to grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation."
- 24.2 The Chief Executive reports to Cabinet to demonstrate accountability for corporate health and safety across the Council and is accountable for ensuring that health and safety compliance and temporary relocations of tenants/leaseholders are properly controlled and managed to keep its tenants safe and compliance with the Regulator of Social Housing's Consumer Standards 2024. Paragraph 26 of the Constitution sets out the Officer Scheme of Delegation with regard to the responsibilities of the Leadership Team and allows the Chief Executive to sub-delegate to the Directors and Assistant Directors to facilitate the efficient and smooth running of services.
- 24.3 The day-to-day responsibility for housing management for the Council's homes is implemented in line with this Policy and has been delegated, via the Chief Executive, to the Director, Place and Communities. In addition, the Interim Director of Housing is responsible for providing health and safety leadership across the Housing Service. The Temporary Relocation Procedure also identifies the roles and responsibilities of those who will undertake the day-to-day tasks on behalf of the Director, Place and Communities.

- 24.4 The Director, Place and Communities has delegated their duty holder responsibility to the Interim Head of Housing Technical Services, who has responsibility for the temporary relocation of the Council's tenants/leaseholders.

25. Associated Policies and Procedures

Council Housing Lettable Standard
Council Housing Maintenance and Repairs Policy
Repairs Handbook
Council Housing Disrepair Policy
Council Housing Temporary Relocation (Temporary relocation) Procedure
Council Housing Asset Management Strategy

26. Appendices

Appendix 1 - Temporary Relocation Request and Accommodation Needs Form
Appendix 2 – Scheme of Work While Temporary Relocation in Place
Appendix 3 – Update on Progress of Work While Temporary Relocation in Place
Appendix 4 - Equality Impact Assessment for Temporary Relocation Policy