



**WOKINGHAM  
BOROUGH COUNCIL**

## ***Housing Needs***

# **Severe Weather Emergency Protocol (SWEP) & Procedure**

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# Severe Weather Emergency Protocol (SWEP) & Procedure

## Document Control Information

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## SIGNING OFF SECTION

This Procedure has been subject to consultation with the following;

- The Communications Group
- The Chairs Panel
- Housing Staff

And was signed off by;

- The Communications Group on:
- The Tenant and Landlord Improvement Panel on:

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## Severe Weather Emergency Protocol (SWEP) & Procedure

### 1. Introduction

- 1.1 There are currently no legal protections for people sleeping rough in England during severe weather. The provision of shelter is not a statutory duty. However there is a humanitarian obligation on local authorities to do all they can to prevent deaths on the street, and local authorities should work together with their partners to ensure that they take a proactive approach.
- 1.2 Local authorities need to provide an appropriate response for people sleeping rough during severe weather and especially in winter months. However deaths on the street are not limited to the effects of the cold. Severe weather can include high winds, heavy rain, snow and heatwaves. All of these weather types will increase the risk of harm to anyone who is sleeping rough.
- 1.3 Local authorities need to ensure that they have a Severe Weather Emergency Protocol in place which can be activated when severe weather is forecasted. Local authorities also need to ensure that they use the activation of their Severe Weather Emergency Protocol as an opportunity to engage with entrenched rough sleepers and to ensure that their needs are assessed appropriately. If a duty is owed to relieve a rough sleeper's homelessness (the Relief Duty), then a Personalised Housing Plan should be produced which focuses on their current situation and needs, what support they may need to help them to move on from rough sleeping and what accommodation would be suitable for them and ways in which the local authority can help them secure this accommodation.

### 2. Severe Weather

- 2.1 There is no single definition of severe weather. Any condition that could increase the risk of harm to people sleeping rough can be classed as severe. This includes extreme cold, wind, snow, rain and heat. Housing Needs need to be prepared to escalate responses as and when severe weather is forecasted.
- 2.2 **Cold:** extreme cold weather can cause serious health problems and death for those who are exposed overnight or for long periods of time. Historically Severe Weather Emergency Protocol provisions were triggered by local authorities when the forecast was zero degrees or below for three consecutive nights. However it is best practice to take a common sense approach; where any forecast approaching zero is predicted, the impact of rain, snow and wind chill need to be considered. The 'feels like' temperature needs to be checked as well as the conditions underfoot, such as ice or snow.
- 2.3 **Wind:** high winds can lead to an increased risk of injury through uprooted trees, falling winds, dislodged pieces of roofing and other debris. Housing Needs need to consider the location of known rough sleepers and to assess

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the potential harm from gale force winds, especially the impact on any rough sleepers who may be in rural locations sleeping in tents.

- 2.4 **Rain:** heavy or sudden prolonged rain can lead to flooding and landslides. People sleeping under bridges, on river banks or near streams or canals may be particularly at risk, but there may be less obvious flood risks such as drains or gullies. Standing water, puddles and flooding may continue to be a risk after rainfall has stopped. Being stuck in the rain and unable to change out of wet clothes and shoes afterwards can lead to a range of health problems. There is also the increased risk of loss or damage to belongings such as identification documents.
- 2.5 **Heatwaves:** people sleeping rough may find it more difficult to source drinking water and sun protection, increasing the risks around dehydration, sunburn and sunstroke. Needs are more likely to be more urgent during the daylight hours so a different approach to SWEP may be more appropriate, such as providing free drinking water and sunscreen and providing cool daytime spaces.
- 2.6 **Unsafe shelter:** the actions that rough sleepers might take to get out of severe weather can also increase the risk of harm and death. Rough sleepers might find cover in unsafe places such as large lidded bins, which can result in crush injuries or death if the bin is emptied. They might enter buildings or property without permission, including derelict structures which might have associated risks around fire safety and building collapses. Rough sleepers may also increase their substance use as a coping mechanism during bad weather.

### 3. Rough sleeping in Wokingham

- 3.1. Historically there is a low number of rough sleepers in the Wokingham Borough. The Rough Sleeper Count, which is an annual count carried out by local authorities every November with the results reported to the Government, found in November 2017 that there were 10 rough sleepers in the borough.
- 3.2. Housing Needs receive notifications about rough sleepers through Street Link which is a national scheme whereby members of the public can report online their concerns about a rough sleeper in their area and a notification is then sent to the relevant local authority or agencies so that contact can be made with the rough sleeper and assistance and support can be offered. Members of the public can also report their concerns about people who are rough sleeping direct to Housing Needs or by making contact with the Council through email, online or phone call. Housing Needs also receive notifications from other Council departments and from partner agencies including the voluntary sector. Housing Needs will also receive Duty to Refer referrals from the specified public authorities who are required to make a Duty to Refer referral, with consent, if they are working with an individual who is homeless and/ or rough sleeping or if they are threatened with homelessness within 56 days. This is to ensure that the local authority can start supporting the individual as soon as possible to try

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and prevent homelessness from occurring or to look at ways that homelessness can be relieved before it has a detrimental effect on the individual.

- 3.3. Once Housing Needs receives a referral about a rough sleeper and the rough sleeper is not already known to the service or is not currently engaging with the service, then members of the Housing Needs Team will approach the rough sleeper and explain their role and how they may be able to help them. They will offer to meet with them so that they can assess their needs. If a duty is owed to the rough sleeper to relieve their homelessness (the Relief Duty) then a Personalised Housing Plan will be developed. The Personalised Housing Plan will summarise their current situation and needs, what they would ideally and realistically move on to and what support and help they may need to achieve this. Housing Needs will also assess at this stage whether there is an interim duty owed to the rough sleeper to provide emergency accommodation to the rough sleeper based upon any vulnerabilities that they may have which could put them in priority need. Housing Needs will also look to signpost onto any other organisation that may be able to assist the rough sleeper with any specialist help that may be needed.
- 3.4. Although Wokingham's rough sleeping numbers are very low, Housing Needs are still responsible for arranging a Severe Weather Emergency response so a procedure has been developed to ensure that suitable accommodation is provided to prevent harm and death due to severe weather conditions.

## 4. Eligibility

- 4.1 The Severe Weather Emergency Protocol operates outside of usual eligibility and entitlement rules that might restrict access to homelessness assistance. This means it will apply to everyone who will be without shelter and without the financial means or capacity to secure accommodation during the period of extreme weather; it should be accessible to anybody who is rough sleeping in the Wokingham Borough regardless of whether they have recourse to public funds and those who have no local connection. The only test that needs to be satisfied is whether they are homeless; if they do have access to accommodation and it is safe for them to return to their accommodation then the rough sleeper needs to be encouraged to do this. Sleeping in cars, sheds, garages or other buildings not designed for habitation are not considered to be safe accommodation. In most cases, it is expected that most rough sleepers will have already been verified by another agency and through previously being referred to Housing Needs.
- 4.2 If a rough sleeper accesses the Severe Weather Emergency Protocol and they are not eligible for homelessness assistance then Housing Needs still have a duty to provide the rough sleeper with advice regarding how they can secure accommodation. Housing Needs will also look to signpost the rough sleeper onto an appropriate service which can support them such as Social Services or the

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Home Office. The rough sleeper can continue to access SWEP provisions whilst they are accessing further assistance from other services.

- 4.3 If a rough sleeper accesses the Severe Weather Emergency Protocol and they are eligible for homelessness assistance but they do not have a local connection to the Wokingham Borough then it will be established whether they met the criteria for a local connection referral to their 'home' borough. If they do, a referral will be made at the earliest available opportunity to their 'home' borough following the guidance set out in Chapter 10: Local connection and referrals to another housing authority of the Homelessness Code of Guidance 2018. The rough sleeper can continue to access SWEP provisions whilst the local connection referral is being made. If the referral is accepted, then they will be encouraged to make contact with their 'home' authority who will also be able to offer SWEP provisions and will be able to access whether they owe any longer term duties. If the referral is not accepted or if they do not meet the criteria for a local connection then Wokingham Borough Council will owe them any further duties so Housing Needs will continue to engage and work with the rough sleeper.

### **5. SWEP procedure for Wokingham**

- 5.1 The Severe Emergency Weather Protocol for the Wokingham Borough will be activated when severe and excessive weather conditions are forecasted. Historically local authorities would activate their Severe Emergency Weather Protocol if it was forecast that the temperature is likely to be zero degrees or below for three consecutive nights or more. Housing Needs at Wokingham Borough Council will adopt a common sense approach where triggers will take into account weather warnings, near – freezing temperatures, 'feels like' temperature, rain, snow, wind chill, gales or heat.
- 5.2 The weather forecast for the Wokingham Borough will be checked one week in advance on the Meteorological Office website [www.metoffice.gov.uk](http://www.metoffice.gov.uk) by the Homelessness Reduction Act Specialist or if unavailable then a member of the Housing Needs Team. The Homelessness Reduction Act Specialist is responsible for making the decision to activate or deactivate the Severe Emergency Weather Protocol and will notify key Council Teams as well as key partners about arrangements and activations/ deactivations. The notifications will also be shared with the Out of Hours Team and Beyond Housing to ensure that if a rough sleeper makes contact outside of working hours, they are offered a provision through the Severe Weather Emergency Protocol. The notification is also sent to the Communications Team so that a message can be put onto the Council's social media accounts to notify the general public that the Severe Weather Emergency Protocol has been activated.
- 5.3 If Housing Needs is notified of a rough sleeper within the hours of 8.30am and 5pm Monday to Friday, or if a rough sleeper presents direct to the Council during these times when the Severe Weather Emergency Protocol has been activated, then the Housing Needs Team will manage the securing of emergency

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accommodation. Outside of office hours, contact should be made with the Out of Hours on 0800 212 111

- 5.4 If the rough sleeper does not have safe accommodation that they are able to return to, then they will be made one suitable offer of emergency accommodation for the duration of the severe weather.
- 5.5 The offer of emergency accommodation will be in most cases an offer of Bed and Breakfast accommodation outside of the borough. Housing Needs will attempt to find a suitable offer as close to the rough sleepers support network but this may not always be possible. In some case Housing Needs may be able to make an offer of Council temporary accommodation if there is availability. Both B&B and temporary accommodation will be for room only.
- 5.6 The offer of emergency accommodation will be in most cases an offer of Bed and Breakfast accommodation outside of the borough. Housing Needs will attempt to find a suitable offer as close to the rough sleepers support network but this may not always be possible. In some case Housing Needs may be able to make an offer of Council temporary accommodation if there is availability. Both B&B and temporary accommodation will be for room only.
- 5.7 If the Out of Hours service arrange the emergency accommodation this should be for one night only, if placed during Monday to Thursday and the rough sleeper will be required to present to Housing Needs the following day in order for further emergency accommodation to be arranged. If the Out of Hours service arrange the emergency accommodation at the weekend (Friday after 5pm, Saturday or Sunday) or over a public holiday, then the placement should be until the next working day and the rough sleeper should be advised to present to Housing Needs the next working day also.
- 5.8 Individuals will generally be expected to make their own travel arrangements to the accommodation provided, however these costs could be met by the Council if the lack of funds meant that someone might have to sleep outside.
- 5.9 Housing Needs and the Council have a duty of care to its staff, partners and individuals already placed in emergency accommodation and therefore individual risk assessments will be carried out on clients who present to Housing Needs. This assessment will include asking individuals about violence, harm to self or others, drug and alcohol use, housing history and history with other services. The Housing Needs Team will contact other agencies involved if necessary.
- 5.10 If when a risk assessment is completed and a rough sleeper is judged too high risk to the public to be placed in accommodation available to Housing Needs under the Severe Weather Emergency Protocol then they will be referred to the agency most likely to be responsible for them e.g. Community Mental Health Team, Probation, the police.
- 5.11 All rough sleepers placed into emergency accommodation when the Severe Weather Emergency Protocol is in operation will be offered an appointment with

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the Housing Needs Team for assistance to deal with their longer term issue of homelessness.

- 5.12 If any incidents of anti – social or unacceptable behaviour are shown during the course of the time that emergency accommodation is provided, Housing Needs will review the assistance being provided and look at alternative ways to prevent rough sleeping during the severe weather whilst at the same time managing the risk.
- 5.13 The Severe Weather Emergency Protocol will be deactivated once the minimum actual temperature has been predicted to have risen to above zero degrees or the severe weather conditions have subsided enough.
- 5.14 The Severe Weather Emergency Protocol may be activated for several days at a time. Accommodation providers will be encouraged to keep the same placements for the period to assist engagement in the services. Housing Needs recognise that this may not be possible due to extreme challenging behaviour. Therefore as a minimum, providers will be requested to accept bookings for 1 night during the week and then reviewed on a daily basis, 3 days over the weekend (Friday, Saturday and Sunday) and 4 days over bank holidays.

### **6. Ongoing support**

- 6.1 Although the Severe Weather Emergency Protocol sets out to the procedure for accommodating rough sleepers during severe weather, Wokingham Borough Council's Housing Needs Team are committed to preventing and tackling rough sleeping and to assisting rough sleepers to relieve their homelessness at all times of the year.
- 6.2 The Housing Needs Team will work with any rough sleepers assisted with accommodation during the activation of the Severe Weather Emergency Protocol and will also work in partnership with partner agencies and voluntary organisations to identify rough sleepers who have not taken up interventions. The Housing Needs Team will also continue to engage and work with rough sleepers who are referred to the service at other times to look at how they can actively help and support the rough sleeper to relieve their homelessness and to look at all possible options to get them into secure accommodation.

### **7. Financial Implications**

- 7.1 The cost of providing emergency accommodation during the activation of the Severe Weather Emergency Protocol will be met by the Council.

### **8. Monitoring and Reviewing**

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- 8.1 The following information will be recorded and used to monitor the extent of rough sleeping in the Wokingham Borough:
- Number and composition of rough sleeper households
  - Number of nights accommodated for each household
  - The cost of emergency accommodation per night for each household

### 9. Consultation

- 9.1 Consultation has been sought from the below organisations for preparing the Severe Weather Emergency Protocol for 2018/ 2019:
- Ministry of Housing, Communities and Local Government (MHCLG)
  - The Salvation Army
  - Beyond Housing
  - St Mungo's
- 9.2 It is acknowledge that a much wider consultation would have been more useful for preparing this document however there was a clear need to have a procedure in place for this winter. It is noted that when the document is reviewed in November 2019 in time for the next winter, further consultation should be sought from all partner agencies including SMART, Community Mental Health Team, Jobcentre Plus, Thames Valley Community Rehabilitation Company, the Probation Service, CAB and the voluntary sector.

### 10. Contact Details

- 10.1 Any persons known to be rough sleeping should be reported to Wokingham Borough Councils Housing Needs immediately. The contact details are:

Address:                   Housing Needs  
                                  Housing, Income and Assessments  
                                  Wokingham Borough Council  
                                  Shute End  
                                  Wokingham  
                                  RG40 1WN

Telephone:               0118 974 6752  
                                  0118 974 6754

Email:                     [housing.needs@wokingham.gov.uk](mailto:housing.needs@wokingham.gov.uk)

Out of Hours:           0800 212 111 (after 5pm weekday, weekends and public holidays)

## 11. Duty to Refer

- 11.1 If any of the statutory public authorities who are subject to the Duty to Refer are working with a rough sleeper and the rough sleeper provides consent for a Duty to Refer referral being made to Wokingham Borough Council then they should send the referral details to the following email address:

Email: [dutytorefer@wokingham.gov.uk](mailto:dutytorefer@wokingham.gov.uk)

- 11.2 The statutory public authorities who are subject to the Duty to Refer (in England only) are:

- Prisons
- Young Offender institutions
- Secure training centres
- Secure colleges
- Youth offending teams
- Pronation services (including community rehabilitation companies)
- Jobcentres in England
- Social service authorities (both adult and children's)
- Emergency departments
- Urgent treatment centres
- Hospitals in their function of providing inpatient care
- Secretary of State for defence in relation to members of the regular armed forces

## 12. Procedure Review

- 12.1 This procedure will be reviewed in November every year in time for the winter months, where it will be expected that the Severe Weather Emergency Protocol is activated more often. However the procedure may need to be reviewed at an earlier time if there are any changes in homelessness legislation which would impact on the delivery on the Severe Weather Emergency Protocol.