

# East Herts District Council

## Severe Weather Emergency Protocol (SWEP) Protocol

### 1. Introduction

East Hertfordshire District Council has a plan to prevent and reduce Rough Sleepers in the area, which includes assertive outreach, collaborative multi agency working to ensure the wellbeing, support and accommodation needs of rough sleepers are met, and a Rough Sleeper Pathway which includes the provision of discretionary temporary accommodation for those found bedded down on verification visits. Genuine verified rough sleepers are helped off the streets and to access accommodation and support, as quickly as possible, and regardless of any weather conditions.

While the Council has an established year-round approach and commitment to ending rough sleeping in our area, there is an extra pressure on the Council in periods of severe weather (including extreme heat) to prevent harm.

### 2. Purpose of this protocol

Extreme weather (including extreme heat) increases the risk of death or serious illness to people who sleep rough. This Protocol sets out the arrangements that the Council will put into place to ensure that anyone who is known to be sleeping rough in its area during periods of severe weather are not at even further risk.

**It should be noted that any people known to be sleeping rough in the area will likely have already been offered advice and assistance and encouraged to engage with the support that is available.**

SWEP is an extra layer of assistance to ensure that anyone Sleeping rough, or anyone that is new to the streets, has access to shelter to prevent them being at even further risk during periods of severe weather.

For those identified as rough sleeping during periods of severe weather, the Council will utilise its discretionary powers under Homelessness Reduction Act 2017 to provide suitable emergency accommodation (SWEP Accommodation) as quickly as possible to prevent harm and death due to severe weather conditions.

Every local authority should have a Severe Weather Emergency Protocol (SWEP) which is used when severe weather is forecast. In line with recommendations this Protocol sets out the Council's flexible process for triggering and coordinating SWEP, based on empathy for people sleeping rough in severe weather rather than a fixed approach, and the Protocol will be implemented on the first night of a severe weather forecast.

The Council will not adopt the historical minimum SWEP response (implementation with a forecast of zero degrees Celsius or below, for three consecutive nights) but will adopt a common-sense approach considering weather warnings, near-freezing temperatures, rain, snow, wind chill, gales, or heat.

### 3. Severe Weather

**There is no single definition of severe weather** – any conditions that materially increases the risk of harm to people sleeping rough can be classed as severe. This includes extreme cold, wind, snow, rain and heat. The Council will not presume when, or in what form, severe weather will occur, and will be prepared each year to escalate responses as and when required.

Many people sleeping rough will already have health issues caused or made worse by homelessness. They may also experience added complications due to drug and alcohol use, pain or medication and there will be no assumption by the Council that people sleeping rough will have become resilient to severe weather.

**Cold:** extreme cold can cause serious health problems and death for those who are exposed overnight or for long periods of time. Historically, SWEP was triggered when the forecast was zero degrees Celsius or below, for three consecutive nights. It is now best practice to take a common-sense approach, where any forecast approaching zero is considered taking into account the 'feels like' temperature; the impact of rain, snow and wind chill will be considered.

**Wind:** high winds can lead to an increased risk of injury through uprooted trees, falling walls, dislodged pieces of roofing and other debris. The Council will consider the location of the rough sleeper site and the potential for harm from gale-force winds.

**Rain:** heavy or sudden prolonged rain can lead to flooding and landslides. People sleeping under bridges, on riverbanks, streams or canals may be particularly at risk. As well as increased risk of drowning, being stuck in the rain and unable to change out of wet clothes/shoes afterwards can lead to a range of health problems.

**Heatwaves:** prolonged temperatures around 28°C and over are associated with excess summer deaths. Deaths may be from underlying illnesses made worse by heat – primarily lung and heart diseases – or from heat specific conditions, such as heat exhaustion and heatstroke. People sleeping rough may find it difficult to source drinking water and sun protection, increasing risks around dehydration, sunburn, and sunstroke. As this will be a greater need during daylight hours, the Council will provide anyone sleeping rough with water, sunscreen, and guidance in relation to keeping safe and linking in with healthcare services if required. The Council will also work with its partners to establish cool, shaded, or indoor areas where rough sleepers can take shelter from the heat if required.

**If SWEP is implemented because of a heatwave, emergency SWEP Accommodation will not be provided as an automatic response.**

## 4. Implementing SWEP

The Council's Rough Sleeper Coordinator will monitor weather forecasts on the Meteorological Office website [www.metoffice.gov.uk](http://www.metoffice.gov.uk).

**The Rough Sleeper Coordinator will be responsible for activating, monitoring and ceasing SWEP,** and will seek advice/guidance and a final decision on implementation from the Homeless Services Manager or the Service Manager – Housing Services.

When it is decided that SWEP is triggered, the Rough Sleeper Coordinator will:

1. Activate SWEP and notify by email the Housing Options Team, the Out of Hours Service and relevant voluntary/faith/community groups.
2. Ensure that suitable provision is available
3. Keep the weather forecast under daily review
4. Cease SWEP and notify relevant persons, including rough sleepers, accordingly when the period of severe weather ends.

The Rough Sleeper Coordinator will also ensure appropriate record keeping relating to the provision SWEP Accommodation.

## 5. Eligibility

SWEP operates outside usual eligibility and entitlement frameworks that govern access to housing. SWEP Accommodation will be accessible to all rough sleepers including those with no recourse to public funds, not in priority need, intentionally homeless or with no local connection, or those who may have previously been excluded from services.

Prioritisation of individuals for SWEP Accommodation will be based on need, not housing entitlement. The Council will work with its partners and services and organisations supporting people experiencing homelessness, to identify people known to be sleeping rough (e.g., as opposed to sofa surfing, where support is needed but there is not an immediate risk of harm).

The Council will seek to verify to ensure that people who are most in need are prioritised for SWEP Accommodation, however a flexible approach will be adopted, and people will not be sent back onto the streets to wait for verification especially during periods of cold weather.

To be eligible for SWEP Accommodation the rough sleeper must:

- Be at risk if he / she continues to sleep rough during the severe weather
- Have nowhere to sleep indoors during the severe weather (indoors does not include cars, sheds, or garages)
- Agree to the assistance offered by the Council (and its partners / support providers)
- Abide by the rules of the SWEP Accommodation provider
- Not be too high a risk, where that risk cannot be appropriately managed (see section 9 of this Protocol)

## **6. SWEP procedure**

Rough sleepers requiring accommodation during periods of severe weather will take part in a short initial assessment, carried out by the Rough Sleeper Coordinator and this will form the basis of the request for placement approval by the Homeless Services Manager or Service Manager – Housing Services. For those approved for SWEP Accommodation, it will be provided for the duration of the severe weather.

So far as is possible the circumstances of the rough sleeper asking to be accommodated under this Protocol will be verified, officers should be satisfied that the person is rough sleeping or is at immediate risk of rough sleeping.

While accommodated under SWEP, all clients will be provided with advice, guidance, and support in relation to their wellbeing, support and accommodation needs. All entitled clients will also be offered the opportunity to engage in a full housing assessment, be provided with a personalised housing plan (under Part 7 Housing Act 1996 as amended).

The weather forecast will be kept under daily review and when the period of severe weather ends, SWEP will cease, and SWEP Accommodation will be withdrawn unless the client is assessed as being owed the S189B relief and S188 interim accommodation duties because there is reason to believe the client is eligible, homeless and in priority need for accommodation (Part 7 Housing Act 1996 as amended).

The Council is committed to ensure that it maximises the opportunity to assist rough sleepers accommodated under SWEP, to ensure that where possible they are moved on to a suitable and sustainable housing solution and do not return to the streets once the period of severe weather ends. However, the Rough Sleeper Coordinator reserves the right to withdraw SWEP Accommodation when SWEP ceases from any client who is refusing to cooperate with the help and support that is available/any reasonable requests made by the Council.

If rough sleepers refuse SWEP Accommodation during periods of severe weather, they will be provided information on the associated health risks which are exacerbated if they have underlying health conditions and/or are using substances. If someone persists in refusing help to come off the streets, the Rough Sleeper Coordinator will consider whether they have capacity to make such a decision and may contact mental health services / adult safeguarding for advice in line with day-to-day operational procedures.

## **7. Out of hours service**

If a rough sleeper, or person assisting a rough sleeper, requires assistance outside of office hours they should contact the Council on 01279 655261 (and identify the appropriate locality area based service).

If a client is accommodated under SWEP by the Out of Hours Service, they will be contacted by the Rough Sleeper Coordinator on the next working day to establish their housing and support needs in more detail and to agree next steps.

## **8. Accommodation**

Rough sleepers approved to be provided with SWEP Accommodation will be placed into either B&Bs, hotels or Night Shelter accommodation if available. If placed in B&B or hotel accommodation, the client must vacate the premises as required by the proprietor for any necessary duties such as cleaning etc.

Where appropriate the SWEP Accommodation provider will be contacted before 10am on each subsequent day after a booking has been made to confirm whether the accommodation is required on an ongoing basis in line with ongoing weather forecasts.

## **9. Managing risk and challenging behaviour**

A Temporary Accommodation and Risk Assessment form must be completed for each rough sleeper to be accommodated under SWEP for the purpose of identifying and managing risk. The Temporary Accommodation and Risk Assessment form does not need to be completed for each placement over a period of severe weather, but it should be reviewed at each point of referral to ensure it is accurate and relevant. The Temporary Accommodation and Risk Assessment should be stored on the clients LOCATA journal.

If any incidents of anti-social or unacceptable behaviour occur during the time that the client is accommodated under SWEP, the Police will be contacted (if appropriate) along with any other services and organisations involved in assessing and supporting the client. The Council will review the situation and determine whether any other form of SWEP Accommodation could be provided during the period of severe weather if possible and appropriate considering the presenting risk and if/how it can be managed.

Whilst every possible attempt will be made to find suitable shelter, in rare incidences, where the risk is unmanageable, some rough sleepers may have to be excluded from being provided with SWEP Accommodation until those risks can be mitigated in some way. All decisions to exclude someone from being accommodated under SWEP will be confirmed by the Homeless Services Manager and/or the Service Manager- Housing Services.

## **10. Financial implications**

The cost of providing SWEP Accommodation under this Protocol will be covered by any available external funding from Department of Levelling Up Housing and Communities (DLUHC) via grant or bid (for example Cold Weather Funding) and other existing financial resources including Homelessness Prevention Fund, Rough Sleeper Intervention Fund, and the Council's General Fund.

Where a rough sleeper cannot source their own transport to access SWEP Accommodation provided under this Protocol, transport will be arranged. Please note that this will only be for one return journey for each period of severe weather, and not daily. In exceptional circumstances, when a client cannot access essential items such as toiletries or clothing the Council will cover the cost for limited essential items with approval from the Rough Sleeper Coordinator.

## 11. Recording, monitoring, and review

Details of each client assisted through this Protocol will be recorded on the Council's LOCATA system and used to monitor the extent of rough sleeping in East Herts. As a minimum, this will include:

- Name and composition of household
- Contact numbers/emails (if held)
- Demographic data including gender, DOB, nationality, and ethnicity
- Whether the client is a verified rough sleeper
- What their primary support needs are
- Number of nights accommodated including dates of entry and departure
- Location of SWEP Accommodation provided.
- Cost per night and total cost of SWEP Accommodation per household
- Where the client moves onto after leaving SWEP Accommodation

Information obtained from this monitoring process will be regularly reviewed to ensure that arrangements in place remain targeted and appropriate for clients eligible for SWEP Accommodation. The data collected will also be incorporated in the review of the Council's Homelessness Strategy so that changes to the Council's wider approach to rough sleeping can be made to achieve better outcomes for those affected.

## 12.Complaints and appeals

The provision of SWEP Accommodation is at the discretion of the Rough Sleeper Coordinator/an Authoriser and there is no application procedure or appeals process.

The Council operates a [Compliments, Comments and Complaints Policy](#) so that everyone is clear about how to compliment, comment and complain about services provided by the Council and what will happen to those comments once they are received.

## 13. More information

The whereabouts and identity of rough sleepers should be notified to the Rough Sleeper Coordinator during office hours and to the Council's Out of Hours Service at all other times.

### Rough Sleeper Coordinator

- [01279 655261](tel:01279655261)
- [Housingoptions@eastherts.gov.uk](mailto:Housingoptions@eastherts.gov.uk)

### Out of Hours Service

- [01279 655261](tel:01279655261)

Anyone concerned about someone sleeping rough or suspecting to be sleeping rough can also alert the Council using [Street Link](#).

Last updated 31<sup>st</sup> October 2023