



MIDDLESBROUGH
BOROUGH COUNCIL
Severe Weather Emergency
Protocol 2021/2022

SWEP



Middlesbrough

moving forward

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1. Background

In August 2018, the Government launched a rough sleeping strategy that sets out the government's vision for halving rough sleeping by 2022 and ending it by 2027. To support delivery of this strategy a ministerial task group was created and specialist advisors recruited.

In contrast to the rest of the country, the North East region continues to have considerably fewer rough sleepers recorded in local authority returns to the Department for Levelling up, Housing and Communities (DLUHC) but the problem still exists.

2. Introduction

Currently there are no legal protections for people sleeping rough during severe weather and no statutory duty to provide shelter.

There is a humanitarian obligation on all local authorities to do all that they can to prevent deaths on the streets caused by severe weather. This includes the cold, but also conditions such as high wind and heavy rain. The aim of the Severe Weather Emergency Protocol (SWEP) is to ensure that there is an appropriate response available for people sleeping rough through the winter months, particularly during severe weather.

Every Local Authority carries out an annual rough sleeper count. The annual Middlesbrough rough sleeper count which is carried out with a wide range of stakeholders and partners indicates that there are still some people who experience rough sleeping in Middlesbrough. This estimate only provides a snap shot of the situation on the identified typical night.

At any time rough sleeping or suspected rough sleeping can be reported direct to Street link by calling 0300 500 0914 or visiting www.streetlink.org.uk. This information is then forwarded to the Housing Solutions Team to investigate and verify the referral. The public can also call 01642 726800 or email housingsolutions@middlesbrough.gov.uk direct to report a rough sleeper or suspected rough sleeping.

3. Purpose of the protocol

This protocol sets out the arrangements that Middlesbrough Borough Council will put in place to ensure that people are not at risk of dying on the streets in the borough during severe weather.

Under the protocol, the Council will take the necessary steps to avoid death on the streets through prompt action being taken to ensure that all rough sleepers have the opportunity to access shelter during periods of severe weather.

4. What is severe weather?

There is no strict definition of what is considered 'severe weather'. A common sense and flexible approach is adopted in determining when the protocol is operational. Weather conditions that can trigger the activation include but are not exhaustive to:

- Severe cold;
- Excessive and/or prolonged rain;
- Extreme wind and associated wind chill factor; and
- Snow, frost, ice and associated chill factor.

Cold: extreme cold can cause serious health problems and death for those who are exposed to it overnight or for long periods of time. Historically SWEP provision has been activated when the temperature has been forecast to be zero degrees or below for three days. An occasional above zero degrees in a series of sub-zero degrees nights should not deactivate the SWEP.

Wind: high winds can be problematic and can lead to increased injury through falling walls, roofing, and debris from buildings or walls that people may be sheltering in or against.

Rain: excessive or prolonged rain can lead to flooding, so those sleeping near the river, drains or under bridges are at an increased risk. Lengthy exposure to extreme rain can result in health problems and the loss of belongings.

In addition to the risks associated with severe weather, consideration should be given to the actions that people may take to take shelter from it. Unsafe shelters such as large lidded bins, and illegal entry to empty or derelict buildings may be used. Some people may increase their substance use to cope with the bad weather; this in turn can impact on their health, decision making ability, and behaviour towards and interaction with others.

5. Provision

For the period that the SWEP is operational emergency accommodation will be made available for rough sleepers.

6. Activation of the protocol

The protocol is normally active from 1 November – 31 March, however poor weather may dictate that provision is made available outside of this time period.

The SWEP should be activated when the actual temperature is forecast to drop to zero degrees or below for three consecutive nights. This should be from the first night of the forecast. The three night guideline is an attempt to define 'severe weather' only and is the minimum requirement. Flexibility is crucial and consideration must be given to the factors in point 4, as these may override the actual temperature.

6.1 Activation during office hours

The Housing Solutions Team will check the weather forecast for Middlesbrough before 10.00 am on a daily basis during the months that SWEP may be operational using the Meteorological Office website www.metoffice.gov.uk.

The Housing Solutions Team is responsible for informing all relevant partners, including the Council's out of hour's officers of SWEP activation and deactivation.

6.2 Activation period

Once the protocol has been activated it will remain operational for three nights, regardless of any minimal weather improvements.

6.3 General

There may be occasion when there is a late change to the weather forecast or unexpected weather may occur. In these instances, there is no expectation that the SWEP service provision will be made available at such short notice. If anyone is found to be in need of accommodation for the night, then depending on availability, alternative, available emergency accommodation will be sourced.

7. Eligibility criteria

SWEP operates outside of the usual eligibility and entitlement frameworks that govern access to housing. The Council will not apply Part VII Housing Act 1996 criteria (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017) when deciding to assist a person sleeping rough during the SWEP activation period. This means that the individual concerned is not required in this case to demonstrate eligibility for assistance, including access to public funds, priority need, intentionality or a local connection. The individual concerned must only:

- Be at risk if they continue to sleep rough during the period of severe weather;
- Have nowhere to sleep indoors during the period of severe weather (this does not include cars, sheds, garages etc. :); and
- Agree to assistance offered by the Council and/or its partners.

Severe weather increases the risk of death or serious illness to people who sleep rough. Many entrenched rough sleepers may be resistant to services and may be less likely to engage. This should not prevent them from being able to access the SWEP provision.

8. Referral

Those in need of the provision may present at services that work with people who are at risk of or who are actually homeless. In these instances the service provider must contact the Housing Solutions Team who will confirm if a place can be offered.

For anyone presenting outside of office hours the emergency accommodation provider will be contacted by the Council's Out of Hour's team to confirm if a place can be offered.

9. Referral update

The Out of Hours service will update the Housing Solutions Team the next working day (this will be around 8.00 am) on the expected referrals, and who was and was not accommodated.

Anyone accommodated in emergency accommodation should contact the housing solutions team the next working day on 01642 726800 to enable an assessment of need to be carried out under the HRA 2017.

Individuals should always be encouraged to accept the support that is available, but this is not be a condition of them being able to access the service.

If any referral does not present for emergency accommodation, then the Housing solutions Co-Ordinator who confirmed the placement should make every effort to contact the individual to establish their current housing status.

10. Review of provision

With limited spaces available, the provision will be available to an individual for a maximum of three nights and then subject to review. This could be three consecutive nights or three separate occasions.

Verifying that an individual is actually rough sleeping is one approach to adopt to ensure that those in most need of the service provision receive access to the provision first.

Verifying if someone is sleeping rough should not delay or prevent them from accessing the provision.

If the person is engaged with a Housing Solutions Co-Ordinator then work should actively take place by both parties to resolve the homelessness.

If any incidents of anti-social behaviour or unacceptable behaviour occur during the time the service is provided, a review of the individual being accommodated will take place.

This will include consideration to alternative methods to prevent rough sleeping during the severe weather whilst managing the risks.

Once the minimum temperature or chill factors are predicted to rise above zero degrees and remain so, or rain, snow and wind conditions have eased, the service provision will cease.

11. Financial implications

Any cost for supporting the SWEP provision will be met through budgets held by Middlesbrough Council. Housing benefit claims must be completed, please note that if the rough sleeper is ineligible for housing benefit accommodation will still be provided.

12. Monitoring and review

The housing solutions team will record the following information to monitor the extent of rough sleeping within Middlesbrough:

- Number of occasions SWEP activated and time period of each activation;
- The severe weather reason for the activation;
- Number and composition of rough sleeper households. This will include name, age, gender, nationality, last settled address, how long been sleeping rough;
- Number of nights each rough sleeper accommodated;
- Verified rough sleeper;
- Number of previous contacts the rough sleeper has had with services;
- Where move on was to; and
- Any cost for emergency accommodation per night for each household.

Middlesbrough Council will work with relevant partners to review the SWEP on an annual basis to ensure that:

- The needs of the rough sleeper are met during periods of severe weather; and
- Government priorities are reflected.

13. Contact information

Housing Advice Team: 01642 726800 or Freephone 08001303367
Out of Hours Support: 01642 726800
Email: housingsolutions@middlesbrough.gov.uk