

Tonbridge and Malling Severe Weather Emergency Protocol**1. Introduction**

Tonbridge and Malling Borough Council do not have a duty to accommodate all of those who may be rough sleeping. However there is a humanitarian obligation on local authorities to do all they can to promote the health and wellbeing of those who may be living on the streets and for partners and the public to support these efforts.

The Council has in place a Rough Sleeper Protocol which sets out what response the Council and its key partners will take when a rough sleeper is reported, regardless of the weather. However the winter period, or periods of severe weather, often present the greatest risk to the health of those who may be rough sleeping and this severe weather emergency protocol (SWEP) sets out the approach the council will take when there are periods of severe weather. It is supported by other key documents including the Rough Sleeper Protocol, the Councils Allocations Scheme, and supports the aims and objectives of the West Kent Housing and Homelessness Strategy 2016 – 2021.

2. What is severe weather?

There is no single definition of what constitutes severe weather and it could include extreme cold, wind, snow, rain and heat. Whilst historically SWEP was triggered when the temperature fell to below zero for three nights or more, it is now recognised that a more flexible approach to extreme weather is taken. This is because the health of those already sleeping outside may be compromised, and this may then be complicated further by the use of drugs and alcohol, and therefore the risk of there being an impact on the health and wellbeing of those sleeping on the streets may be greater.

Tonbridge and Malling Council will take a more flexible approach to triggering and co-ordinating SWEP, and will not adopt a fixed approach. The Council will consider triggering SWEP at any time throughout the year when there are incidents of severe weather such as extreme cold, high winds as these could lead to an increased risk of injury, when there are heavy or prolonged spells of rain as this could lead to flooding or during a heatwave. It may be that in some instances it is not accommodation that is provided, but again a flexible approach may need to be taken, the SWEP response during a heatwave may include the provision of sunscreen and water.

3. Who can access SWEP?

SWEP operates outside the legislative frameworks and is a humanitarian response to periods of extreme weather, and access is based on need. It is therefore open to everyone, including those who may otherwise be excluded from services, those who may have no recourse to public funds or those with no local connection.

Tonbridge and Malling will work closely with key partners to identify and target those who are known to be rough sleeping, but will not always require verification of that person sleeping rough to allow them access to accommodation or other measures under SWEP.

4. What type of accommodation will be provided?

When there is a need to provide accommodation then it is likely that applicants will be placed in Bed and Breakfast (B&B) type accommodation. This offers the Council a flexible approach

in an area where options for such short term accommodation, or access to longer term options can be limited. This also makes it possible to place different groups of rough sleepers, for example women or couples.

5. How will SWEP operate?

A nominated officer within the Housing Options and Support Service will be charged with monitoring the weather daily. When periods of severe weather are identified then SWEP will be activated on the first night of forecast severe weather and an email will be sent to all key partners including: (this list is not exhaustive)

- Housing Options and Support Service
- Temporary Accommodation Service
- Community Safety Partnership
- Tonbridge Councils Customer Services
- Police
- Social Services
- Hospitals
- Public Health
- Porchlight
- Other voluntary Sector Agencies
- Faith Groups

This email will advise that SWEP is to be triggered and how to refer those who have been identified as Rough Sleeping in for a service under the SWEP provision. It is anticipated that this email will be sent as early in the day as possible, and no later than 12 noon, to allow referrals to be made and if required accommodation arranged, however time is no barrier to accessing SWEP and a number for out of hours placements will also be provided in this email.

Any accommodation provided will be for a minimum of three nights on initial approach. After this initial approach Tonbridge and Malling will take a flexible approach to how many nights someone who has accessed SWEP can remain, even if the period of severe weather ends. This will allow the Council and other agencies the time to work with the Rough Sleeper with the aim of supporting them off the street, or reconnecting them back to the areas they came, but only if they are going back to accommodation (it should not be used as a vehicle to move the issue of Rough Sleeping to another area)

Where possible an officer will visit those who have been accommodated under SWEP to undertake a full assessment of their needs in line with the Homelessness Reduction Act and determine which duties the authority may owe the individual and how we can assist them, including referrals to other agencies, supported accommodation or via other accommodation offers such as in a hostel.

The following information will be recorded and used to monitor the extent of the rough sleeping in the borough:

- Number of nights accommodated (for each household)
- Basic Details of the household
- The cost of emergency accommodation per night (for each household)
- The type and location of emergency accommodation used
- Details of any move-on arrangements

- Immigration status, nationality, ethnic origin
- Support Needs
- Possible risks
- Last settled address, reason for homelessness
- Previous approaches to other local authorities

6. What will happen if someone refuses SWEP?

There are a number of reasons why an individual may refuse SWEP support. These individuals should be provided with information on the risks of cold weather to their health and wellbeing, especially if as highlighted earlier, they are already experiencing ill health or are misusing substances.

If someone continues to refuse support, then there may be grounds to trigger the safeguarding procedures. This can be done via the Front Door Service 03000 41 11 11 during office hours or 03000 41 91 91 out of hours.

In an emergency situation, or if there is an immediate risk to life then 999 should be called.

If someone continues to refuse help during severe weather, there may be grounds to contact mental health services. Understanding the Mental Capacity Act (MCA) and working closely and persistently with mental health services may be the right route to safeguard vulnerable people during severe weather. For more information on working with mental health services please see the Homeless Link website:

www.homeless.org.uk/our-work/resources/guidance-on-mental-capacity-act
www.homeless.org.uk/working-with-mental-health-services

It is also important to understand the needs of those who may be rough sleeping as this may be a barrier to accessing SWEP, for example there may be issues with sharing accommodation with others.

7. Reviewing the protocol

The protocol will be reviewed annually, in partnership with key agencies and any changes communicated to key partners no later than the end of August preceding the next winter period.

8. Further information

If you would like further information about this protocol please contact Tonbridge and Malling Borough Councils Housing Options and Support Service

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