

**HOMES POLICY DEVELOPMENT GROUP  
16 JANUARY 2017**

**THE HOUSING OPTIONS SERVICE – ACTIVATION OF THE SEVERE WEATHER EMERGENCY PROTOCOL (SWEP) AND EXTENDED WINTER PROVISION PROTOCOL**

**Cabinet Member(s):** Councillor Ray Stanley  
**Responsible Officer:** Claire Fry, Housing Group Manager

**Reason for Report:** The Council has a responsibility to prevent rough sleeping at any time of the year. However, risks relating to the health of those sleeping rough can increase during the winter period. The Housing Service works in partnership with other local authorities and the existing protocol relating to this has been reviewed. As a result of this there are no plans to change the existing protocol agreed with other LA's.

**RECOMMENDATION:** That the Housing Service continues to work in partnership to deliver the Housing Options Severe Weather Emergency Protocol (SWEP) and Extended Winter Provision Protocol.

**These protocols remain in operation for a further 3 years unless there is a legislative change or a change to the Devon-wide approach which necessitates an earlier review.**

**Relationship to Corporate Plan:** The Council's duties relating to homelessness arise from the Housing Act 1996 as amended by the Homelessness Act 2002 Pat VII (the Act).

**Financial Implications:** There is a budget set aside to fund the running of the Housing Options team and the work that the Officers do to prevent and manage homelessness. There is no separate budget set aside for SWEP, this is funded from the general fund.

**Legal Implications:** SWEP and the extended winter provisions operate outside the usual eligibility and entitlement frameworks that govern access to housing. The Council will continue to manage homelessness in accordance with the provisions of the legislation as defined by the Housing Act 1996 before using these protocols. It should be noted that the protocols does not replace any current statutory duties as defined under the Act.

**Risk Assessment:** The Council is responsible to ensure that the Homeless Act is adhered to. Failure to provide advice and assistance under the legislation could have financial implications, due to legal challenges. The Council will work with other stakeholders when activating the SWEP, to allow service users to access the provisions. However; it is noted that some service users will still not engage with the Council and therefore the Council is unable to stop a rough sleeper staying out on the street during these periods of bad weather.

**Equality Impact Assessment:** MDDC provides help to some of the most vulnerable people in the District at a time when the cold weather plays a significant part in their

health and well-being. The scheme operates an equal opportunities policy, which ensures fair access to the service.

If the Council continues to operate the SWEP and the extended winter provision protocol, there will be consistency of approach which should result in all rough sleepers being treated in the same way.

## **Background**

The Council is a member of the Devon and Cornwall Housing Options Partnership (DCHOP). Members of this partnership work together with the aim of preventing rough sleeping at any time of the year. The winter months may present greatest risks to the health of rough sleepers. They also offer increased opportunities to engage with hard-to-reach groups and those rough sleepers who may not wish to consider any other sort of lifestyle. This is due to the fact that they may be more likely to accept support at this time of the year.

It is recommended that the Council continues this good practice with the other local authorities and partners across Devon and Cornwall network To ensure that local authorities across Devon and Cornwall will have a common approach to the management of rough sleeping in cold weather; and that rough sleepers will not receive different treatment if they travel across local authority boundaries. Full details are detailed within the policy.

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**Circulation of the Report:** Councillor Ray Stanley, Cabinet Member for Housing