

**DECENT & AFFORDABLE HOMES PDG
1 DECEMBER 2015**

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

Cabinet Member Cllr Ray Stanley
Responsible Officer Head of Housing and Property Services

Reason for Report: As a member of the Devon and Cornwall Housing Options Partnership (DCHOP) the Housing service recognises that local areas should try to prevent rough sleeping at any time of the year. However, the winter period can present greatest risks to the health of rough sleepers. Therefore a protocol has been agreed with the other LAs in the County.

RECOMMENDATION(S): The Cabinet approves the new Housing Options Severe Weather Emergency Protocol (SWEP) and Extended Winter Provision Protocol.

Relationship to Corporate Plan: The Council's duties are governed by the Housing Act 1996 as amended under the Homelessness Act 2002 Part VII (The Act). This legislation sets out what a council must provide and what duties it might owe a homeless applicant.

Financial Implications: There is a budget set aside for the Housing Options Service.

Legal Implications: SWEP and the extended winter provisions operate outside the usual eligibility and entitlement frameworks that govern access to housing. The Council will still follow homelessness legislation as defined by the Housing Act 1996 before using this protocol. The protocol does not replace any current statutory duties as defined under the Act.

Risk Assessment: The Council is responsible for ensuring that the Act is adhered to. Failure to provide advice and assistance under the legislation could have financial implications, due to legal challenge.

1.0 Introduction

1.1 The DCHOP members recognise that local areas should have adequate provision to prevent rough sleeping at any time of the year; however, the winter period often presents greatest risk to the health of rough sleepers. The winter period also provides increased opportunities to engage with entrenched rough sleepers and other hard-to-reach groups, as they may be more likely to accept support at this time of the year. This protocol therefore has two aims:

- To ensure that no one dies on the streets due to extreme cold or severe weather
- To ensure that every effort is made to engage individuals with support services during the winter months.

- 1.2 There is no strict definition of what constitutes severe weather, but local housing authorities should proactively react to any weather that could increase the risk of serious harm to people sleeping rough and put measures in place to minimise this.
- 1.3 This includes extreme cold, wind and rain. It is important not to presume when, or in what form, severe weather will occur. A common sense approach should be taken.
- 1.4 The intention of this protocol is that local housing authorities across Devon and Cornwall will standardise the system for activation of the SWEP and extended winter provision. It is not intended to affect the type of accommodation provided by each local area.

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