

# Customer Access Review – Full Assessment

<b>Assessment details</b>	
<b>Assessment area</b>	<b>Severe Weather Emergency Protocol (SWEP) for Rough Sleepers</b>
<b>Date of assessment</b>	December 2022
<b>Directorate and Service</b>	Housing and Public Protection, Housing Services
<b>Manager</b>	Housing Solutions & Private Sector Manager
<b>Officer conducting assessment</b>	Senior Housing Policy & Performance Officer
<b>Step 1: Scoping the assessment</b>	
<b>1. What are the aims and objectives of the activity or proposal?</b>	<p>Severe Weather Emergency Protocol (SWEP) is an emergency response to prevent threat to life of people sleeping rough and is activated by local authorities.</p> <p>While Dartford Borough Council ('the Council') works year-round on its commitment to end rough sleeping in the borough, there is an extra pressure on the Council in periods of severe weather (including extreme heat) to prevent rough sleepers from harm or death due to the severe weather.</p> <p>The Council's Severe Weather Emergency Protocol (SWEP) for Rough Sleepers sets out the arrangements the Council will put into place to minimise harm or death to anyone who might be sleeping rough during periods of severe weather, through the provision of emergency shelter and support.</p> <p>The objectives of the protocol are to:</p> <ul style="list-style-type: none"> <li>• Ensure that no one dies on the streets due to severe weather;</li> <li>• Ensure that every effort is made to engage rough sleepers with support services during periods of severe weather;</li> <li>• Work with rough sleepers to end their homelessness.</li> </ul> <p>The protocol has been in place since 2010 and arrangements have historically been triggered when the night time temperature is predicted to be zero degrees Celsius or below for three consecutive nights.</p> <p>A review of the Protocol has been undertaken to ensure it remains up to date and to adjust to changes in criteria and operational working practices. The review has found that overall, the Protocol has worked well since its implementation in 2010. In previous years, the Council has worked in close partnership with the Dartford Churches Homeless Project (New Avenues) who also provided a shared space accommodation and support solution for rough sleepers through their Winter Shelter. This arrangement meant that when the Protocol was activated, there were often no rough sleepers on the streets as they had been accommodated by the Winter Shelter.</p>

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<b>Step 1: Scoping the assessment</b>	<p>During the Covid-19 pandemic, the Winter Shelter was not able to provide a shared bed space provision due to the risks associated with separate households sharing facilities. The Council also experienced difficulties in securing suitable accommodation quickly. To mitigate these challenges, the Council has looked at different ways to ensure there is sufficient provision, including block booking temporary accommodation, which is a similar model that was used during lockdown. Whilst the Dartford Churches Homeless Project no longer runs a Winter Shelter, they continue to provide outreach support to rough sleepers in the Borough, as well as Porchlight's Rough Sleeper Service team.</p> <p>The operation of the Protocol has also changed to recognise that increasingly severe weather events now occur throughout the seasons and are not confined to extreme cold weather in the winter. This means the impact of rain, snow, wind and heat are also included as criteria for triggering the Protocol. The protocol has been updated to reflect this new model.</p>
<b>2. Who will be affected by the activity or proposal?</b>	<p>The protocol affects:</p> <ul style="list-style-type: none"> <li>• People sleeping rough in the Borough who are at risk during periods of severe weather;</li> <li>• Emergency accommodation provider partners who provide shelter to rough sleepers during periods of severe weather;</li> <li>• Key voluntary and statutory stakeholder partners who support efforts to ensure no one dies on the streets during periods of severe weather by reporting people sleeping rough and providing support to rough sleepers;</li> <li>• Members of the public who support efforts to ensure no one dies on the streets during periods of severe weather by reporting people sleeping rough.</li> </ul>
<b>3. How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?</b>	<p>a) The Council measures the number of people estimated to be sleeping rough on a single night on an annual basis.</p> <p>b) The protocol contributes to the Corporate Plan strategic aim to facilitate quality, choice and diversity in the housing market, assist in meeting housing need in Dartford and deliver high quality services to service users. The protocol also contributes to the Corporate Plan strategic objective (HS3) to improve the housing circumstances of those most in need.</p>
<b>4. Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</b>	<p>The duties of local authorities to provide assistance to people who are threatened with homelessness or are already homeless, are set out in Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002. The Homelessness Reduction Act 2017 significantly reformed England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also requires housing</p>

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## Step 1: Scoping the assessment

authorities to provide homelessness services to all those affected, not just those who have ‘priority need’. This includes an enhanced prevention duty and a relief duty. SWEP provision is a discretionary service. The provision of shelter from local authorities is not a statutory duty unless a person is considered homeless and in priority need for assistance, even during cold or severe weather when the conditions may be life threatening. However, there is a widely recognised humanitarian obligation on local authorities to do all they can to prevent deaths and serious harm on the streets, and for their partners and the public to support these efforts.

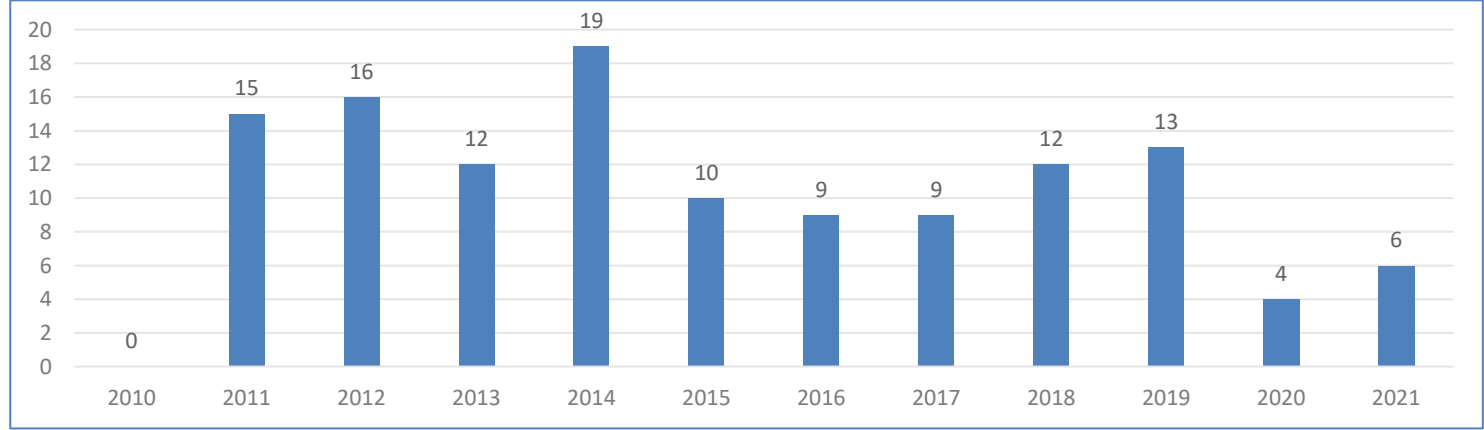
## Step 2: Information collection

**5. What do you know about the groups of people who will be affected?** (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment, marriage and civil partnership)

### Annual rough sleeper snapshot

Local authorities across England take an autumn single night snapshot of people sleeping rough. People sleeping rough are defined as those sleeping or about to bed down in open air locations and other places including tents and make shift shelters. The snapshot does not include people in hostels or shelters, sofa surfers or those in recreational or organised protest, squatter or traveller campsites. The snapshot records only those people seen, or thought to be, sleeping rough on a single night. The snapshot does not include everyone in an area with a history of sleeping rough, or everyone sleeping rough in areas across the snapshot period. The total number of people sleeping rough from the annual single night snapshot in Dartford since 2010 is shown in Chart 1:

**Chart 1: Number of people sleeping rough in the Dartford Borough since 2010**



Source: Rough sleeping snapshot in England: autumn 2021 tables, Department for Levelling Up, Housing and Communities

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## Step 2: Information collection

The majority of rough sleepers nationally, as well as in the South East, are male. The gender of people sleeping rough in the South East in the 2021 rough sleeper snapshot is shown in Table 1:

**Table 1: Gender of people sleeping rough in the South East in 2021**

Female	50
Male	390 –
Not known	
Total	450

Source: Rough sleeping snapshot in England: autumn 2021 tables, Department for Levelling Up, Housing and Communities

--- Value suppressed to prevent disclosure of sensitive information

Totals may not equal the sum of components because of rounding

The majority of rough sleepers nationally, as well as in the South East, are of UK nationality. The nationality of people sleeping rough in the South East in 2021 rough sleeper snapshot is shown in Table 2:

**Table 2: Nationality of people sleeping rough in the South East in 2021**

UK	330
EU	80
Non-EU	20
Not known	20
Total	450

Source: Rough sleeping snapshot in England: autumn 2021 tables, Department for Levelling Up, Housing and Communities

The majority of rough sleepers nationally, as well as in the South East, are aged over 26. The age of people sleeping rough in the South East in the 2021 rough sleeper snapshot is shown in Table 3.

**Table 3: Age of people sleeping rough in the South East in 2021**

Under 18	0
18-25	20
Over 26	410
Not known	20
Total	450

Source: Rough sleeping snapshot in England: autumn 2021 tables, Department for Levelling Up, Housing and Communities

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<p><b>Step 2: Information collection</b></p>	
	<p><b><u>Assistance provided under the SWEP</u></b></p> <p>Between 2017/18 to 2019/20 the protocol was activated 9 times and assisted 6 rough sleepers into emergency accommodation. In 2020/21, the protocol was activated 4 times and assisted 4 rough sleepers. And in 2021/22, the protocol was activated 2 times and assisted 2 rough sleepers. The figures over the last two years has reduced as the numbers of people sleeping rough has reduced (as shown in Chart 1 above).</p> <p><b><u>Risks to rough sleepers during severe weather</u></b></p> <p><b>Cold:</b> extreme cold can cause serious health problems and death for those who are exposed overnight or for long periods of time. Historically, SWEP provision was triggered when the forecast was zero degrees or below for three days. It is now best practice to take a common sense approach, where any forecast approaching zero is considered. The impact of rain, snow and wind chill are taken into account; and the ‘feels like’ temperature is checked, along with conditions underfoot (e.g. ice). The Council recognises there are benefits to opening provision for temperatures that are above freezing as this can be just as harmful, and for maintaining this provision over longer periods.</p> <p><b>Wind:</b> 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 local rough sleeping sites and the potential for harm from gale-force winds. This is a particular issue for rural areas where people are, for example, sleeping in tents.</p> <p><b>Rain:</b> heavy or sudden prolonged rain can lead to flooding and landslides. People sleeping under bridges, on river banks or near the sea, streams or canals may be particularly at risk, but there may be less obvious flood risks, for example drains or gullies. Standing water, puddles and flooding may continue to be a risk after rainfall has stopped. 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, including trench-foot. There is also an increased risk of loss or damage to belongings such as identification documents.</p> <p><b>Heatwaves:</b> temperatures of around 25 degrees Celsius and over are associated with excess summer deaths. People sleeping rough may find it difficult to source drinking water, sun protection, cool showers and cool spaces to spend time; thereby increasing risks around dehydration, sunburn and sunstroke.</p>
<p><b>6. What consultation has taken place with affected groups?</b></p>	<p>Consultation will be carried out on the review of the protocol (see question 7 for the consultation plans).</p>

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<b>Step 2: Information collection</b>	
<b>Please describe who was consulted and the key findings</b>	
<b>7. Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</b>	Internal consultation will be undertaken on protocol. External partners that that work in partnership with the Council to deliver the protocol will also be consulted.

<b>Step 3: Assessing the equality impact</b>	
<p><b>8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:</b></p> <p><b>a) tackling unlawful discrimination</b>  <b>b) promoting equality of opportunity</b>  <b>c) promoting good relations</b></p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> <li>• The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration</li> <li>• For existing activities, consider how they are working in practice for each relevant protected group</li> <li>• For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group</li> <li>• If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9</li> <li>• If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9</li> </ul>	

<b>Step 3: Assessing the equality impact</b>				
<b>PROTECTED CHARACTERISTIC</b>	<b>POSITIVE IMPACTS</b>	<b>NEGATIVE IMPACTS</b>	<b>NO IMPACT</b>	<b>UNKNOWN</b>
<b>Age</b>	<b>Adults and children</b> The provision of SWEP assistance applies to adults (18+). If there is a concern for a child or young person under the age of 18 sleeping		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	rough, the protocol advises that the Police should be contacted.			
<b>Disability</b>	<p><b>Disabled people</b> The Council will use hotel accommodation, which is wheelchair accessible, for disabled rough sleepers.</p> <p><b>Mental health</b> The protocol recognises that some rough sleepers may refuse assistance, even during periods of extreme weather. There are a range of reasons why people may refuse and, ultimately, individuals may make choices that other people find hard to understand. If someone continues to refuse help during severe weather despite being at risk of, or already experiencing, harm, it may be grounds to engage statutory services such as emergency services and mental health teams.</p> <p><b>Alternative formats and British Sign Language Services</b> In accordance with the Council's Equality &amp; Diversity Document Framework, the protocol and information about the services provided under it, can be provided in alternative formats, including: Braille, audio tape and large print versions of documents. British Sign Language interpreting services can be provided upon request. Calls can also be received via Relay UK.</p>		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Sex	<p><b>Single gender accommodation arrangements</b> The Council uses shared accommodation under the protocol, which includes single gender arrangements. Risk assessments are carried out for all shared accommodation to promote the safety of occupants.</p>		<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<p><b>Nationality/citizenship</b> The protocol will assist anyone into emergency accommodation during the period of severe weather regardless of whether they are under immigration control, have no recourse to public funds and are ineligible for homelessness assistance under the Housing Act 1996. In the longer term the Council is unable to put housing plans in place for people with no recourse to public funds due to ineligibility under the homelessness legislation, however, referrals will be made to immigration support, and, partner support services provide support to rough sleepers, including working with those without recourse to public funds.</p> <p><b>Alternative formats and language interpreting services</b> In accordance with the Council's Equality &amp; Diversity Document Framework, the protocol and information about the services provided under it, can be provided in alternative formats, including: documents translated into other languages. Telephone and face-to-face</p>		<input type="checkbox"/>	<input type="checkbox"/>



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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	language interpreting services can also be provided upon request.			
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership*	Not applicable as the protocol does not apply in the context of employment.	Not applicable as the protocol does not apply in the context of employment.	<input type="checkbox"/>	<input type="checkbox"/>

\* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

Step 3: Assessing the equality impact	
9. If 'no impact' or 'unknown' was selected, please explain	There are no known circumstances where the policy will have relevance to or a disproportionate equality impact on the protected characteristic groups of gender reassignment, religion/belief, sexual orientation and pregnancy/maternity.
10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	<p>The Housing Service works with a number of internal services to deliver the protocol, including Customer Services, Enforcement and Regulatory Services, Waste and Parks, and the Out of Hours Service.</p> <p>The Housing Service works in partnership with a number of key external voluntary and statutory agency partners, and other stakeholders to deliver the protocol, including Porchlight, Dartford Churches Winter Shelter (New Avenues), Police, Dartford Foodbank and Parish/Town Councils. In particular, Porchlight will provide ongoing support to rough sleepers through its outreach service.</p> <p>There are no known circumstances where these partnership working arrangements will have a disproportionate impact on the protected characteristic groups other than to positively prevent unnecessary harm or death to anyone who might be sleeping rough during periods of severe weather. Effective communication with other agencies will ensure the correct support is provided through information sharing.</p>

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Step 3: Assessing the equality impact	
11. Any other comments	<p><b><u>Eligibility</u></b></p> <p>The SWEP is relevant to the Equality Act 2010 aims to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act; and to advance equality of opportunity between persons who share a protected characteristic and those who do not. The Council does not apply homelessness legislation criteria in its decision to assist a person sleeping rough during the period the protocol is activated, thereby providing the opportunity to assist all rough sleepers regardless of eligibility under the legislation.</p> <p><b><u>Managing risk and challenging behaviour</u></b></p> <p>The low threshold nature of SWEP provision can increase risk across a number of areas, both for people using and delivering the service. Examples include people accessing unfamiliar facilities, people who are banned from services, people where there is little information held about them, or people who are reluctant to engage.</p> <p>Risk assessments are carried out under the protocol. Whilst every possible attempt will be made to find suitable accommodation, 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. Where there are concerns regarding risk, anti-social behaviour and unacceptable behaviour, the Housing Solutions and Private Sector Manager will review the case to see if there are any alternative ways to prevent rough sleeping during the severe weather whilst at the same time managing the risks.</p> <p><b><u>Complaints</u></b></p> <p>Any person who is not satisfied with the service they have received under the protocol or who believes they have been discriminated against can make a formal complaint to the Council using the corporate complaints process.</p>

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## Step 4: Action plan

12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:

- a) any gaps in information and consultation
- b) how any negative impacts on equality will be mitigated or eradicated

a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from internal services and external voluntary and statutory agency partners on the protocol	Invite views on the protocol from partner agencies	Feedback will, at a formative stage, inform any further changes that may be required to the protocol in advance of seeking approval for the protocol	December/January 2022	Log of responses	Housing Solutions & Private Sector Manager / Senior Housing Policy & Performance Officer

b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					

## Step 5: Decision making and future monitoring

13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?

Director of Housing and Public Protection

14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report

Yes  No

15. How will you continue to monitor the activity or proposal on protected characteristic groups?

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

- Number and composition of rough sleeper households

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<b>Step 5: Decision making and future monitoring</b>	
	<ul style="list-style-type: none"><li>• Number of nights accommodated for each household</li><li>• The cost of emergency accommodation per night for each household</li></ul>
<b>16. When will you review this Customer Access Review?</b>	New assessments will be undertaken annually in conjunction with the review of the protocol.
<b>Step 6: Final steps</b>	
<b>17. Once this Customer Access Review has been approved, send this assessment to the Policy &amp; Projects Officer</b>	
<b>18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded</b>	

Reviewed by Legal Services: 15 December 2022

Reviewed by Director of Housing & Public Protection: 22 December 2022