

Night Shelter Guidance

Information in this guide

We have prepared this guide in good faith. The information in it is based on our understanding of current law and practice. Neither Ecclesiastical Insurance Office plc nor any of its subsidiaries accept any liability whatsoever for any errors or omissions in this guide that result in injury, loss or damage, including financial loss. It is the responsibility of the Insured or any person to ensure that they comply with their statutory obligations. Any interpretation or implementation of this guide is at the sole discretion of the reader.



Guidance on the running of winter night shelters for the homeless on church property.

The purpose of this document is to give advice to churches regarding running or considering running a night shelter, either on its own or as a group.

Background:

Homelessness is an unfortunate fact of life in many parts of the UK. It can affect people of any sex, age, sexual orientation, and belief. During the current financial downturn more people than ever can find themselves homeless.

What is homeless?

This may appear easy to answer but in fact this is quite a complex issue.

Firstly, there are a relatively small group of “hard core” homeless for whom homelessness is a way of life. Many in this category will have long term mental health problems combined with drug and alcohol abuse issues and some have had periods of time in prison. It is unlikely that church shelters will be including this group in any programme they will be running.

Secondly, there are a group of single homeless people including migrant workers from elsewhere in the EU, who may have a right of residence in the UK but not a right to work, or failed asylum seekers from outside the EU who have attempted to gain political asylum in the UK and failed. Many of these just drop out of the system and find themselves on the streets. This group may find themselves helped by church night shelters.

Thirdly, there are a group of people who may have a job but this is quite often low paid. They get into debt and eventually find themselves evicted from their home and will quite often attempt to find a bed with a friend or relative. If they are unable to do this or the friend cannot house them any longer they can find themselves with nowhere to live. Also falling into this category are those who need to leave the family home because of domestic abuse and / or alcohol or drug abuse issues either themselves or another family member. It is this group that most church night shelters will be trying to assist.

Who can help from the local authority?

Broadly speaking someone is entitled to local authority assistance if they satisfy three basic tests:

1. Are they homeless?
2. Are they eligible?
3. Are they in priority need?

Legally when is someone homeless?

Someone is statutorily homeless if they do not have accommodation that they have a legal right to occupy and which it would be reasonable for them to continue to live in. It would not be considered reasonable if for example they were subject to domestic abuse or the accommodation was unfit for human habitation.

Who is eligible?

Again this is quite a complex area but people who are British citizens, commonwealth citizens with a right of abode in the UK and a national from the European Economic area (EEA) are eligible for assistance. People from most EU countries have a right to live and work in the UK.

There are however special rules about people from Bulgaria and Romania (the A2 countries). These people may not have a right to work in the UK and therefore may not have a right to housing. Up until May 2011 a group of countries called the A8 had similar restrictions. These countries are Slovenia, Slovakia, Poland, Lithuania, Latvia, Hungary, Estonia and the Czech Republic. The restrictions on nationals from these countries have now been lifted but many of these still find themselves outside of the system.

People from outside the EU have no right to assistance unless they have refugee status or have “exceptional or unconditional leave to remain.”

Who has priority need?

The categories of priority need are as follows:

1. A pregnant woman or those with whom a pregnant woman resides.
2. A person with dependent children
3. A person who has been made homeless by fire, flood or similar disaster.
4. A person who is vulnerable as a result of age, illness, disability or some other special reason. This includes vulnerable as a result of serving in the armed forces, time spent in prison or those who have been made homeless following violence.
5. 16 and 17 year olds
6. 18 and 19 year olds leaving care.

If an applicant passes all three of these tests (i.e. are they homeless, eligible and in priority need) then the local authority has a duty to provide temporary accommodation for them. For permanent accommodation a person must also show that they have not made themselves intentionally homeless and that they have a local connection.

There is therefore little support for a large number of single, homeless people and these are the people who seek the help from shelters. Many of these shelters are run by groups of churches who provide temporary overnight accommodation.

Church shelter schemes.

Generally most shelter schemes run during the winter months. This can be for any period from November to the end of March. Most will operate for a set period during this time. A few will operate for the full 5 months. Some churches can operate other support services alongside the churches offering the night shelter provision and this can mean offering a meal during the daytime or early evening, giving advice and support on getting housing, debt, domestic violence, getting a job and the like, offering washing facilities for both clothing and the people themselves or just a warm place to sit and chat.

Most schemes will be operated by an umbrella charity or organisation that will approach a group of churches in a locality to see if the church is willing to be involved in the project and to see if the premises are suitable for the scheme. For those churches whose premises are not suitable the opportunity will be given for the church members to offer to volunteer to work at another church.

The ideal number of churches in a group is normally 7 so that they will host for one night a week each. Sometimes more than 7 churches will volunteer and could happen is that if for example the shelter is open for 2 months a few of the churches will only open for 1 month handing over to another church for the remaining month.

There should generally be a project Coordinator who is in overall charge of the whole project. Each church should then appoint a church coordinator who will liaise with the project coordinator and also ensure the following;

1. The shelter runs smoothly and policies and procedures are being effectively managed
2. Ensure the shelter has enough volunteers to run the evening
3. Ensure that there is a proper hand over at the end of a shift (See notes regarding the log book below).
4. Ensure there are sufficient provisions on site for the evening meal, washing, and the like.
5. That the venue is left clean and tidy at the end of the session.

Shelters cannot run without volunteers to man them. It is important at this stage to note that the homeless are not automatically classed as "vulnerable adults" and therefore volunteers do not need to be DBS checked as a matter of course.

Volunteers will almost certainly come from within the church community but many shelters will find that volunteers can also be from outside the church. Often ex-guests will volunteer in order to give something back to their community. Some projects will be run entirely by ex-guests on some nights of the week. This should not

be regarded as a problem provided they have been through the same vetting and training as any other volunteer.

It is to be expected that all volunteers will be given adequate training to perform the tasks they are called on to do. Best practice is that volunteers are given a briefing at the beginning of each shift and be given guidelines on what is expected from them.

The following are examples of the guidelines that should be given to volunteers:

1. The need to be punctual and suitably dressed bearing in mind what they are doing.
2. Ensure you know the layout of the venue. Which parts of the church or hall can and cannot be used. (See below for further guidance on this),
3. Treat guests with dignity and respect
4. Be friendly and welcoming
5. Support the team leader
6. Everyone should only be known by first names. Never hand out your address, email address or telephone number
7. Do not lend money to guests. Details of agencies or charities that may be able to help with money should be available to volunteers or the coordinator
8. Volunteers should not be left alone with guests. This protects both the volunteer and the guests against unfounded allegations.
9. Do not make promises to guests. A promise not kept can cause other problems and breaks the trust of those who look to the church for support
10. There should be at least two volunteers in the shelter at all times and at night at least two volunteers awake at all times
11. If there are male and female guests at the shelter there needs to be male and female volunteers at all times.
12. Awareness of language & cultural differences. As mentioned earlier many homeless people come from other countries within the EU or are from outside the EU altogether. There will be differences and volunteers need to be made aware of specific issues the coordinators are aware

Log Book:

This should be the responsibility of the project coordinator to manage. It should be taken to each church on the day that the shelter is running and then updated by the church coordinator and or shift leaders with information that would be useful to the next shift, the church running the shelter on the following night or the other volunteers.

It will normally contain details of who did AND who did not arrive and recording any incidents that occurred. In particular any "near misses" or actual accidents even if minor should be recorded. Once a history has developed it will be much easier to spot trends or issues that need attention if this information is recorded.

Other documentation:

List of emergency telephone numbers. Including the project coordinator, local Doctor, local police, all-night chemist, the local priest or minister on whose church the night shelter is running plus any other numbers that the project deem important. It is good practice to notify all of the above that you are running a night shelter.

Details of the other churches in the project with the church coordinator details

Copies of important policies:

Guest agreement, Health & safety, Violence policy, Alcohol/Drugs, Confidentiality policy etc. (See below)

The Building:

It is vitally important that all volunteers and possibly guests are aware of the building:

1. Where the fire exits are. Are they blocked or locked?
2. Where are the first aid kit, accident book, telephone and list of emergency numbers

3. What are the evacuation procedures? Volunteers need to be aware that people sleeping can take a while to be fully awake and evacuation may take longer than anticipated.
4. Make sure that any areas in the church or hall that you do not want used by guests are secured. There should be a safe area for volunteers to leave their belongings
5. There should be a secure area for guests to leave any valuables they may hand in. These should be logged and a volunteer responsible for giving them back in the morning.

Rules for Guests:

If possible these should be kept as simple as possible but to ensure everyone is as comfortable as possible the following should be noted (See the Guest agreement below):

1. No alcohol and no drugs (except prescription drugs) to be consumed in or around the premises.
2. No violent, threatening, racist or other antisocial behaviour or language.
3. No offensive weapons
4. No smoking inside the building
5. No pets (except guide/ hearing dogs)
6. No entry after **PM

Legislation

Homeless night shelters may fall under a number of pieces of legislation that they should at least be aware of.

1. Planning permission. It is not altogether clear if churches need planning permission to run a night shelter and most shelters have proceeded without specific planning permission. However, if a local authority was to insist on a shelter getting planning permission there are two possible arguments.
 - a. Change of use. Churches as a place of worship are classed as D1 "Non-residential institutions." However a homeless shelter (temporary accommodation) hostel or shelter does not fall within a specific class. So a church would change its use from D1 to "not in a specific class" and it is therefore questionable that a change of use has occurred
 - b. Temporary use. Since almost all church buildings are used for less than 28 days per year as night shelters the temporary nature should mean that planning permission is not required. HOWEVER. If the building being used is not an established church the planning situation is somewhat more complex and the church should be advised to get specific professional advice.
2. Food Hygiene Regulations. The main legislation in this area is the Food Act 1990 and the Food Hygiene (England) Regulations 2006. Those running a night shelter serving or preparing food do need to comply with these regulations. Further guidance is available in our Church- Health & Safety guidance notes.
3. Health and Safety legislation. Again this legislation does apply to night shelters. The shelters need to have conducted suitable risk assessments and have a policy in place. Again further guidance is available to churches in our health & safety guidance notes on how to write a policy and how to conduct risk assessments and a fire risk assessment.
4. Charity Law. To receive charitable funds and donations a shelter needs to have charitable status. Most groups use the charitable status of the church which is suitable if the shelter is run under the auspices of the PCC. However once established a shelter may want its own identity and will need to apply for charitable status in its own right. At this stage it will also need to have its own insurance.

Premium

There will be a small annual charge for churches holding night shelters to cover the cost of insurance. These premiums will apply at renewal and will remain on the policy until such time as we are told that the church is no longer a member or provider of a night shelter arrangement.

Housing Justice and the Quality Mark

Ecclesiastical is working with Housing Justice to provide a safe and organised environment for night shelters. Housing Justice is an independent organisation, which enables local groups and churches to provide practical help to people in housing need, as well as working for change in housing policies at national and local level. Housing Justice was created in 2003 when CHAS (Catholic Housing Aid Society) and CNHC (Churches' National Housing Coalition) merged. In January 2006 Housing Justice expanded further when it merged with UNLEASH (Church Action on Homelessness in London). - See more at:
<http://www.housingjustice.org.uk/pages/about-us.html#sthash.lfnhcOSs.dpuf>

With input from Ecclesiastical, Housing Justice have produced a Quality Mark document, which is devised to guide and advise shelter organisers and coordinators on the best practice on running a night shelter. This document is shown below in Appendix 3.

Appendix: 1. Draft guest Agreement:

It is always a good idea to have a guest agreement. As mentioned earlier many guests will not have English as a first language and it is even more important that they should be made aware of the rules governing the shelter. Guests should be aware of what they CAN expect from the shelter and what they will NOT get from the shelter so that there is no confusion or expectations that cannot be met. Though this sounds like an excerpt from "Trip Advisor" there is a genuine need for the shelter to reflect on how well it is proving for its users and to learn from their feedback.

This is a draft guest agreement that can be used.

Welcome to: *(Name of Project or Church)*

Dear *(Name of Guest)*

We hope that you will have a peaceful and restful night with us. We have committed ourselves to providing an evening meal, a bed, breakfast and hospitality to you. We want your stay to be enjoyable and we look forward to you staying with us. If there is anything we can do to make your stay more comfortable please ask a volunteer and they will do their best to help you.

We also provide friendship, support and encouragement. We are a group of people from ***** who are looking to provide help and support to those who do not have a home in our town.

The Shelter is run entirely by volunteers. Nobody at the ***** nightshelter is being paid to be here and we ask that you will treat them with respect. Any use of bad language or antisocial behaviour to our volunteers or other guests may result in you being asked to leave the shelter.

Volunteers have been told not to hand out money, home addresses, private telephone numbers, email addresses or other personal information so please do not ask.

Also, you will not be asked for any money during your stay. Your stay with us is free of charge and you should not be asked to give money to a volunteer or guest.

If you need financial advice or assistance you will need to speak to ***** the ***** project coordinator.

We want the *****Night shelter to be a safe place for everyone. We are not prepared to admit anyone who:

- Is in possession of Controlled drugs or substances
- Is in possession of Alcoholic drinks (We have a secure storage area where bottles or tins can be left. They will be returned to you in the morning).
- Has an offensive weapon.
- There is to be no smoking inside any church buildings at any time.

Other Important Information:

In the event of a fire or other emergency you may be asked to leave the shelter. Please follow any instructions given by the volunteers as quickly as possible. The main assembly point is: ***** which is *****.

Valuables. If you wish to leave valuables, money or other personal items for safekeeping then please speak to *****. They will be returned to you in the morning.

In the morning you will be asked if you wish to register for the following night at a different location. If you do reserve a place you MUST book in by ****. If you do not turn up by **** your place may be given to another guest on the waiting list.

If you are willing to agree to staying with us under these guest conditions then please PRINT and SIGN your name below.

Name:

Signature:

Date:

Booked in by:

Appendix 2. Draft policies:

Health & safety, Violence policy, Alcohol/Drugs, Confidentiality policy

Health & safety

Any church or charity running a winter night shelter should have a written health & safety policy which is given for all volunteers or employees. The organisers should also have carried out risk assessments. Guidance on completing risk assessments and health & safety policies is available from our website

<https://www.ecclesiastical.com/churchmatters/churchguidance/churchhealthandsafety/index.aspx>

However it is important for the night shelter to have taken into account food hygiene, slips trips and falls (bearing in mind volunteers and guests may need to move around the building in the dark), evacuation and fire safety procedures.

Violence & Personal safety policy

It is important that volunteers are given guidance on what to do if they feel threatened or it appears that another guest feels threatened by a fellow guest. The policy should include guidance on diffusing any potential violent incident & who the volunteers should go to for assistance. What to do if an offensive weapon is being used and the use of threatening or violent behaviour or language.

The policy should have a list of possible sanctions and what to do after an incident has occurred.

Illegal Drugs & alcohol

This policy will vary from shelter to shelter. Most shelters will have a no drugs, no alcohol policy, however there are shelters that accept that some guests who have an alcohol dependency MAY need to have a drink during the night to avoid fits or blackouts. Generally shelters who accept guests with an alcohol dependency will have been running for many years and have very experienced staff in attendance who are able to manage these situations. The policy needs to give guidance on what to do if illegal drugs are found on the premises, what to do with needles or sharps found on the premises and at what stage the police need to become involved.