

An account of the
Equality Review carried
out by Kildare County
Council in respect of
Traveller-specific
accommodation



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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

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Glossary

1998 Act: Housing (Traveller Accommodation) Act 1998

2009 Act: Housing (Miscellaneous Provisions) Act 2009

2011 Assessment Regulations: Social Housing Assessment Regulations 2011 (S.I. No. 84/2011)

2011 Allocation Regulations: Social Housing Allocation Regulations 2011 (S.I. No. 198/2011)

2014 Act: Irish Human Rights and Equality Act 2014

AHB: Approved Housing Body

AO: Administrative Officer

Capital expenditure: Generally relates to the costs of acquiring, upgrading or extending physical assets, such as buildings, equipment or facilities

Current expenditure: Also referred to as 'revenue expenditure'. Generally relates to operational costs, for example it may include operational costs of maintenance, caretaking, social worker provision or provision of emergency accommodation

CBL: Choice Based Lettings

CDP: Community Development Project

CENA: The Traveller-led Voluntary Accommodation Association (TVAA)

CLO: Community Liaison Officer

DCEDIY: Department of Children, Equality, Disability, Integration and Youth

DHPLG: Department of Housing, Planning and Local Government, known as the Department of Housing, Local Government and Heritage (DHLGH) since 30 September 2020

DoJ: Department of Justice, formerly known as the Department of Justice, Equality and Law Reform

DSP: Department of Social Protection, formerly known as the Department of Employment Affairs and Social Protection

ESA: Equal Status Acts 2000 - 2018

HAP: Housing Assistance Payment

HAO: Housing Assessment Officer

HLO: Housing Liaison Officer

HNA: Housing Needs Assessment

HWO: Housing Welfare Officer

LGMA: Local Government Management Agency

LTACC: Local Traveller Accommodation Consultative Committee

NTACC: National Traveller Accommodation Consultative Committee

RAS: Rental Accommodation Scheme

Revenue expenditure: Also referred to as 'current expenditure'. Generally relates to operational costs, for example it may include operational costs of maintenance, caretaking, social worker provision or provision of emergency accommodation

SEO: Senior Executive Officer

SHCIP: Social Housing Capital Investment Programme, sometimes referred to as Social Housing Investment Program (SHIP)

SHIP: Social Housing Investment Program, sometimes referred to as Social Housing Capital Investment Programme (SHCIP)

SICAP: Social Inclusion and Community Activation Programme

TAER: Traveller Accommodation Expert Review, July 2019

TAO: Traveller Accommodation Officer

TAP: Traveller Accommodation Program

TAU: Traveller Accommodation Unit

TIF: Traveller Inter-agency Forum

TIG: Traveller Inter-agency Group

Introduction

Under section 32(1) of the *Irish Human Rights and Equality Commission Act 2014* (the '2014 Act') the Commission may invite a particular undertaking to carry out an equality review.

In June 2019 the Commission invited Kildare County Council (the 'Council') to undertake an equality review in the following terms:

1. That the Council would conduct an audit of the level of equality of opportunity and/or discrimination that exists in relation to members of the Traveller community who wish to avail of Traveller-specific accommodation, having regard to the drawdown by the Council of capital funding provided by the Department of Housing, Planning and Local Government for the provision of Traveller-specific accommodation having regard to the Council's obligations under the ESA; and
2. That the Council would conduct a review of its practices, procedures, and other relevant factors in relation to the drawdown of capital funding and the provision of Traveller-specific accommodation services to Travellers to determine whether those practices, procedures and other relevant factors are conducive to the promotion of equality of opportunity for these service users having regard to the Council's obligations under the ESA.

In conducting any equality review, the Commission requested that the Council would address and report on a number of specific issues. (See [Appendix 1](#))

The Council submitted its initial Equality Review response to the Commission on 03 October 2019. Following consideration of the Council's response, the Commission sought clarifications by letter dated 24 April 2020, which were provided by the Council by letter dated 03 June 2020.

This is the Commission's account of the Council's Equality Review that, pursuant to section 28(2) of the 2014 Act, is being published as part of the Commission's 2020 Annual Report.

It comprises three sections, namely:

1. **Key areas of interest** – which is a synopsis of the Equality Review undertaken, and the information provided, by the Council;
2. **Issues arising** – which comprises the Commission's consideration of the information contained in the Equality Review as undertaken by the Council; and
3. **Recommendations** – proposed recommendations from the Commission to the Council.

Section 1 Key areas of interest

A. Initial and ongoing assessment of Traveller-specific accommodation needs

To assess the accommodation needs of members of the Traveller community, the Council states that in the preparation of the TAP extensive consultation was undertaken with families to determine both their current and future housing need. It states that this consultation was led by the social work team of the Council, who, according to the Council, were best placed to carry out this task by virtue of their established relationship with Traveller families in the county. The Council states that the consultation exercise was carried out through house/halting site visits, roadside visits, telephone questionnaires and community workshops. It is reported that Kildare Traveller Action Group also supported families to participate in the consultation, providing appropriate supports to enable them to do so.

The Council states that based on the various information gathering and consultation exercises undertaken during 2018/2019, need was determined to be as follows: standard social housing (38 families); group housing (16 families); halting site (1 family); single instance rural house (3 families); 15 units to account for future family needs. This is a total need of 73 units.

The Council explains that it completes the annual Housing Needs Assessment (HNA) in accordance with Section 21 of the Housing (Miscellaneous Provisions) Act 2009. It explains that this assessment requires applicants to confirm their housing need as previously set out in their housing application. Failure to submit a completed return may result in an application for housing support being closed. However, in recognition of the nomadic culture of Travellers and taking into account the low literacy levels in the community, the Council advises that it has put in place a number of procedures to ensure members of the Traveller community are not incorrectly removed. It explains that, at the time of the assessment, it is the practice of the social work team to contact Traveller applicants known to them to ensure they make the relevant return to the Housing Department. The housing team completing the HNA will contact the social

worker if they are having difficulty contacting a Traveller family. Applications from members of the Traveller community will not be closed without prior consultation with the social work team. The Council advises that, in cases where applications have been closed, as the family were not identified as being a member of the Traveller community, the application has been reopened and the years returned to the application. This is facilitated through the appeals procedure. The Council explains that, if a Traveller family were removed as the result of a HNA but were included in the annual count in the following years, they are reinstated on the housing list on appeal.

The Council observes that this process could be greatly assisted by the introduction of a Traveller identifier, acknowledging the need for safeguards against the use of such data for any other purpose, including ethnic profiling. The Council states that asking the applicant if they wish to be considered for housing under the TAP, while identifying their preferred tenure – i.e. Traveller-specific accommodation or standard housing accommodation – would clarify preferences, focus supports as appropriate and assist the end delivery process.

The Council advises that the TAP sets out annual accommodation targets, which are based on the analysis of need conducted when preparing the programme. These targets include both standard housing and Traveller-specific accommodation. The TAP 2019-2024, compiled in February 2019 and updated in June 2019, aims to deliver 73 homes to Traveller families over the five-year period. 28 of these units are proposed as additional Traveller-specific accommodation.

The 2019-2024 TAP identified 3 geographic areas of need for additional Traveller accommodation, namely Naas, Athy and Celbridge. The Council advises that the TAU is working with the planning department to ensure alignment of plans for the areas of need. The Council states that in preparation of the draft Naas Local Area Plan, the definition of land zoned for special/group housing was revised to include Traveller-specific accommodation.

The Council advises that the LTACC in County Kildare has been in place since 1999 and has been progressively active in its designated role. The role of the LTACC is stated as

being to advise the Council in relation to the preparation and implementation of any accommodation programme for County Kildare; to advise on the management of accommodation for Travellers, and to provide a liaison between Travellers and members and officials of the Council. The Council reports that the composition of the LTACC, in 2019, was 5 elected members, 6 Traveller representatives and a Traveller support group representative and 3 council officials, including the Director of Services (Housing & Corporate Affairs), an SEO and an Administrative Officer. According to the Council, the LTACC meets quarterly and working groups may be set up to progress work between the LTACC meetings.

While members of the Traveller community can access housing supports through mainstream services, the Council acknowledges that they may experience additional barriers or challenges in doing so. In order to mitigate these challenges, the Council advises that it has put in place a number of additional supports. For example, a social work team is in place to assist applicants complete and update their social housing application form. Social workers visit all roadside Travellers to consider their housing need. If the family is eligible, support is offered to complete a social housing application, if one is not in place. If a family living on the roadside is currently on the housing list, a social work Housing Need Report is completed for review by the Traveller Accommodation and Allocations sections. The Council reports that advice and support are provided to families living on the roadside by the social work team, should they need to access alternative supports such as homeless/emergency accommodation.

The Council explains that its allocation scheme for social housing allows members of the Traveller community to avail of both the standard social housing list and a Traveller-specific list. It explains that, in line with the allocations policy, standard housing allocations are made on the basis of time on the list. According to the Council, allocation of standard housing to Travellers is made in accordance with the policy, however Traveller applicants may also receive priority on the basis of medical need, displacement or homelessness.

The Council advises that a quarterly review of priority housing applicants takes place within the Housing Department and that this review includes homeless services, social work, Traveller accommodation and tenancy liaison services. It states that the social work team and TAU are invited to put forward priority cases and are present at all case review meetings. The Council reports that, as of October 2019, seven families have received priority allocation as a result of this departmental group. The Council explains that it facilitates transfer requests from members of the Traveller community both to and from Traveller-specific accommodation and standard housing subject to the general requirements for transfers. The Council states that this is in accordance with the recommendation of the TAER report.

In respect of on-site supports, the Council advises that a full-time site warden is employed on each of the three Traveller-specific sites to assist with the management and maintenance of the site. It states that the warden carries out general maintenance on site and will assist with minor repairs in bays. For structural, electrical or plumbing repairs the warden can assist families in contacting the housing maintenance department to report the fault. It is reported that the warden also assists with general upkeep of the site.

The Council further advises that the Tenant Liaison Officers also provide support on sites and in standard accommodation, particularly in relation to issues which arise with tenancies. It is reported that Tenant Liaison Officers have supported families to resolve issues in relation to rent arrears, conflict, domestic violence, integration and waste management. The Council explains that the Tenant Liaison Officer service will work closely with the TAU to resolve any tenancy issues that arise.

The Council states that it recognises that Travellers have been especially impacted by the housing crisis, with many families having lost private rented accommodation due to the sale of their home. It states that the homeless team provide supports to these families and that, as of September 2019, there were 11 Traveller families accommodated in emergency accommodation, including in a family hub.

The Council advises that, in 2018, it established the TAU within the housing section to ensure the delivery of high-quality accommodation and services for Travellers. It states that the unit is supported by key Council staff, including 2 social workers, an administrative team of 4 and 3 site caretakers. Additional support is provided by relevant personnel across the housing section including Homeless Services, Tenant Liaison Services, Maintenance Assessments, Allocations and Rent Review teams.

The Council further explains that Travellers can also avail of the CBL scheme which the Council has introduced for certain Council properties within its administrative area. It explains that approved housing and transfer applicants can submit an expression of interest on any suitable CBL property via the Council's website. It states that the Council's social work team are available to assist Traveller applicants with this process if required and that this is also the practice.

The Council records the Traveller-specific accommodation and management measures in place at the time of the review as follows. There are four Traveller-specific accommodation communities as follows: Andrew Halting Site, Athy (6 Bays); Andrew Meadows Group Housing Scheme (6 houses); Blacklion, Maynooth (3 bays, 8 houses); and Tankardsgarden, Newbridge (3 bays).

The Council advises that three caretakers are employed to assist with the daily management and maintenance of each of the halting sites. It states that rent charged for bays is fixed at a nominal rate of €6.50 per week which includes the provision of a day house. It states that this provision is set out in the Differential Rent Scheme as an anti-poverty measure to counter deprivation.

The Council reports that rents charged for the provision of group housing are calculated in accordance with the Differential Rent Scheme, however 71% of group housing applicants have been approved for reduced rent based on hardship. This is facilitated through the rent appeals process and generally on the recommendation of the social worker.

In respect of mobile home replacement, the Council advises that the DHPLG makes funding available through local authorities under the caravan loans scheme. It explains that additional support was introduced by the Council in recognition that the original caravan loan scheme was not meeting the needs of families. It states that it now provides support to tenants living on halting sites to access quality mobile homes with good fire safety features and adequate thermal properties. It states that the average cost of each mobile is €30,000. It states that under this scheme a mobile home can be purchased by the local authority and a contribution is made by the family over a 5-year period. Generally, the contribution is between €5,000 and €7,500 depending on size and means.

While the Council recognises that there is a requirement to provide a network of transient sites for Travellers in the context of recognising nomadism as a cultural attribute, it reports that to date the TAP has focused on meeting the urgent needs of Traveller families in terms of immediate accommodation. It states that the LTACC recognises the need to accommodate nomadism, but contends that this needs to be developed on a regional basis in conjunction with other local authorities.

The Council reports that it is participating in the County Kildare Traveller and Roma Strategy. It states that this strategy aims to identify supports that may be provided to members of the Traveller community to enable and support their participation on the LTACC and represent the wider accommodation needs of the Traveller community in County Kildare, and was due to be launched in October 2019. The Council advises that an initial action of this strategy would see County Kildare Leader Partnership implementing capacity building training to strengthen Traveller leadership in relation to a range of areas of issue, including accommodation. The Council stated that it also committed a budget to Kildare Traveller Action to support Traveller participation in various structures, including in the LTACC.

B. Comparison of funding to comparator group

In Table 1a of the Equality Review, annual capital expenditure from 2015 to 2018 for Traveller-specific accommodation is set out. According to the Council, a total sum of

€134,510 was allocated (this takes into consideration that only €80,000 was ultimately allocated to the Tankardsgarden project), however only €29,510 was drawn down. For 2019, €1,000,000 had been allocated as of October 2019, and no funds had yet been drawn down.

From Table 2, relating to current expenditure for Traveller-specific accommodation, no figures are provided by the Council for the amount allocated from 2015 to 2018. Over this period, the total amount drawn down is reported as €496,535. The total sum deriving from additional local authority funding amounted to €2,087,144.

For general housing, the Council reports that the total capital sum allocated from 2015 to 2018 was €170,350,239. The same total figure was drawn down. The total additional local authority funding came to €18,862,648. For current expenditure on general housing over this period, allocation and draw down were stated not to be applicable. The total current expenditure on general housing came to €33,470,912.

The Council states that a revenue budget of circa €300,000 is provided for upkeep of halting sites and any other additional supports that may be required for Traveller families. It states that while some of this expenditure can be recouped the amount is minimal compared to the amount spent. The Council states that a separate revenue budget of circa €300,000 is in place for the management of halting sites. It is stated that this includes staff wages for social workers and wardens, of which 90% and 75% respectively is recoupable from the DHPLG. Separately, it states that the Housing Maintenance Section carries out response repairs in Traveller-specific accommodation and in standard housing. The Council states that Housing Maintenance also coordinates and provides for planned maintenance programmes in Traveller accommodation. The review states that programmes have included refurbishments, energy upgrades, stove replacements, external house painting and kitchen replacement.

In a letter of clarification of 3 June 2020, the Council states that, while the targets continue to be reached, it also recognises the importance of the nature of housing that is being allocated and the availability of Traveller-specific accommodation, where

preferred. It states that it is for this reason that 41% of the current programme targets is for the delivery of Traveller-specific accommodation and that this would be reflective of the level of demand emerging from the most recent needs assessment.

C. Adequacy of funding

The Council reports that during the 2014-2018 TAP, there were 71 units of accommodation delivered across standard and Traveller-specific housing. The Council reports that it successfully delivered 93% of the overall accommodation targets set out in the 2014-2018 programme.

The Council reports that the priority capital project contained in the 2014-2018 plan was the redevelopment of Tankardsgarden halting site. The review states that the Tankardsgarden site is populated by an extended family group and that living conditions are poor on the site. The Council states that the proposal was to develop the site in two phases, the first phase being 4 bays with day units and the second phase to be developed in accordance with need.

The review states that a second need for Traveller-specific accommodation was identified for Naas, however it was determined in the plan that this would progress following completion of Tankardsgarden – the Council advises that it was agreed in the TAP to prioritise the area of greatest need in a context of scarce resources¹, consequently the project did not advance.

The Council reports that since 2015 annual funding of €200,000 was approved by the Department to progress Tankardsgarden. However, the Council advises that in 2018 a Stage 3 application was refused by the Department because of the high cost involved. The Council reports that, subsequently, an application for the combined development of both phases (2 by 4 bays) as a single project was approved. It states that this application was approved in September 2018 and €1 million was allocated to advance it. As of 3 October 2019, this project had not yet progressed to the stage of funding

¹In June 2021, after receiving a draft copy of this account, the Council has advised that this: "relates to technical/administrative resources being available, in addition to financial resources"

drawdown, but the Council states that significant staff resources and financial support for site investigations have been expended. Although these resources were expended, the Council states that the €1 million funding cannot be drawn down until construction work begins. However, in a letter of clarification of 3 June 2020, the Council states that the Tankardsgarden project has since been withdrawn due to a reduction in demand/need.

In its letter of clarification, the Council further states that, in 2019 and into 2020, delivery has continued to exceed targets with eleven allocations being realized in 2019, one above the annual target of 10. The Council states that, as of March 2020, one third of the annual target had been realised and work has begun on the capital application for Ardrew, Athy.

D. Whether all funding allocated drawn down

According to the Council, since approval was received for the Tankardsgarden development, it has been the subject of ongoing consultation and investigation. The Council outlines the key issues it experienced in finalising this project.

The Council states that difficulties arose in relation to achieving a consensus view from Travellers on their preferences for the development. It reports that extensive consultation was a key feature when developing the Part 8 permission application for redevelopment of the site.

The Council advises that, in 2015, no funding was drawn down for the Tankardsgarden project, despite the sum of €200,000 being allocated. The Council states that, from an analysis of minutes relating to LTACC meetings of 2015, representatives of Tankardsgarden revised their support for a halting site and expressed a preference for standard housing. The Council states that options to purchase a property were examined but agreement was not reached. The Council states that, from a technical perspective, the LTACC was advised that a schedule of design team appointment for various capital projects was in place and a team was scheduled to be appointed in 2017 for this project. The Council reports that erosion issues were identified with the site in

2012, which require the riverbank to be retained and consequently impacts significantly on cost.

The Council states that, in 2016, concerns were raised by the LTACC that halting site accommodation was no longer the preferred accommodation type in Tankardsgarden. However, the Council states that a Part 8 permission had been obtained and the need had been identified in the TAP. It was agreed that, in the absence of an alternative agreement, the programme was to continue as planned. No funds were drawn down for this project again that year.

The Council advises that, in 2017, in respect of the Tankardsgarden project, design team consultancy services were tendered to the Council framework agreement for Architect Lead Design Team Services, however the response received was not sufficient to advance the tender process. Following this, the Council explains that it prepared a tender for the design team services to be issued to the national framework agreement for Architect Lead Design Team Services administered by the Office of Government Procurement as agreed with the DHPLG. A design team was appointed in August 2017. According to the Council, personal circumstances on site in 2017/2018 limited the opportunities to progress the development. In the absence of agreement, it was determined that the programme should continue as set out in the current TAP agreed and adopted by the Council.

The Council reports that in 2018, again in respect of the Tankardsgarden project, an approval Stage 3 application was lodged with the DHPLG for 4 units and a caretaker unit in March 2018. It is reported that this application was rejected as construction costs were excessive, due to retention works required along the riverbank that adjoined the site. The Council reports that a revised application was submitted on 14 August 2018, for 8 units and a caretaker unit. It is reported that in December 2018, approval was given for 8 units and a caretaker unit at a cost of €2.7 million. The Council states that a process of negotiation began with families on site, but the development of an 8-bay site was a cause of concern for residents.

In 2019, again in respect of the Tankardsgarden project, the Council states that negotiation with the family on site was ongoing in respect of the development and decampment required to allow work to proceed. The Council states that while it was ready to progress work on site, the family's circumstances had changed and concerns were raised about the development. It is reported that the family's preference was the development of a 4-bay site to meet current need. According to the Council, some of the tenants on site also submitted a transfer request and have expressed their preference to leave the site.

The Council states that the delays experienced in delivering on the redevelopment of Tankardsgarden are a direct consequence of the issues outlined above. It states that the impact was that the tenants continue to reside in poor conditions on a site that requires significant upgrade work.

The Council reports that, in order to alleviate these conditions, the following actions were implemented under the 2014-2018 programme: 13 Traveller families were accommodated in standard housing in the area; a revenue budget of €50,000 per annum was allocated to the management and maintenance of Tankardsgarden (this does not include wardens' wages); an accessible mobile home was imported to meet the needs of a family on site; a mobile home was provided to another family on site; a full-time warden is employed to assist with the management and maintenance of the halting site; and ongoing social work supports continue to be provided to families in Tankardsgarden.

As stated above, in a letter of clarification of 3 June 2020, the Council states that the Tankardsgarden project has since been withdrawn due to a reduction in demand/need.

The Council identifies several barriers in relation to accessing funding for Traveller accommodation, which can be summarised as follows:

- The caravan loan scheme is inefficient and does not meet the needs of families on site;

- Mobile homes are now being provided by the Council. This cost cannot be recouped. The budget for this provision is €90,000 annually and this is often exceeded;
- Standard housing purchased cannot be recouped through the Traveller Unit of the Department and therefore is not reflected in financial reports;
- Refurbishment of standard housing allocated to members of the Traveller community is not recoupable from the Traveller Unit in the Department;
- The funding allocated to the management and maintenance of halting sites is minimal when compared to actual spend on sites; and
- Research is currently underway in the Council regarding the provision of modular units. These units would replace mobiles and, while still deemed temporary accommodation, they would meet building regulations in terms of thermal efficiency and fire safety. While they would not meet current recommendations in terms of bedroom size, they would be far superior to mobile home bedrooms. It states that capital funding could be provided for such units on a pilot basis.

E. Any further issues of equality of opportunity

The Council states that the nomadic tradition of Travellers is accommodated in the regulation of tenancies/agreements whereby Travellers may leave their accommodation for a period of 6 weeks for the purposes of travelling: this regulation being subject to further review and consultation with Travellers.

The Council further states that the responsibilities of the Public Sector Duty have been acknowledged in both the Corporate Plan of the Council 2019-2014 and the TAP 2019-2024. It is reported that the senior management team are currently developing a Public Sector Duty implementation strategy and assigning the relevant resources.

The Council made the following observations and recommendations:²

- “It is our observation that in County Kildare Travellers are increasingly opting for mainstream accommodation as a preference. To some extent this may be a pragmatic choice given delays in the provision of Traveller specific options nationally. However, there is undoubtedly some drift by Travellers from the traditional extended family bond and a growing desire for a secure nuclear family space. This pattern is reflected in County Kildare. Outside of Traveller-specific Accommodation, it is not generally the policy to prioritise Travellers for general housing based on ethnicity, Travellers families whose preference is for standard housing are allocated in accordance with the Council’s allocations scheme for social housing, the basis of which is time on the list. However, Travellers that meet criteria set out in the priority status section of the allocations policy may qualify for prioritisation under these criteria. The allocations policy also makes provision for specified categories to receive priority if required”;
- Given the history of difficulties in Tankardsgarden, it is recommended that the other capital proposals contained in the current TAP are progressed. Given the timescale for project implementation, persisting with a linear approach to project delivery will impede the successful delivery of targets;
- Transient halting sites have not been prioritised by the Council on the basis that such sites could only be justified, in terms of cost and sustainability, if developed in collaboration with adjacent local authorities. Further concerns were raised in consultation with members of the Traveller community regarding the management of such sites and how the transient nature of such sites would be sustained. It is noted that the TAER 2019 recommends that Regional Assemblies be given a formal role in advising on, coordinating and monitoring of the local level delivery of Traveller accommodation at

² The Council also made a recommendation in respect of the Tankardsgarden project but, as noted above, the Council confirmed in its letter of 3 June 2020 that this project was subsequently withdrawn.

regional level, and, in the shorter term pending this new role, designate local authorities in each region as leads in the areas of review, policy, delivery, etc. Further consultation and examination of this is required and the potential for the development of regional sites clarified. Furthermore, research and guidance are required into how local authorities might progress the provision and management of transient sites. It is recommended that the NTACC complete this research and issue guidance based on international best practice;

- It is recommended that the Public Sector Duty, which places a responsibility on public bodies, including local authorities, to implement the duty to promote equality, protect human rights and prevent discrimination, be advanced by identifying the equality and human rights issues in the county, including those affecting Travellers, and developing a plan to address the totality of policies and practice negatively impacting on Travellers. The Public Sector Duty has been included in both the Corporate Plan 2019-2024 and TAP 2019-2024;
- It is recommended that all expenditure on accommodation allocated under the TAP be eligible for capital support from the DHPLG's TAU. This would include financing of residential standard mobile homes, financing of modular units on halting sites which meet building standards, the purchase of standard housing, the refurbishment of standard housing, the full costs of managing and maintaining halting sites and cyclical works programmes such as boiler replacement, kitchen replacement and bathroom replacement;
- The introduction of a Traveller identifier for the purposes of ethnic equality monitoring would assist the application process for standard housing – this could emerge as the Public Sector Duty implementation process gets underway. Introducing ethnic equality monitoring will need to be 'preceded by staff training and accompanied by strict controls on the sharing and use of

any collected data'. The introduction of the identifier would also be useful in determining the numbers of Travellers presenting as homeless at local level;

- Spending on Traveller-specific accommodation is only prudent if it is followed by an adequate maintenance scheme. However, monies allocated by DHPLG to ongoing management and maintenance of halting sites and other Traveller-specific accommodation is minimal when compared to the actual spend on sites. The provision of adequate departmental funding is a necessity to ensure the sustainability of the investment in such accommodation; and
- An adequate provision of capital funding for residential quality mobiles is recommended. It is clear that the existing allocation does not provide for the purchase of a mobile home sufficiently robust and capable of meeting the required thermal and safety standards. Alternatively, consideration should be given to extending the scheme to include modular accommodation units which meets the building regulations and therefore are far superior as temporary residential units. This could be introduced on a pilot basis in selected local authority areas.

Section 2 Issues arising

On the basis of the information provided by the Council, as summarised in Section 1, the Commission has considered the following issues arising:

The Equality Review process

In June 2021, the Council has advised that it engaged the services of an independent consultant with expertise in community development and equality, to provide guidance and assistance in the preparation of its Equality Review. It further advises that it 'notified the [LTACC] of the invitation received from the Commission' and that 'Kildare Traveller Action Group (KTA), who represent the Traveller community on the LTACC, engaged in the consultation process in preparation for the submission'.

Further detail on the nature of the consultation process is not provided.

LTACC and participation

The Council reports what appears to be an active and productive relationship with the LTACC. The Council identifies a concern to strengthen Traveller participation in the LTACC and are underpinning this with support to build capacity and enable this participation. This initiative is being taken under the National Traveller and Roma and Inclusion Strategy, with a budget provided through the local Traveller organisation, Kildare Traveller Action Group, and capacity building training through Kildare Leader Partnership.

Assessment of need and true preferences

The capture of Traveller preferences appears to be pursued systematically at the point of preparing the TAP, in a process led by the social work team in the Council. The Council gave details of its method of determining current and future needs.³ Its social

³ In June 2021, the Council has advised as follows regarding the distinction between the 'Annual Estimate of Accommodation of Traveller Families (Ref. Circular 37/2020)' and the TAP 'housing demand research':

'[t]he annual estimate provides a relatively consistent measure of the accommodation position of Traveller families and changes to that position, year on year. It is important to note 'Traveller families' refers to the tenant/owners of a family unit; where a family is taken to mean head-of-

work team engages in extensive consultation with Travellers through house/halting site visits, roadside visits, telephone questionnaires and community workshops. Kildare Traveller Action Group also supported families to participate in the consultation, providing appropriate supports to enable them to do so. This could be improved however with an accurate system of recording data on Traveller accommodation preferences.⁴ In addition, no independent verification of preferences is reported and no tracking of changing preferences in a context of significant delays.

It is noted that it is at the planning stage that the Council identifies geographic areas of need in its TAP and works with the planning department to ensure alignment of plans for the areas of need.

Supports

The Council appears to provide a range of important supports to Travellers in both Traveller-specific accommodation and standard housing such as a full-time site warden, Tenant Liaison Officers, the homeless team, a dedicated TAU and three caretakers. The Council reports on the significant staffing and role of the TAU in relation to both

household/parents, children and other relatives who normally reside with them. Quantitative data gathering by the Council's housing officers and social workers working with Traveller families is utilised as well as data gathered through consultation with the LTACC or other local Traveller groups. This estimate does not gather data on housing choices".

In relation to the process undertaken as part of the preparation of the TAP 2019 -2014 the Council advises that:

"engagement took place with Traveller housing applicants and advocacy/representative groups. The Council is committed to consultation with individual Travellers in relation to their accommodation requirements. This was carried out by the Housing Departments Social Workers and other housing officers. In addition, the Council engaged with the Kildare Traveller Action, the LTACC, members of Traveller support groups, elected members and officials of the local authorities. Public Consultation was facilitated through the processes as set out in the Housing (Traveller Accommodation) Act 1998".

⁴In June 2021, the Council has advised that:

"the Council's 'Social Housing Support' application allows applicants to choose from fifteen (15) different accommodation choices that may be available. Two (2) relate to Traveller-specific accommodation – Traveller group housing or Traveller halting site bay. This is a national application in use by all local authorities (provided by the Department of Housing, Local Government & Heritage – DHLGH/Housing Agency). Preferences are updated as part of the Housing Needs Assessment review. The ethnicity of Travellers who choose non-Traveller specific accommodation options is not recorded. Therefore, unless families are directly linked with the Social Work Team it is challenging to capture the allocation in the [TAP]".

The Council also notes that '[t]he addition of an ethnicity identifier is being considered as part of an update to the application (expected in Q4 2021)'.

Traveller-specific accommodation and social housing provision. However, the employment of caretakers/wardens for each of the halting sites (of 6 bays, 3 bays, and 3 bays) raises concern as to the extent of a control function in such posts. It is further noted that no reference is made to Traveller participation in estate management processes that might obviate the need for such a role.⁵

It is noted that the Council's allocation scheme for social housing allows members of the Traveller community to avail of both the standard social housing list and a Traveller-specific list. Travellers can also avail of the CBL scheme and the Council's social work team are available to assist Traveller applicants with this process if required.

The Council state that the social work team assist applicants in completing and updating their social housing application form and visit all Travellers living on the roadside to consider their housing need. The Council states that it has safeguards in place to ensure Travellers seeking standard housing do not have their applications closed by reason of a failure to confirm their housing need in the context of the annual Housing Needs Assessment, notably their applications are not closed without prior consultation with the social work team.

It is noted that the operation of the safeguards the Council has in place is limited in the absence of an ethnic identifier in the social housing application form and that the Council recommends the introduction of a Traveller identifier on such forms, while acknowledging the need for safeguards against the use of such data for any other

⁵ In June 2021, the Council has advised that '[t]he Council encourages tenants to take an active role in estate management' and that 'residents can be supported through a tenant support programme to apply for funding under Council's annual grant schemes'.

It further advises that:

"[t]he Housing Department continues to engage with residents on issues relating to sites including improvement works, redevelopment plans, fire safety and open spaces. The Council's caretakers/wardens provide a support service for residences on sites".

The Council further advised that the appointment of a Traveller Community Development Worker (Kildare Traveller Action) in 2020 will help the community's capacity. It further noted that plans for a community building for residents at the Ardrew Halting Site (Athy) will further assist (Stage 1 application submitted to the Department of Housing in April 2021).

purpose, including ethnic profiling. The Council submits that this would clarify preferences, focus supports as appropriate and assist the end delivery process.

As an anti-poverty measure, rent charged for bays is fixed at a nominal rate of €6.50 per week which includes the provision of a day house.

The Council points to inadequacies in the Caravan Loans Scheme of the DHPLG in meeting the needs of Traveller families and have provided additional support to tenants on Traveller halting sites to access mobiles homes to the necessary health and safety standards.⁶

Traveller culture and nomadism

In seeking to recognise cultural difference, the Council identifies that it enables the nomadic tradition of the Traveller community by allowing them to leave their accommodation for a period of six weeks for the purposes of travelling. This does not appear to be an adequate response.⁷

This issue is further exacerbated in the approach taken by the Council in relation to the provision of transient sites. Such provision has not been progressed on the basis that it requires a regional approach and that there are more urgent accommodation priorities for Travellers in the county. The Council also reported that concerns were raised in consultation with members of the Traveller community regarding the management of such sites and how the transient nature of such sites would be sustained. However, no steps are reported in building the regional approach suggested.⁸ No steps are reported to establish the level of need for and urgency of such provision.⁹

⁶In June 2021, the Council has advised that:

"The Council's Caravan Loan Scheme has provided new caravans/mobiles to 9 applicants since 2017. The success of this scheme has resulted in a similar national scheme being progressed by the Department (DHLGH)".

⁷In June 2021, the Council has advised that it:

"has not received any requests from the Traveller community to extend this period".

⁸In June 2021, the Council has advised on this point that it:

"has engaged with the Joint Oireachtas Committee on Key Issues affecting the Traveller Community and the Expert Review on Traveller Accommodation Programme Board".

⁹In June 2021, the Council has advised that:

The TAP 2019-2024 further notes that the Council:

“will not include the provision of accommodation for horses in any Traveller accommodation proposals”.

This further limits the recognition of cultural difference and no steps are identified to put in place any other means to enable Traveller tenants to maintain this dimension to their culture and identity.¹⁰

Draw down of funding and spending¹¹

The Council reports a diversity of reasons for delays in the drawdown of funding for Traveller-specific accommodation:

“as part of the Council’s consultation for the development of the current [TAP] 2019-2014, respondents were requested to provide their feedback on the development of temporary and transient sites within Kildare. [...] Results from the individuals surveyed indicated that there was support among respondents for the development of temporary sites that could be used by families who are otherwise living on the roadside and awaiting an offer of permanent accommodation. In relation to transient sites however, the survey indicated a lack of support for this type of site. The general view was that respondents ‘were not comfortable with families that were not known to them coming into the area’. However, there was support among respondents for the Council to provide roadside families with access to basic services such as water, refuse collection and portable toilets”.

From the information provided by the Council there were 49 respondents to this consultation process – while 27 were not in favour of transient sites (55%), 7 were in favour (14%), with 15 respondents expressing no preference (31%). The Council advises that the requirement for a transient site will be further examined as part of the review of the Council’s [TAP] (Q4 2021).

¹⁰ In June 2021, the Council has advised that ‘[t]he keeping of horses is not permitted and subject to tenancy/licence requirements. In addition, control of horses byelaws apply on a countywide basis.’ The Council further advises that ‘[t]he Department’s (DHLGH) funding for social housing provision does not provide for the accommodation of horses.’ However, as part of the County Kildare Traveller and Roma Inclusion Strategy 2019-2013, the Council is supporting Kildare Traveller Action with the ‘Athy Horse Project’. In relation to dog ownership, the Council advises that:

“Council tenants are permitted to have up to 3 dogs as part of their tenancy agreement and the same entitlement applies for residents of halting sites (subject to control of dogs legislation)”.

¹¹ In June 2021, the Council has advised that:

“[i]n 2020, to facilitate ease of access to funding for Traveller-specific accommodation, the Department (DHLGH) discontinued the system of allocating specific budgets to individual local authorities for reasons outlined in Circular 03/2020. The new system allows Councils to apply for and drawdown funding at any time throughout the year in adherence with the single-stage and 4-stage approval processes on a case-by-case basis”.

- Tendering process with a failure to secure proposals;
- Difficulties inherent in the site location with significant and costly remedial works required;
- Rejection of proposal for drawdown of funds by the Department of Housing, Planning and Local Government for being too expensive;
- Traveller preferences or circumstances changing. In this context Kildare County Council sought a consensus among residents before progressing works; and
- A linear approach to implementing the TAP whereby significant delays on one site delayed the initiation of work on other sites.

The Council further identifies the need for all expenditure on accommodation allocated under the TAP to be eligible for capital support from the DHPLG, alongside the need for adequate departmental funding for the ongoing maintenance and management of Traveller- specific accommodation.

The ratio of drawdown for capital expenditure for Traveller-specific accommodation to that for general housing from 2014 to 2018 was 29,510 : 170,350,239, or 1 : 5,773. This is a very significant contrast. However, as no figures are provided for the population of members of the Traveller community as against that of the general population in the Council's functional area, no meaningful comparison can be drawn here. The Council did highlight that it spends significant sums on the maintenance of halting sites. Over this period, the total amount drawn down for current expenditure was €496,535. The total sum deriving from additional local authority funding amounted to €2,087,144.

The Council reported a significant underspend on capital expenditure for Traveller-specific accommodation from 2015 to 2018, and states that this was primarily due to a series of obstacles it faced in completing the Tankardsgarden project.

The Council also states that delays with this project impeded the provision of further Traveller- specific accommodation identified as needed in Naas. The Council states that it was agreed in the TAP to prioritise the area of greatest need 'in a context of scarce resources', consequently the project for Naas did not advance. In circumstances where funds may be allocated and drawn down from the DHPLG, the prioritisation of 'scarce resources' was not a valid justification for the delays with the second project in Naas and appears to reflect a lack of urgency in the provision of Traveller-specific accommodation. The Council has acknowledged the problems inherent in this 'linear approach to project delivery' and recommends that the other capital proposals contained in the current TAP are progressed.

Targets

Despite these difficulties, the Council reports that it successfully delivered 93% of the overall accommodation targets set out in the 2014-2018 programme with 71 units of accommodation delivered across standard housing and Traveller-specific accommodation. It further states that in 2019 and into 2020, delivery has continued to exceed targets with eleven allocations being realised in 2019, one above the annual target of 10. As of March 2020, one third of the annual target had been realised and work had begun on the capital application for Ardrew, Athy.

However, it must be noted that the TAP 2019-2024 reports that the successful delivery of 93% of the overall accommodation target involves a 5.5% over-delivery on the target for standard housing and a 38% shortfall in the delivery of Traveller-specific accommodation.

This raises issues of responding to preferences and recognising the practical implications of difference in responding to the specific needs flowing from Traveller culture and identity. The TAP 2019-2024 sets significant boundaries in relation to responding to preference whereby:

“preference will be considered in the context of availability, the Council’s Allocations Scheme for Social Housing, principles of good estate management, availability of resources to do so and planning requirements”.

True preferences

The Council notes that:

“Travellers are increasingly opting for mainstream accommodation as a preference”.

While acknowledging this:

“may be a pragmatic choice given delays in the provision of Traveller-specific options”,

it is suggested:

“there is undoubtedly some drift by Travellers from the traditional extended family bond and a growing desire for a secure nuclear family space”.

However, there is no examination of the reasons for changing preferences, no rationale is given for suggesting this might be a change in cultural values, and no analysis of how cultural difference might now be recognised where Travellers opt for standard housing.¹²

The Tankardsgarden project

The difficulties faced by the Council in respect of the Tankardsgarden project were a prominent feature of the review. A range of technical and consultation issues arose. The technical issues included that the site was located adjacent to the River Liffey requiring an assessment of engineering works necessitated for flood protection/erosion;¹³ that

¹² In June 2021 the Council has advised that:

“Larger standard housing units are provided to families where required. Provision is made to accommodate extended families in Traveller-specific accommodation and standard housing, where possible”.

¹³ In June 2021, the Council has advised that:

“[a] significant safety issue identified at the time was the progressive erosion of the riverbank which would require significant civil engineering intervention to stabilise the bank and protect the

there was no response to the issuing of tenders for the appointment of a design team; and that there were value for money issues resulting in a requirement by the DHPLG to develop 8 bays in one phase.

In respect of consultation issues, while the Council reports that extensive consultation was undertaken in order to prepare the Part 8 permission application, in 2015 the Tankardsgarden Traveller families began to question the development as previously agreed. The Council states that other housing options were discussed but no agreement was reached. They advise that, ultimately, the families voiced concerns at the change required by the DHPLG to provide 8 rather than 4 bays. In such circumstances, the Council recommended that the phased approach of immediately proceeding with 4 bays be revisited with the DHPLG.

While the Tankardsgarden project was undoubtedly complex, the delays in its finalisation spanned over the full four-year period of the TAP. The reasons why the technical issues were not apparent from the outset are not offered. Changing preferences are noted as one factor in the delay of the site but the reasons for this are not analysed in any detail. The location of the site is identified as presenting problems that played a significant role in the delay, however, no rationale is provided for selecting and persisting with such a location.

The buy-in of Travellers themselves into developments that will affect them is crucial. Full consultation should be on a fully informed basis – Travellers should be given all relevant information in order to be able to come to a fully informed decision on their preferences. It is not clear why the Council sought 'a consensus view from the Travellers involved' and why the specific preferences of individual family units could not be addressed. If preferences change as a result of undue delays or poor current living conditions, the later preference is often not a true preference.¹⁴

site from further erosion. This work represented a significant abnormal cost compared to a greenfield site".

¹⁴ In June 2021, after receiving a draft copy of this account, the Council has advised in relation to the Tankardsgarden project that:

The Council acknowledged the poor current living conditions of the residents of the Tankardsgarden site which 'requires significant upgrade work' and states that it took steps to alleviate this, including the accommodation of 13 of the families in standard housing in the area, an increased revenue budget for maintenance and management and the provision of mobile homes. It is noted that the Council has since stated that the Tankardsgarden project has been withdrawn.¹⁵

Access to funding

The Council identified several barriers in relation to accessing funding for Traveller accommodation, including: that the caravan loan scheme was inefficient and did not meet the needs of families on site; and that the DHPLG was asked to consider funding for modular units, which meet building regulations in terms of thermal efficiency and fire safety.¹⁶ Further barriers included that standard housing purchases and refurbishment could not be recouped through the Traveller unit and that funding allocated to the management and maintenance of halting sites was minimal.

Indigenous requirement

The Council, in its TAP 2019-2024, notes that it:

"will only regard a Traveller household as indigenous where they have been resident in the County for at least two years immediately prior to the adoption of this Traveller Accommodation Programme 2019-2024 or any continuous five

"the Council acted in accordance with the Department (DHLGH) requirements for such capital schemes. The Council engaged fully with the extended family and residents on site. Plans were revised as needs and available technical options changed. A resident from the site was also a Traveller representative member of the LTACC and the Committee was apprised of the progress of the various plans".

¹⁵ In June 2021 the Council has advised that:

"In September 2020, the Council received financial support from the Department for refurbishment of a large one-unit Traveller specific unity at the vacated site to provide accommodation for a roadside family of four adults and eight dependents".

¹⁶ As referenced above, in June 2021, the Council has advised that:

"The Council's Caravan Loan Scheme has provided new caravans/mobiles to 9 applicants since 2017. The success of this scheme has resulted in a similar national scheme being progressed by the Department (DHLGH)".

year period in which an applicant was previously a tenant of, or resident in the council's administrative area".

The inclusion of this conditionality is a concern, having regard to the provisions in relation to local connection requirements for the general population under the 2011 Assessment Regulations.¹⁷

Moreover, a requirement of being 'indigenous' to the county should be applied in light of the findings of the High Court in *McDonagh v. Clare County Council* [2002] 2 I.R. 634 in which it was held that:

"a residence or indigenous policy ... must not be applied so rigidly that it becomes an effective bar to any consideration by the housing authority of an application for housing by a member of the Traveller community".

Homelessness and emergency accommodation

A growth in Traveller homelessness and Travellers in overcrowded and unsuitable accommodation is reported by the Council and noted in its TAP 2019-2024. Eleven Traveller families are reported as being in emergency accommodation, including in a family hubs.¹⁸ One of the three aims identified for the TAP is to improve the living standards of Traveller families who are homeless.

However, the pursuit of this aim appears to be limited under the programme. There is reference to, but not detail on, the provision of temporary sites and reviewing the use of these, providing emergency accommodation, and enabling access to basic services to

¹⁷ In June 2021, the Council has advised that:

"[t]he Council's requirements are contained within S.I. No. 84/2011 – Social Housing Assessment Regulations 2011 (as amended 2016 and 2021). The Council is obliged to apply these regulations in considering housing applications".

¹⁸ In June 2021, the Council has advised that:

"[a]ccommodating larger families is challenging and the Council seeks to offer placements in 'family hubs' (Approved Housing Bodies) and also in transitional units (apartments), should these options suit the family's needs (subject to availability)".

families living on the roadside.¹⁹ There is no reference to recognising cultural difference within the provision of homelessness services.

The Public Sector Equality and Human Rights Duty

The TAP 2019-2024 does make a reference to the Public Sector Equality and Human Rights Duty. It identifies that the local authority is preparing a strategy to implement the duty. In the absence of such a strategy it would have been expected that the programme would have included some assessment of the equality and human rights issues relevant to this function, so that the programme could have been assessed for its capacity to address such issues.

¹⁹ As referenced above, in June 2021, the Council has advised that:

“as part of the Council’s consultation for the development of the current [TAP] 2019-2014, respondents were requested to provide their feedback on the development of temporary and transient sites within Kildare. [...] Results from the individuals surveyed indicated that there was support among respondents for the development of temporary sites that could be used by families who are otherwise living on the roadside and awaiting an offer of permanent accommodation. In relation to transient sites however, the survey indicated a lack of support for this type of site ... However, there was support among respondents for the Council to provide roadside families with access to basic services such as water, refuse collection and portable toilets.”

The Council has further advised that:

“[its TAU] undertakes an assessment of need for families who are on the roadside and without basic facilities (on a case by case basis). Where temporary accommodation provision can be offered in emergency accommodation through the Council’s Homeless Team, this will be offered in the first instance following an assessment of Housing Needs to be carried out by the Homeless Team.”

Section 3 Recommendations

The Commission recommends that the Council should undertake the following actions to strengthen the level of equality of opportunity and non-discrimination in its systems for the provision of Traveller-specific accommodation services.

1. Address policy and procedure for:

- tracking and verifying the preferences of the Traveller community in relation to type of accommodation and ensuring a respect for Traveller culture and identity in meeting these;
- in light of recent developments, review current processes for Traveller participation in estate management on Traveller-specific accommodation to ensure its effectiveness;
- identifying and responding to specific needs of Travellers that flow from their distinct culture and identity, particularly in relation to horse ownership and accommodation for their horses;
- reviewing the provisions in relation to '*indigenous Travellers*' and the local connection requirements to access housing supports, to ensure that there is no discrimination when compared to the requirements on the wider community;
- establishing and developing a response to the needs of Travellers who are nomadic within and through the county through the provision of transient halting site bays;
- identifying and developing culturally specific responses to the needs of Travellers experiencing homelessness;
- identifying and responding to the practical implications of the recognition of Traveller ethnicity, for the provision of Traveller-specific accommodation and of standard housing;

- implementing the Public Sector Equality and Human Rights Duty in the next review of the TAP.
2. Establish and implement an ethnicity identifier in data gathering and analysis in relation to the provision of social housing and homelessness services and include all Traveller-specific accommodation options in housing applications (i.e. allow applicants identify themselves as a member of the Traveller community if they wish and for the sole purpose of identifying accommodation needs and include a list of needs/preferences any or all of which may be ticked, including, but not limited to permanent/transient halting site, group housing, outdoor space for dogs/horses and preference to be accommodated close to family members).
 3. Develop a more transparent recording of the methodology of collection and data obtained in the annual count of members of the Traveller community (for example by survey, setting out the steps taken to ensure all members of the Traveller community were reached and including such questions as multiple accommodation preferences and difficulties in accessing such preferences or other accommodation in the past).
 4. Consider the possibility of employing a Traveller Liaison Officer, in addition to the existing Tenant Liaison Officers, who should have a drop-in or phone clinic by which members of the Traveller community can voice any concerns they may have in respect of their accommodation directly. They could also assist with online applications where members of the Traveller community have no access to the internet. The officer should have regular meetings with members of the Council mandated with housing issues to ensure regular feedback on accommodation issues raised by members of the Traveller community.
 5. Record data on both funds allocated and drawn down for Traveller-specific accommodation and those for general accommodation. This would help to inform the Council to ensure that there is no less favourable treatment of Travellers in the provision of accommodation. Account may be taken of the true preferences of members of the Traveller community whose accommodation

needs are met through general housing funds and of the fact that some forms of accommodation are more expensive than others.

6. Assess over the coming years whether the new procedures set out in Circular 03/2020 of the DHPLG improve its rate of draw down for Traveller-specific accommodation. If no improvement is evident at that point, the Council should commission an independent report to determine the reasons for this and follow any recommendations made.

Appendix 1

In conducting any equality review, the Commission requested that the Council would address and report on the following:

- (a) The practices, procedures and other relevant factors in respect of the provision of accommodation services to members of the Traveller community within the Council's functional area;
- (b) The amount of funds allocated by the Department of Housing, Planning and Local Government that the Council requested to draw down in each of the last four years;
- (c) The amount of funding applied for by the Council to the Department of Housing, Planning and Local Government, but which was not drawn down;
- (d) If the entirety of funding allocation was not drawn down, to provide the reason(s) for this;
- (e) For each of the previous four years, the projects for which the Council applied for funding from the Department of Housing, Planning and Local Government and to confirm which of these received funding. To also confirm which of these projects were completed, and if not completed, to advise of the reason(s) for this;
- (f) To confirm the amount of funding in respect of general or standard housing available to the Council in each of the previous four years, the amount requested to be drawn down and the amount in fact drawn down in each of these years;
- (g) The impact that any failure to draw down allocated funds has on the Council's statutory duty to provide sites for caravans, including sites with limited facilities;
- (h) To confirm the amount of funding in respect of the provision of Traveller specific accommodation already applied for and/or that will be applied for in 2019;

- (i) To specify how the issue of applying for and drawing down funding is to be addressed in the Council's strategy for securing the implementation of its Traveller Accommodation Programme;
- (j) Whether any issues of equality of opportunity or discrimination arise in respect of the above-mentioned practices, procedures and other relevant factors with regard to the provision of accommodation services to members of the Traveller community and the failure to draw down funding for Traveller specific accommodation; that is, are these practices, procedures and other relevant factors conducive to ensuring that service users who are members of the Traveller community can avail of accommodation services on an equal and non-discriminatory basis with service users who are settled persons/not members of the Traveller community; and
- (k) Any recommendations and/or findings arising from the review.



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
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