

An account of the
Equality Review carried
out by Mayo 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 Mayo 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 04 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 19 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

Under the present TAP 2019-2024, following the Council's assessment of needs, the Council reports that only one family expressed preference for halting site accommodation and is presently living in private rented accommodation. According to the Council, two families expressed preference for group housing and the remaining families awaiting accommodation requested standard local authority social housing.

The Council states that 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, is an area it is continuously looking at through its scheme of letting priorities. Progress reports are discussed at monthly housing meetings. A mid-term review of the TAP 2019-2024 will be conducted at the end of 2021 to ensure the Council is meeting its targets and objectives and updating its assessment of needs.

The Council states that under its scheme of letting priorities, Travellers may be prioritised for housing as members of the Traveller community. The Council reports that accommodation in social housing is allocated transparently and equitably on the basis of need and in accordance with the Council's scheme of letting priorities. This has regard to good estate management practice, achieving a social mix within areas, compatibility of families, anti-social behaviour, social and previous accommodation history and house size requirement as per the TAP 2019-2024.

The Council states that, in relation to achieving good estate management and achieving a social mix and in keeping with the wishes of the vast majority of Traveller families, it will avoid an overconcentration of Traveller families in any one housing estate. The Council notes that this has been discussed and agreed in conjunction with Mayo Traveller Support Group (MTSG). It is considered by the Council that a reasonable

balance in this regard currently exists within social housing estates in the county. It will be the policy of the Council to ensure that this balance is maintained.

The Council states that in the provision of accommodation, and in the interest of fairness, priority is given to members of the Traveller community who were born in Mayo and who have lived in the county continuously, or who, having returned to the county, have lived there for a continuous period of one year, or who, having moved into the county, have lived here for a continuous period of not less than three years, as adopted in the TAP 2019-2024.

The Council states that in the past, the Council did provide a caravan loan scheme but it says that family preferences now show that there is no longer a demand for this service.

The Council states that the LTACC meets a minimum of four times each year, where all committee members have an equal opportunity to submit items to the agenda for discussion at the meeting. Meetings are held at a time and place suitable to all. The Council states that these meetings are conducted in a respectful, mutually understanding and cooperative atmosphere, where everyone's views are equally welcome and accepted.

The Council employs two full-time Traveller Liaison Officers and two social workers who work with and assist Travellers in sourcing accommodation, and with other accommodation requests that they may have. This includes maintenance issues, accessibility of services, rent issues, neighbour and landlord disputes. The Council also secures a 20% top up on the rental allocations to Travellers to help secure private rented accommodation through the HAP. The Council also avails of the HAP Place Finder, which assists an intended tenant by providing one month's rent and the deposit, which it states can greatly assist homeless families. The Council also states that it has housing administrative staff at each of its seven local authority offices, available to assist with any housing queries.

B. Comparison of funding to comparator group

In accordance with Table 2a in the review, as first submitted, annual capital expenditure for Traveller accommodation 2015-2018, the total sum allocated by the DHPLG was €2,641,261 and the Council reports that all of this sum was drawn down.

The Council submitted a letter of clarification received by the IHREC on 19 June 2020. In this, an amended version of the annual capital expenditure for Traveller accommodation 2015-2018 is set out. In accordance with this amended version, the total sum allocated by the DHPLG came to €3,340,481 and of this, €3,164,381 was drawn down according to the Council.

In the narrative of the review as initially submitted, the Council explains that the amount of funds allocated by the DHPLG that the Council requested to draw down for Traveller-specific funding was €63,305.76 for the period 2015-2018. The total capital expenditure on standard accommodation for the benefit of Travellers (outside of the HAP and RAS) over this period was €3,340,477.17. These monies provided 22 builds/acquisitions for Travellers from 2015-2018. The Council states that this standard housing accommodation being supplied to Travellers was not deemed eligible for Traveller-specific accommodation funding from the DHPLG, although this was the preferred accommodation type of the Traveller families availing of social housing supports in Mayo.

In accordance with Table 2b, annual capital expenditure for Traveller accommodation 2019, the total of €161,066 had been allocated to date and all of this, according to the Council, had been drawn down.

In accordance with Table 3, in respect of annual current expenditure on Traveller accommodation for 2015-2018, the total sum allocated came to €937,622.76. The Council states that all of this sum was drawn down.

Table 4 sets out annual capital expenditure for general housing 2015-2018, less Traveller accommodation – units purchased/built where Traveller Families were the first occupants. The total expenditure came to €39,290,348. It should be noted

however that it is unclear whether this was expenditure or the budgeted cost as the figures are set out in the description column.

The second Table 4 sets out annual current expenditure for general housing 2015-2018, less Traveller-specific accommodation maintenance and salaries. The total expenditure came to €11,130,082. It should be noted again however that it is unclear whether this was expenditure or the budgeted cost as the figures are set out in the description column.

C. Adequacy of funding

Over the period of the TAP 2014 – 2018, the Council notes that a total of 129 families were accommodated with the support of the Council. According to the Council, this figure exceeded the Council's target plan of accommodating 120 families.

There was a submission for refurbishment of all bays in the halting site in Castlebar at a cost of €330,000 but the Council states that this was not approved by the DHPLG as it was held not to meet their requirements. The Council states that it was not approved as it was considered not of 'required standard or permanency of accommodation'. The Council states that it is reviewing this development to provide accommodation that meets the needs of Travellers.

The Council sets out a number of projects in respect of which funding would be applied for in 2019 for the provision of Traveller-specific accommodation. The Council reports that it is, at the time of reporting, preparing plans for the full rebuilding of 4 bays and a group housing scheme consisting of 4 houses at the location of the existing halting site at Castlebar. At the time of reporting, the Council is preparing plans for the extension of group housing at Bog Road, Ballinrobe consisting of 2 extra units. The Council intends to carry out repair and clean-up works at St. Christopher's Close, Charlestown (Traveller group housing). It intends to carry out remedial works of the waste water treatment plant at St. Christopher's Close, Charlestown (Traveller group housing) and has proposed the refurbishment of No. 1, 2 & No. 4 St. Christopher's Close, Charlestown (Traveller group housing).

D. Whether all funding allocated drawn down

In its letter of clarification received by the IHREC on 19 June 2020, the Council states that there are three projects which have been approved by the DHPLG in respect of which the Council has not completed the works. There is one project which the Council is planning but for which it has not yet submitted an application for funding to the DHPLG. These projects are listed as follows:

- Extra bay (no. 7) halting site, Castlebar: funding not drawn down as revised plans are to be agreed with the Traveller community;
- 26 Knockthomas Drive, Castlebar: no funding drawn down as works are to be completed by the Council before applying to the DHPLG for monies;
- Waste water system upgrade, group housing, Charlestown: no funding drawn down as works are to be completed by Irish water before applying for monies; and
- Ballinrobe, Bog road: no funding drawn down as the Council is reviewing the development to agree the next steps before the application is submitted to the DHPLG.

E. Any further issues of equality of opportunity

The Council raises a number of issues that affect members of the Traveller community in terms of equal access to accommodation services. It draws attention to the submission of the Irish Traveller Movement that Travellers are 11 times more likely to become homeless and 50 times more likely to be discriminated by landlords when seeking private rented accommodation than their settled counterparts. With this in mind, the Council states that it aims to rely on the provision of social housing rather than the private rented option for Travellers.

The Council states that it feels that it is important that its officials have an honest and open relationship with the Traveller community and their representatives to ensure information can be shared to assist in housing Traveller families in locations that do not cause undue harm or stress to them. The Council proceeds to state that:

“however, it would be beneficial to the Traveller community that issues within their community be rectified which would give greater flexibility to the Council in meeting their housing needs”.

The Council suggests that where some Traveller families may feel isolated, greater inter-agency involvement may help break down barriers between the settled and Traveller communities. The Council runs a TIF through its community and enterprise forum and social inclusion weeks and Traveller pride week to help assist in this area. It has also brought Travellers in on work experience to help develop this sense of belonging. The Council has also run Traveller development courses through its TIF in physical recreation and lifesaving skills. The Council reports that this proved to be a very positive project in the past. It was possible through the St. Catherine’s Training Centres which have now ceased.

The Council recommends that the Government look at re-establishing these centres, which offered great opportunities in education, home management, health and self-confidence. There were 4 centres in Mayo located in Ballina, Ballyhaunis, Ballinrobe and Castlebar and catered for adult Travellers only.

The Council reports that it also runs a project for young Travellers in conjunction with the Hungry Horse Project through the TIF, teaching young Travellers horse riding, wellbeing, and care of horses as horses traditionally played a major role in their culture.

The Council observes that the national census figures of 2016 show a decrease of 7.2% in the number of Travellers during the period 2011-2016. In Mayo however, in November 2011 there were 364 families and in November 2016 there were 393 families in Mayo. This was an increase in family formations of 7.9% over the period. The Council suggests that a greater inter-agency approach would give a sense of belonging and pride and may address the reasons why Travellers are not registering as Travellers on the census form.

The Council recommends that there be greater transparency from AHBs in their allocation of properties to members of the Traveller community as they are providing up to 40% of social housing throughout the State.

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:

Completion of Equality Review

The Council has advised that its Equality Review was carried out 'in conjunction with the MTSG with regular meetings and was presented to the LTACC when completed'.

Data collection

The Council does not have in place a robust and transparent system to capture, assess, record, track over time and independently verify the accommodation preferences of Travellers. It sets out the preferences recorded in the TAP 2019-2024 but gives no information on the methods used to obtain this data, how the Council ensured it reached all members of the Traveller community, and/or what safeguards the Council put in place to ensure true preferences were captured.¹

Capturing true preferences

The current TAP states that all Traveller families who meet the criteria of the Council have indicated that their preference is for standard housing or group housing, with one family indicating a preference for halting site accommodation. However, no provision for Traveller-specific accommodation, in particular group housing, is indicated in the targets for the current TAP. No Traveller-specific accommodation is indicated in the outcomes achieved under the TAP 2014-2018.

The TAP 2019-2024 does acknowledge the engagement of Mayo Traveller Support Group, but again provides no detail as to the nature of this engagement or on how it established Traveller preferences.²

¹In June 2021, the Council has advised that:

"[t]he assessment of need is taken from the annual census taken of Travellers resident in the county on the last Friday of November each year with application forms submitted to Mayo County Council and this information is cross referenced with the MTSG data and that [t]he annual census is carried out in conjunction with MTSG to ensure that all families and areas are covered to get an accurate figure".

²In June 2021, as stated above, the Council has advised that the Equality Review it carried out:

The Council states in the Equality Review that, based on its recording of Traveller accommodation preferences, it believes that there is no longer a demand for a caravan loan scheme which it operated in the past.³ It is, however, important this option would remain available into the future.

The Equality Review states that Travellers' main housing requirement is for housing in mixed developments and not for Traveller-specific accommodation. It states that it has arrived at this conclusion based on consultation with the Traveller community. However, no detail is provided as to the nature of this consultation.

Some members of the Traveller community may give false preferences by reason of a perception of a lack of available Traveller-specific accommodation or of being exasperated by overcrowding or poor hygiene conditions on existing halting sites. They may feel that for these reasons, they have no choice but to apply for social housing.⁴

Accurate collecting and recording of multiple preferences could rule out these potential underlying reasons and give the Council a more robust basis for its record of

"was done in conjunction with the MTSG with regular meetings and presented to the LTACC when completed".

The Council advises that

"the same process was and is carried out in relation to recording of Travellers preferences for accommodation including from their initial application form to their application on the I-House system".

It advises that 'MTSG and Mayo County Council staff inform Travellers on how they can update their housing needs if required', that Traveller Liaison Officers and Social workers assist all families with their preferences for accommodation and that the Council:

"is continuously reviewing all aspects of and requests for accommodation from Travellers".

The Council further advises that:

"the assessment of need is taken from the annual census taken of Travellers resident in the county on the last Friday of November each year with application forms submitted to Mayo County Council and this information is cross referenced with the MTSG data".

³In June 2021, the Council has advised that it:

"is continuously reviewing all aspects of and requests for accommodation from Travellers and there are no requests for the provision of loans for purchase of caravans by families currently as can be verified by the MTSG".

⁴In June 2021, after receiving a draft copy of this account, the Council has advised that:

"Traveller Liaison Officers and Social workers assist all families with their preferences for accommodation. There is no evidence that some members of the Traveller Community may give false preferences by reason of perception from Mayo County Councils and MTSG experience".

accommodation preferences. This in turn would create a more solid foundation for future Traveller-specific accommodation policies.

Provision of Traveller-specific accommodation

The Equality Review makes no reference to the provision of transient sites or to responding to movement, which is widely understood as central to Traveller culture and identity. The current TAP merely suggests that the Council:

“will keep under review the long-term sustainability of transient accommodation”.

There is no commitment to examining the nature and extent of movement for Travellers within and through the county, assessing need for transient bays, or responding to any such need.⁵

The current TAP identifies a need to accommodate 100 households. This target is made up of 34 households currently living on the roadside, 22 households currently sharing in private rented accommodation, and a projected need for 44 households. It is not made clear how need was established and to what extent the full spectrum of need was established. Projected provision set out in the TAP is for: 23 local authority/casual vacancy; 10 private rented/HAP; 31 RAS; 31 new build/acquisitions; and 5 voluntary organisation & other. Again, there is no mention of provision of Traveller-specific accommodation.

In the Equality Review, the Council states that it seeks to avoid an ‘overconcentration’ of Traveller families in any one housing estate; that it considers that a reasonable balance in this regard currently exists within social housing estates, and that it will ensure that this balance is maintained. There is no further detail as to what ‘overconcentration’ might mean, or detail of the current balance that is to be sustained. This could have the potential for discrimination against Travellers in access to, and in having their preferences met in relation to standard housing.

⁵In June 2021, the Council has advised that it:

“has given extensive time and effort into looking at the need for the provision of Transient sites within the County in conjunction with the MTSG”.

The Council makes no reference in its Equality Review to having taken any steps towards creating and sustaining integrated communities where social housing estates are diverse in their composition. This would appear to be a significant gap, given the reliance of the Council on standard housing to meet the accommodation needs of Travellers.

The Equality Review notes that progress reports on the achievement of TAP targets are discussed at monthly housing meetings⁶ and it is noted that the Council is aware of its obligation under s. 17 of the 1998 Act to carry out a review of the TAP within 3 years of its adoption.

Prioritisation of Travellers

The Council states that under its scheme of letting priorities, Travellers may be prioritised for housing as members of the Traveller community. It also states that accommodation in social housing is allocated transparently and equitably on the basis of need and in accordance with the Council's scheme of letting priorities.

In its Equality Review, the Council states that:

“in the provision of accommodation, and in the interest of fairness, priority is given to members of the Traveller community who were born in Mayo and who have lived in the county continuously, or who, having returned to the county, have lived here for a continuous period of one year, or who, having moved into the county, have lived here for a continuous period of not less than three years”.

This policy needs to be examined more closely by the Council to ensure that it is not at odds with the local connection requirement for the general population provided for by the 2011 Assessment Regulations and does not result in less favourable treatment of Travellers in the provision of accommodation.

⁶In June 2021, the Council has further advised that:

“the TAP progress is discussed at all LTACC meetings and with MTSG on a regular basis”.

Issues with homelessness

The current TAP identifies that homelessness is now a common experience for many Traveller families across all local authorities. The Council drew attention to the submission of the Irish Traveller Movement that Travellers are 11 times more likely to become homeless and 50 times more likely to be discriminated by landlords when seeking private rented accommodation than their settled counterparts.

The Council does not provide information on how many Travellers it believes to be homeless or the extent of homelessness for Travellers in County Mayo, of their particular experience of this issue, or of any tailored responses to homelessness that would reflect Traveller culture and identity. If members of the Traveller community in the functional area of the Council are homeless and are afforded these supports to gain access to the private rental sector, and yet face discrimination in accessing private rental accommodation, this is a serious obstacle to them accessing accommodation on an equal basis to members of the settled community. The Council does not appear to possess sufficient data to be able to rule this out as an issue.⁷

Issues in the private rented sector

The Council states that it aims to rely on the provision of social housing, rather than the private rented option, for Travellers when looking to meet the targets set in its current TAP. Despite this, the targets set out in the TAP include 10 families to be placed in private rented/HAP, and 31 families under RAS, a total of some 40% of the planned provision. There are no steps outlined to address the issues faced by Travellers in the private rented sector, despite a reliance on this provision.

In its Equality Review, the Council states that it secures a 20% top up on the rental allocations to Travellers to help secure private rented accommodation through the HAP. The Council also submits in its Review that it avails of the HAP Place Finder, which

⁷ In June 2021, the Council has advised that:

“Mayo County Council also provides Emergency Accommodation for Traveller families in need and prioritises families in emergency accommodation for housing. The homeless figures vary from week to week due to accommodation being provided or family issues being rectified. The Council is also employing a HAP place finder to liaise with landlords and accommodation providers to secure accommodation for the Traveller Community”.

assists an intended tenant by providing one month's rent and the deposit, which it states can greatly assist homeless families. No further detail is provided on this initiative or the strategy that underpins it. The current TAP indicates that:

“the Traveller Accommodation Liaison Officers will continue to assist and support families in securing private rented accommodation”.

The Equality Review makes no mention of this support. No detail on the nature of this support, Travellers experience of this support, or specific outcomes from Travellers engagement with this support is provided.

Finances and drawdown of funds

In the Equality Review, the Council reports that it drew down all funding allocated to it for Traveller accommodation over the period 2015-2018. However, the expenditure set out in the financial tables appears to relate to standard housing allocations and provision rather than to Traveller-specific accommodation and further salient information is provided in the next paragraph.

In the Equality Review, the Council indicates that the total sum allocated by the DHPLG was €2,641,261 for 2015-2018, and that all of this sum was drawn down. The Council states in its Equality Review narrative that it requested to draw down €63,305.76 for capital expenditure on Traveller-specific accommodation in the period 2015-2018. The financial tables provided, however, do not appear to establish what this funding was for, or on what this funding was spent, or if this funding was spent. The remaining capital expenditure was on standard social housing projects for the benefit of Travellers and so was not eligible for Traveller-specific accommodation funding from the DHPLG. Nevertheless, from 2015-2018, capital expenditure for standard accommodation for Travellers was drawn down from other available funds. The total capital expenditure (outside of the HAP and RAS) allocated by the DHPLG came to €3,340,481 and of this,

€3,164,381 was drawn down as of June 2020.⁸ This expenditure appears to relate only to standard housing units, both acquisitions and new builds.⁹

In respect of annual capital expenditure for general housing 2015-2018 (less Traveller accommodation – units purchased/built where Traveller Families were the first occupants), the Council sets out total expenditure as €39,290,348. It should be noted however that it is unclear whether this was expenditure or the budgeted cost as the figures are set out in the description column. No figures are provided in respect of allocation or drawn down totals. For these reasons, it is not possible to draw a meaningful comparison between the drawn down of funds for Traveller accommodation as against that for the accommodation of the rest of the population of the Council's functional area.

In its Equality Review, the Council states that over the period of the TAP 2014 – 2018, a total of 129 families were accommodated with its support: 30 families in local authority/casual vacancies; 54 families in private rented/HAP; 13 families under RAS; 22 families in new builds/acquisitions; and 10 families through voluntary organisations & other. This figure exceeded the Council's target plan of accommodating 120 families.

In its current TAP, however, the Council indicates that 124 families were accommodated over this period: 30 families in local authority/casual vacancies; 54 families in private rented/HAP; 13 families under RAS; 17 families in new builds/acquisitions; and 10 families through voluntary organisations & others.

⁸ In June 2021, the Council has advised that:

“[a]cquisition of properties and completion of works on properties do not align itself with the calendar year, therefore there will be drawdowns of funding rolling into the following years” and that:

“[t]he €3,340,481 was money allocated for Traveller accommodation but would have been drawn down over the lifetime of the TAP and the following years”.

⁹ In July 2021, the Council has advised that:

“[t]he expenditure of €3,340,481 relates to the Council's Housing Capital Programme for the purchase of properties as there wasn't a demand for Traveller specific housing. In the majority of cases, Traveller families were living in the property and the landlord / owner had put the property up for sale. By the Council purchasing these properties, the Traveller families remained in situ thereby avoiding becoming homeless...”.

In relation to the discrepancy between the two documents, the Council has advised, in June 2021, that:

“the difference between the 124 and the 129 families arises from the fact that the new TAP 2019-2024 did not get signed off until midway through 2019 and the extra 5 families were included in the previous TAP”.

The financial tables provided in the Equality Review indicate a budget, without allocation, for an extra bay on a halting site for €10,000 in 2015, and a budget, without allocation, for a group housing waste water upgrade for €8,700 in 2017. There is no expenditure noted for these projects. There is a further project indicated for 2019, in these tables, for two units on an existing group housing scheme with a budget of €450,000 indicated and with no allocation or expenditure indicated.¹⁰

The narrative in the Equality Review suggests that the work on the halting site bay was completed without a request for a drawdown, whereas the additional information provided by the Council suggests this project has not actually been completed. The additional information provided by the Council further indicates that both projects did have funding allocated.

A number of projects were ongoing in 2019 at St. Christopher’s Close, Charlestown, Traveller group housing.

The Council sets out a number of ongoing projects in respect of which either the DHPLG had granted approval or an application had yet to be made, including a submission for refurbishment of all bays in the halting site in Castlebar at a cost of €330,000, but this was not approved by the DHPLG as it did not meet their requirements. This, it is stated by the Council, was due to the project not being ‘of required standard or permanency of accommodation’. On revising this project, funding was allocated for an extra bay (no. 7) at the halting site in Castlebar. Funding was not yet drawn down at the time of the Equality Review, as revised plans were to be agreed with

¹⁰ In June 2021, the Council has advised that the proposed budget:

“for group housing at existing Group housing scheme is not progressing at this time due to a change in circumstances”.

It would appear that this relates to Bog Road, Ballinrobe.

the Traveller community. The Council states in its review that the situation is under review.¹¹ The funding allocated for 26 Knockthomas Drive, Castlebar was not yet drawn down as works remained to be completed by the Council before applying to the DHPLG for draw down.¹² The allocated funds for the project at Ballinrobe, Bog Road were not yet drawn down as the Council was reviewing the development to agree the next steps before the application for drawdown was submitted to the DHPLG.¹³ The above suggests that allocated funds are being drawn down, but not within the same year of being allocated.¹⁴

Traveller engagement with Council personnel

The Council reports that the LTACC meets a minimum of four times a year. It notes that all committee members have an equal opportunity to submit items to the Agenda for discussion at the meeting.¹⁵ Meetings are held at a time and place suitable to all. The Equality Review notes that:

“[t]hese meetings are conducted in a respectful, mutually understanding and cooperative atmosphere, where everyone’s views are equally welcome and accepted”.

However, no Traveller members’ viewpoint is provided on their experience of the LTACC, and no steps are identified to enable Traveller impact and influence within the LTACC.

¹¹ In June 2021, the Council has advised that:

“the works carried out on Bay 7 was funded by the Castlebar Municipal District and no funds were requested from the Department. However, there are plans to totally redevelop this halting site in Castlebar to incorporate Traveller specific Housing.”

¹² In June 2021, the Council has advised that:

“due to Covid-19 restrictions refurbishment works at 26 Knockthomas were put on hold and therefore funds could not be drawn down”.

¹³ As referenced above, in June 2021, the Council has advised that the proposed budget:

“for group housing at existing Group housing scheme is not progressing at this time due to a change in circumstances”.

¹⁴ As referenced above, in June 2021, the Council has advised that:

“[a]cquisition of properties and completion of works on properties do not align itself with the calendar year, therefore there will be drawdowns of funding rolling into the following years”.

¹⁵ In June 2021, the Council has advised that:

“[t]he quorum for the LTACC ensures a balanced engagement from members of the Traveller Community”.

The Council also seems to have in place measures of support to ensure Travellers have equal access to accommodation services, notably two full-time Traveller Liaison Officers and two social workers who work with and assist Travellers in sourcing accommodation and with other accommodation requests that they may have, including maintenance issues, accessibility of services, rent issues, neighbour and landlord disputes.¹⁶ The Council also has housing administrative staff at each of its seven local authority offices, available to assist with any housing queries. There is no detail provided on Travellers' experience of these services¹⁷ or specific outcomes from Travellers' engagement with these services.

The Council supports for Travellers

The current TAP indicates that the Council will encourage and facilitate the participation of Travellers in the management and maintenances of Traveller-specific accommodation. However, there is no reference in the TAP or the Equality Review to steps taken to support and enable Traveller tenant participation systems and structures for estate management.

It is to be welcomed that the Council feels it is important that its officials have an honest and open relationship with the Traveller community and their representatives to ensure information can be shared to assist in housing Traveller families in locations that do not cause undue harm or stress to them. However, it was not clear what the Council meant where it states in its Equality Review that:

¹⁶ In June 2021, the Council has advised that its staff:

“liaise with all members of the Traveller Community not just on housing matters but on health and well-being etc in conjunction with MTSG and the HSE”.

The Council also advises that:

“Mayo County Councils Traveller Liaison Officers hold weekly clinics around the county to enable Traveller families and individuals to have access and are also contactable by phone”.

It further advises that ‘[t]he Traveller Liaison Officers are also required to be in attendance and informed of the allocation of vacancies in each Municipal District as they arise’.

¹⁷ In June 2021 the Council provided the following feedback from Mayo Traveller Support Group: that the group has an excellent working relationship with all Council staff, in particular a Traveller Liaison Officer with whom they are in weekly contact regarding issues that have arisen; that the group meets regularly with the Council's Housing Section in progressing Traveller feedback and ensuring policies and procedures are up to date and fit for purpose; that the group and a panel of its Traveller representatives attend the LTACC meetings, bringing feedback and issues to that; and that, working through the TIG, the group and the Council are building initiatives to ensure better outcomes for Traveller families in Co. Mayo.

“however, it would be beneficial to the Traveller community that issues within their community be rectified which would give greater flexibility to the Council in meeting their housing needs”.

In June 2021, the Council provided clarification in relation to this statement. The Council has advised that:

“the context in relation to this point is 'feuding' within a small cohort of the Traveller Community which does not allow for houses to be allocated in certain areas”.

The Council advises that it has worked with Mayo Traveller Support Group and 'external mediation' to rectify these issues. Further detail of the processes engaged in by the Council to identify causal factors and address these issues would have been beneficial to include in the Equality Review. If any issues arise which impede the Council in ensuring equal access for members of the Traveller community to accommodation services, the Council has a duty to take steps to identify and address these issues.

The Council appears to be involved in a number of inter-agency projects, which is a positive aspect of the Review. It runs a TIF through its community and enterprise forum and social inclusion weeks and Traveller pride week. It has also brought Travellers in on work experience to help develop a sense of belonging. It runs a project for young Travellers in conjunction with the Hungry Horse Project through the TIF, teaching young Travellers horse riding, wellbeing, and care of horses as horses traditionally played a major role in their culture. However, no further provision for this element of culture and identity is reported. The current TAP states that families are required to make their own arrangements in relation to horses. The Council has also run Traveller development courses through its TIF in physical recreation and lifesaving skills. This was possible through the St. Catherine's Training Centres that have now ceased. The Council recommends that the government look at re-establishing these centres, which it contends offered great opportunities in education, home management, health and self-confidence.

Public Sector Equality and Human Rights Duty

There is no reference to the statutory obligations of the Council under Section 42 of the 2014 Act: the Public Sector Equality and Human Rights Duty, in the current TAP or the Equality Review. There is no evidence in the TAP of compliance with these obligations.

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 procedures for:
 - presenting data in the TAPs and progress reports, in particular: providing a breakdown, by accommodation type, for current accommodation status of Travellers in the administrative area and providing information on accommodation needs and preferences and how these are being addressed;
 - establishing, tracking over time, and independently verifying the preferences of the Traveller community in relation to type of accommodation;
 - recognising and establishing the practical implications of Traveller ethnicity and ensuring a respect for Traveller culture and identity in the provision of housing and accommodation services to Travellers, in terms of accommodation type and in terms of making provision for activities such as horse ownership;
 - responding to the practical implications of Traveller ethnicity, in the provision of standard housing, in particular for supporting and sustaining integrated diverse communities;
 - addressing the balances sought by the Council in communities within social housing estates in a manner that is free from all forms of discrimination;
 - tracking the experiences of the Traveller community in seeking to secure accommodation in the private rented sector and addressing the issues identified;
 - establishing the particular issues for Travellers experiencing homelessness and developing culturally specific responses to the needs of Travellers experiencing homelessness;

- 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;
 - reviewing the provisions in relation to the local connection requirements for Travellers to access housing supports, to ensure that there is no discrimination when compared to the requirements on the wider community;
 - establishing appropriate structures, processes, and supports for Traveller tenant participation in estate management on Traveller-specific accommodation; and
 - identifying and responding to the imperative of an informed and empowered participation by Travellers on the LTACC through capacity-building or support for representatives.
 - 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. The Commission notes the Council's employment of two full-time Traveller Liaison Officers who hold weekly clinics throughout the county and can also be contacted by phone. Ensure that the local Traveller community are made aware of these in-person and phone clinics and that these supports are easily accessible and available on a 'drop-in' basis, to allow members of the Traveller community to voice any concerns they may have in respect of their accommodation directly. Further, ensure that these officers 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, which would help to inform the Council in ensuring 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 into the reasons for this and follow any recommendations made.
7. Adopt a broad equality policy incorporating discrimination on all prohibited grounds and all staff should receive training on this policy.

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 drawdown 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 drawdown 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 drawdown 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.



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an Duine agus Comhionannas
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