

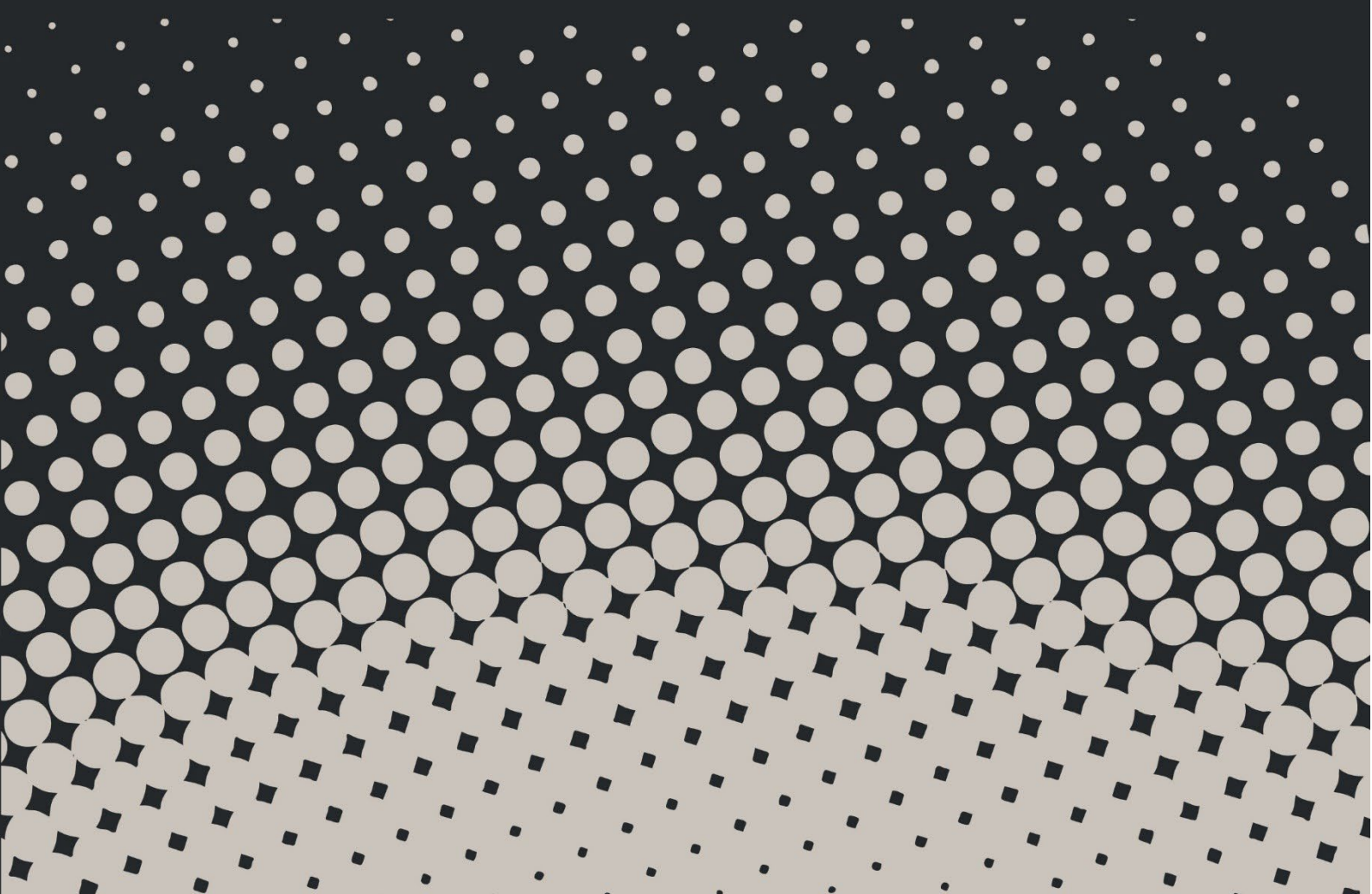


Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission

# An Account of the Equality Action Plan prepared by Wicklow County Council in respect of Traveller specific accommodation

Irish Human Rights and Equality Commission

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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

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2014 Act:	Irish Human Rights and Equality Act 2014
AHB:	Approved Housing Body
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
Cena:	The Traveller-led Voluntary Accommodation Association (TVAA)
DHPLG:	Department of Housing, Planning and Local Government, known as the Department of Housing, Local Government and Heritage (DHLGH) since 30 September 2020
ESA:	Equal Status Acts 2000 - 2018
HAP:	Housing Assistance Payment
LTACC:	Local Traveller Accommodation Consultative Committee
NTACC:	National Traveller Accommodation Consultative Committee
PSEHRD:	Public Sector Equality and Human Rights Duty
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
TAO:	Traveller Accommodation Officer
TAP:	Traveller Accommodation Program
TAU:	Traveller Accommodation Unit

# Introduction

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In June 2019, Wicklow County Council (the 'Council') was invited to prepare an Equality Review with respect of Traveller accommodation and services, and this was submitted to the Commission in October 2019. The Commission's account of the Council's Equality Review was published [here](#) as part of the Commission's 2020 Annual Report.

Under section 32(1)(b) of the Irish Human Rights and Equality Commission Act 2014 (the '2014 Act') the Commission may invite a particular undertaking to prepare and implement an Equality Action Plan.

In November 2022, the Commission invited the Council to prepare an Equality Action Plan ('a Plan') to further the promotion of equality of opportunity regarding the access to and provision of Traveller-specific accommodation, including specified and time-bound actions regarding practices, procedures, and policies that relate to the drawdown of capital funding and the provision of Traveller-specific accommodation services to Travellers in the functional area of the Council.

The Council was invited to prepare a Plan with identified objectives that were specific, measurable, attainable, relevant and time-based. The Council was invited to prepare a Plan that identified the person responsible for ensuring that the objectives are achieved and include arrangements for monitoring and review. The invitation noted the importance of consultation with Travellers, their representative groups and other stakeholders in the preparation, implementation and communication of the Equality Action Plan in order to ensure that the preparation and implementation of the Equality Action Plan is achievable and can deliver real results for the affected community.

In preparing any Plan, the Commission requested that the Council address and report on a number of specific issues. (See Appendix 1).

The Council submitted its Plan in response to the Commission in July 2023. This is the Commission's account of the Council's Plan that, pursuant to section 28(2) of the 2014 Act, is being published as part of the Commission's 2024 Annual Report.

## Summary of Actions identified in the Plan

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The Council has divided its framework for the Plan into three objectives. The goals and timelines identified for each section are set out below.

### Engagement and partnership in planning

The Plan states that the specific goal for engagement and partnership in planning is to:

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“achieve best practice in planning for Traveller accommodation through meaningful consultation and knowledge sharing.”

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The Plan states that the Council has an ‘open-door policy’ regarding consultation with relevant support groups and that it has long-standing partnerships with Traveller organisations, community groups and other relevant stakeholders.

The Plan states that the Council involve a range of stakeholders throughout the planning processes and that they actively involve Traveller representatives to engage in these processes. The Plan acknowledges the broader context in which the Council operates, including that funding provision and decision-making processes are influenced by national targets and priorities. The Plan notes that it encounters delays in funding allocation and planning approval process and that these delays affect the execution of their initiatives.

In the Plan, the Council welcomes guidance from local and national representative bodies and references the impact of the LTACC and the Wicklow Accommodation Sub-group.

In its specific equality actions in the Plan, the Council commits to continuing to oppose disrespect shown for Traveller culture and identity by monitoring and documenting any reports of discrimination or lack of cultural sensitivity in accommodation services and track actions taken to address same. It also commits to meeting and exceeding the targets set out in the TAP and to align with new government guidelines measurable by reference to a 5-year plan.

Regarding estate management, the Plan references the Council’s current practices, including annual inspections and upgrade schemes, pre-tenancy training including Traveller-specific pre-tenancy training provided by “*Bray TDN*”. The Council also aims to update estate management policy and to increase caretaker ratio and roles in accordance with forthcoming Housing Agency research and DHPLG guidelines. It states that it will

increase Traveller equality in estate management on a case-by-case basis through representation.

Regarding more proactive tenancy sustainment actions, the Plan commits to consulting with local representative groups and notes the recommendation of a local Traveller representative group to provide for a potential new position of a 'Traveller Tenancy Sustainability Officer' who will work with families to prevent rent arrears and anti-social behaviour. The Plan includes a commitment to engage with DHPLG in relation to the funding for this role.

Regarding the needs of Travellers who are nomadic, the Plan states that the Council will continue to engage and coordinate with regional and national developments and awaits national and all-island guidance on provision of transient sites.

The Plan states that the Council will engage with DHPLG on funding for new Caravan Loan Scheme and on the possibility of reinstating the former Traveller MABS/Credit Union Caravan Loan Scheme.

The Plan includes a commitment to the use by the Council of a "*self-identifier*" on social housing application forms and acknowledges the role of self-identification in reduction of discrimination. The Plan refers to "*legacy issues and sensitivities*" regarding such self-identification and acknowledges the perceptions that may exist regarding the potential misuse of the self-identification data. In this regard, the Plan contains a commitment for the Council to prioritise confidentiality and provide training to all staff handling sensitive ethnic data. The recording of the differential waiting times between Travellers and non-Travellers on the social housing list is stated to be an outcome of this action.

The Plan includes a commitment to engagement with DHPLG on funding for dedicated Traveller Accommodation Unit to include new roles in addition to social worker role including:

- › one new Traveller Liaison Officer;
- › one new Traveller Tenancy Sustainability Officer; and
- › Two part-time Traveller Accommodation Workers/Liaisons to be administered by Bray and Wicklow Traveller Support Groups, further to the recommendation of a local Traveller representative group.

To ensure accommodation issues are brought to decision makers for consideration and response, the Council will ensure feedback mechanisms are to be provided to staff. The Council also commits to ensuring all services are accessible and responsive to Traveller needs.

The Plan states that the LTACC and the new LTACC Sub-group on Traveller Accommodation are both meet six times annually. The Sub-group is envisaged as being a safe space to discuss individual families in order to best present Traveller accommodation needs at the LTACC meeting. The Plan commits the Council to continuing to support and empower Traveller representation on the LTACC through leadership, regular provision of Traveller-led competency training, and human rights and equality training to be provided to all members of the LTACC.

The Plan states that the Council's Code of Conduct is to be promoted to seek to protect human rights of staff and service users in all interactions *as per* the Public Sector Human Rights and Equality Duty.

## **Organisational equality**

The Plan states that the specific goal for organisational equality is to:

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“promote equality within the Council and the Traveller accommodation services we provide”.

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The Council states that it is focused on addressing historical and systemic inequalities and references promoting a culture of respect and appreciation for the perspective of Travellers.

In its specific equality actions, the Plan commits to maintaining organisation-wide compliance with various statutory equality obligations and states that the Equality Action Committee oversees policy and compliance. The Plan also commits to maintaining compliance with the ESA and the 2014 Act in terms of relevant policies.

The Plan states that the Council provides varied staff training, in collaboration with local Traveller representative groups, including equality and diversity training and cultural competency training.

The Plan commits to including an equality statement in the forthcoming TAP, TAP reviews and Allocation Scheme of Letting Priorities.



In continuing to take an “*evidence-based approach*” to the public sector human rights and equality duty, the Plan commits to conducting a review of the Council’s implementation of statutory obligations, regulations and guidelines to identify barriers or discriminatory practices.

In relation to homelessness of Travellers, the Plan states that the Council will continue to review and update policies relating to assessments and allocations of housing applications and homeless housing applications. The Plan states that the Council takes a multi-disciplinary approach to homelessness with a case-by-case approach to short and longer-term responses.

The Plan includes a commitment to promoting an effective and accessible mechanism for individuals to raise complaints related to discriminatory practices and to ensure that complaints are handled promptly.

Regarding equality guidance and capacity building, the Plan states that the Council will continue to collaborate with IHREC and local Traveller groups to seek guidance and training, and will take targeted initiatives on equality training and capacity building.

## **Data collection and presentation**

The Plan states that the specific goal for data collection and presentation is to:

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“provide accurate and transparent housing and funding data while protecting individual rights to privacy and data protection”.

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The Plan states that the Council’s expected outcome is to be to achieve accurate, annual, disaggregated accommodation and funding data reporting.

In its specific equality actions, the Plan includes a commitment to bringing the following recommendations to the national level:

- › To broaden the scope of the Annual Count or for a national audit of Traveller accommodation needs and preferences;
- › To develop a robust, transparent and comparable national data collection methodology for the Annual Count;
- › To develop a framework and commissioning of research to monitor the effects of policy and legislation on those living in the private rental sector, including the impact

on ethnic minority tenants, people with disabilities, people on HAP or RAS and evidence of discrimination; and

- › To simplify and streamline the housing social housing support application so that applicants can enter:

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“true and progressive preference (1-3) for accommodation type and location in one application”.

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The Plan also states that the LTACC is to consider any new requirements for data analysis or data presentation for the purpose of publication the annual report, TAP or other report.

On foot of a recommendation from a local Traveller representative group, the Plan commits to consultation with local Traveller groups regarding the development of a survey on future culturally appropriate accommodation needs within the county.

The Plan commits to reviewing processes so that new information can directly influence decisions and policy regarding the provision of Traveller accommodation.

In relation to the recording of data on funding allocations, the Plan states that the Council will continue to do the following:

- › Follow DHPLG guidelines for all forms of accommodation;
- › Record clear data on funds allocated and drawn down for Traveller specific accommodation and separately for Travellers accommodated under general accommodation funds;
- › Ensure that the expenditure records hold sufficient detail to take account of true and varying costs of different types of accommodation at the point of allocation and over time; and
- › Ensure that Traveller accommodation model is preference-based and no cost-based.

The objective of the Council in the Plan in relation to the recording of data on funding allocation is that funding records be disaggregated by allocation for Traveller specific accommodation, Travellers in standard accommodation and refurbishment of Traveller specific accommodation, for comparison over time and with other local authorities.

In relation to the identification of accommodation preferences of Travellers, the Plan notes that the Social Housing Support Application form currently allows for the selection of

multiple locations by housing applicants. In the Plan, the Council also commits to clearly communicating the importance of expressing true preferences and to provide assurances that the preferences will be taken into account as far as possible. The Plan states that applicants with literacy issues will be provided with assistance.

The Plan commits to improving collection and analysis of data in relation to the PSEHRD and statutory obligations as follows:

- › Continuing to provide data in the TAP and progress reports as per DHPLG guidance;
- › Reviewing and updating data collection in relation to homeless housing applications; and
- › Reviewing and measuring the effectiveness of new procedures implemented in relation to Circular 03/2020 on the rate of drawdown funding for Traveller-specific accommodation.

In relation to the data regarding housing assessments and allocations, the Plan sets out the Council's current practices and notes that the data confirms that the 1:16 quota for allocation of housing to Traveller applicants has been met or exceeded in respect of relevant developments.

The Plan sets out the Council's current practices regarding how Traveller accommodation needs are assessed through the Annual Count and Social Housing Needs Assessments. The Plan references the recommendation of the Programme Board regarding the inclusion of a first, second and third preference option in terms of accommodation type for households as well as location preference. The Plan states that new data collection processes need to be developed at national level, including a national audit of cultural requirements, and meaningful consultation to determine preferred types of accommodation and preferred types of estate management. The Plan also suggests that thorough analysis should be conducted at national level to identify areas where inequalities exist nationally and within each Council.

The Plan states that the national comparability of local authority data is outside the remit of the Council and recommends that DHPLG and relevant national agencies consider best practice for a transparent and systematic national data collection methodology for the Annual Count.

The Plan sets out various goals by way of monitoring and evaluation of the Plan including enhanced data collection, seeking feedback from Travellers, establishing clear roles and responsibilities for implementation of equality policies, regularly reviewing and updating the Plan based on feedback, changing needs, statutory obligations and best practices, identifying appropriate benchmarks and indicators and reporting regularly on progress.

# Recommendations

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## Introduction and overview

The Commission welcomes the recognition, in the Plan, that Traveller engagement must be its 'bedrock'. The Plan would benefit from clearer information on the consultation process conducted in preparation of the Plan. Notwithstanding this, throughout the Plan, there is reference to local Traveller representative groups and it is evident that their feedback and contributions were taken account of in the preparation of the Plan. This collaborative approach with local representative groups is to be commended.

The Council's Plan is structured in terms of a framework with three objectives:

1. Engagement and partnership in planning;
2. Organisational equality; and
3. Data collection, transparency and protection.

Under each of these objectives, the Plan identifies various specific equality actions and objectives. A number of positive actions and objectives are identified including an LTACC Sub-group on Traveller Accommodation, a commitment to continuing to meet and exceed the targets set out in the TAP, and the development of a survey on future culturally appropriate accommodation needs within the county.

Some of the actions outlined in the Plan appear, on their face, to be positive actions addressing areas of concern including in relation to estate management and homelessness. However, there is a lack specificity and a lack of clear actionable steps. For example, the Council commits to engagement with the DHPLG on funding for various positive actions, including a new TAU with several new roles. However this commitment does not extend any further and related actions, including, for example, to submit a business case for such proposals. The Plan also simply outlines the Council's current practices in response to a number of the issues.

In the view of the Commission, clearer time bound targets related to the actions and objectives would considerably strengthen the Plan. While the Plan includes a column for inclusion of a timeframe, the timeframes provided are often simply "*in progress*" or "*ongoing*". Such timeframes are not sufficiently prescriptive and do not provide clarity on when the actions are due for completion or review.

The same column as sets out timeframe also sets out the actor within the Council with responsibility for each action. The majority of the actions (31 out of 36 actions) are listed as being the responsibility of the Director of Service Housing/Director of Housing, which appears from a review of the website, to be the same position, with only one action listed as being the responsibility of the Director of Community, Cultural and Social Development and two actions with no actor listed as having responsibility for those actions. Having one director responsible for such a majority of the broad actions, without any further detail as to responsibility within that department, is not conducive, in the Commission's view, to ensuring ownership of key actions. The Plan would benefit from further specificity in relation to the key actors responsible for each action within each section of the Council ensuring senior level ownership and oversight of the implementation of the Plan.

## **Engagement and partnership in planning**

The Plan lists ten actions under this heading, some of which reference multiple further actions. These actions aim to improve consultation with Travellers to achieve best practice in planning for Traveller accommodation.

The Plan identifies some positive actions in this regard, including the new LTACC Sub-group on Traveller Accommodation, which is envisaged as being a safe space to discuss individual families in order to best present Traveller accommodation needs at the LTACC meeting. It is unclear, however, how Traveller participation in this Sub-group is to be promoted and how their capacity is to be supported by the Council.

It is positive that the Plan plans for provision of Traveller-led cultural competency training to all new Councillors, front facing staff and all members of the LTACC. It may be beneficial if the Council engaged with Traveller members of the LTACC, local Travellers and Traveller representative groups to ascertain whether they believe any further training or support would be beneficial to them in their participation and empowerment on the LTACC.

The Plan identifies a goal of a dedicated TAU. While there is a commitment to 'engage' with DHPLG in relation to funding for such a unit, there are no further actions included in the Plan to support achieving this goal. It is positive that the Council envisage such a unit including additional roles, including a TLO, a Traveller Tenancy Sustainability Officer (on recommendation of a local group) and two-part time Traveller Accommodation

Workers/Liaisons (also on recommendation of a local group). However, further detail on the specific actions needed in order to achieve the stated goal would strengthen the Plan. This may include, for example, a commitment to prepare a business case for the unit in consultation with local groups and submit same to the DHPLG. The Commission would also welcome consideration to be given to promoting employment of Travellers in these roles.

It is noted that the Plan commits to increasing Traveller equality in estate management on a case-by-case basis through representation. However, no further detail is provided on how Travellers would access such representation or by whom the representation is to be provided. Again, the Plan would be strengthened by the inclusion of specific actions designed to achieve the goal of increased Traveller equality in estate management.

The Plan states that the Council operates a caretaker system in relation to estate management and the Council has identified a commitment to aim to increase caretaker ratios and roles. This action appears to stem from forthcoming Housing Agency research and DHPLG guidelines and is an innovative inclusion responding to published research. It is noted that there is no indication that any feedback was sought from local Traveller representative groups on the efficacy of the caretaker system and whether the aim to increase the ratio and roles of caretakers is in response to feedback from local Travellers or representative groups, which would have strengthened this aspect of the Plan.

Similar to the above, the Plan commits to engaging with DHPLG in relation to the possibility of reinstating a Caravan Loan Scheme. However, no further commitments are made. The lack of detail and commitment in relation to this action significantly reduces its value and the Commission is concerned at the lack of focus and impetus with respect of the Caravan Loan Scheme and/or alternative.

The Commission welcomes the commitment in the Plan to using the ethnicity 'self-identifier' on the social housing application form. The Commission particularly welcomes the Council's recognition of the 'legacy issues and sensitivities' around such self-identification. The response to such issues, being to provide training to all staff on handling sensitive ethnic data, may not be sufficiently comprehensive and could be more innovative. It is not clear if this action was identified through consultation with Traveller representation to ensure such important issues are addressed in a meaningful way and would likely be considerably strengthened by the input of representative groups.

The Commitment in the Plan to continue to oppose disrespect shown for Traveller culture and identity is important and welcome. The Plan would be strengthened by further detail on the form of clear actionable steps to ensure this action has meaningful impact and addresses the issue as identified. The Plan commits to improving complaint mechanisms and ensuring all services are accessible, however these broad actions lack specificity and do not include clear steps or actions to be undertaken.

It is disappointing that the Plan does not commit to any action in relation to providing for the needs of Travellers who are nomadic save to engaging with regional and national developments, despite this issue being set out in the invitation to the Council to prepare and implement a Plan. It is not clear whether there was any engagement with local representative Traveller groups in relation to this issue.

Overall, there are some positive actions identified in this section of the Plan and the Council are to be commended for their engagement with local Traveller representative groups. However, there is a significant lack of detail in relation to some actions including with respect of important issues of concern to the Commission. The Commission would welcome further specificity in relation to how these issues can be meaningfully addressed in consultation with local representative groups.

## **Organisational equality**

The Plan lists 12 actions under this heading, some of which reference further multiple actions. These actions aim to promote equality and expect to result in:

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“an equitable environment that delivers Traveller accommodation services”.

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The Plan identifies some positive actions in pursuit of this aim, including the inclusion of an equality statement in its TAP, TAP reviews and Allocation Scheme of Letting Priorities and the provision of training to staff. However many of the actions referenced are existing practices, including maintaining compliance with statutory equality obligations, continuing to take an “*evidence-based*” approach in complying with the PSEHRD, and continuing to review and update various policies.

There is no indication in the Plan that feedback was sought from local Traveller representative groups on the efficacy of these current practice, including, for example,



feedback on the attendance and engagement of staff members in any cultural competency training provided.

There is a lack of specificity in relation to other actions referenced. For example, the Council commits to taking a:

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“multi-disciplinary approach to homelessness with a case-by-case approach to short and longer-term responses”.

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No further detail is provided in relation to how the Plan will ensure this valuable objective is achieved. There is a commitment to review and update policies, procedures and practices to:

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“identify any biases or barriers that hinder equality in relation to homeless housing applications and allocations.”

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However, there are no any clear actions as to how any identified barriers can be tackled.

The Plan commits to the promotion of effective and accessible mechanisms for individuals to raise complaints or concerns regarding discriminatory practices, however no detail is provided on what these mechanisms are or how they will be promoted. Various further broad commitments are made regarding improving equality, including a stated commitment under ‘equality guidance’ to continue to collaborate with IHREC and to partner with local Traveller support groups to seek guidance and training, share knowledge and ensure compliance with relevant legislation and regulations. No further detail is provided, including no information on which local Traveller support groups are to be partnered with and what this partnership is envisaged to look like. There is also no monitoring or review action specified for this action and it is unclear how progress is to be tracked. In the Commission’s view, these gaps are likely to undermine the overall success of this aspect of the Plan.

## **Data collection and presentation**

The Plan lists 14 actions under this heading, some of which reference further multiple actions. These actions aim to protect privacy and data protection rights while also providing accurate and transparent housing and funding data.

The commitment in the Plan to using the “*self-identifier*” is a positive step towards improving the data collection and presentation. It is also positive that the Plan identifies an

outcome as being that funding records are disaggregated by allocation for Traveller specific accommodation, Travellers in standard accommodation and refurbishment of Traveller-specific accommodation. However there is a lack of information provided in the Plan as to how this information will be used save as to ensure the provision of training to staff handling sensitive data. There is a lack of information on how the information will be used to influence decisions and policy regarding the provision of Traveller accommodation and to ultimately positively impact on the timely delivery of new units of Traveller specific accommodation.

The Plan has a welcome element of national engagement. It identifies various areas in which the Council intends to engage with DHLPG, including in relation to the Annual Count, issues that arise in the private rented sector and a recommendation to include a 1-3 type preference option for accommodation type and location in the social housing application forms.

In relation to the accommodation preferences of Travellers, it is noted that, in consultation with a local group the Council has commenced the development of a survey regarding future culturally appropriate accommodation needs. The survey is specifically mentioned to be on future needs of Travellers in the area, however it is not clear if the survey is intended to be used to assess current accommodation preferences in the area and whether the findings will impact on Council decision making and policy. Use of the survey data for this purpose may have a positive impact on delivery of culturally appropriate accommodation in line with the true preferences of Travellers in the Council's functional area.

It is noted that the Plan specifies that the survey will provide an evidence base of future housing preferences to inform the TAP. The Commission welcomes the engagement with local Traveller representative groups and commends the development of this survey overall. The Plan would be strengthened by inclusion of specific actionable steps to identify the purpose of the survey more precisely, whether it will be a once-off survey or a regular survey, and for what purpose the information collated from the survey will be used. The Plan would also benefit from the identification of a specific staff member with responsibility for the development, implementation and oversight of the survey to ensure commitment and ownership of the project with related time-bound milestones for completion.

The Plan identifies the need for further engagement with Travellers regarding the importance of expressing true housing preferences in the social housing application form. A commitment is made to clearly communicate this point and an assurance made that Travellers' true housing preferences will be taken into account. The Commission welcomes the focus in the Plan on identifying true housing preference of Travellers in the Council's functional area and the commitment to taking into account such preference. This aspect of the Plan would be strengthened by further detail on how this communication is to be transmitted, whether local Traveller supports groups will be involved in such communications and how the assurances will be presented to Travellers.

## **Public Sector Equality and Human Rights Duty**

The PSEHRD contained in Section 42 of 2014 Act requires all public bodies in the State to eliminate discrimination, promote equality, and protect the human rights of their staff, customers, service users and everyone affected by their policies and plans.

Compliance with the PSEHRD requires a public body to carry out a three step process to meet the statutory obligations

1. **Assess:** to carry out an assessment of the equality and human rights issues relevant to their functions and purpose;
2. **Address:** develop policies, plans and actions to address issues raised in the assessment;
3. **Report:** report annually on progress and achievements in relation to identified policies, plans and actions.

A public body is required to publish its human rights and equality assessment, and the policies, plans and actions in place or proposed to be put in place to address the issues identified in that assessment, in a manner that is accessible to the public in its strategic plan/corporate plan.

The PSEHRD is an ongoing obligation and to ensure compliance with the duty on an ongoing basis a public body must before reviewing, developing or adopting a plan, policy,

strategy, strategy, programme or service and making a key decision public bodies would have regard to the PSEHRD.

In preparation and proposed implementation of the Plan, the Council has demonstrated a clear and thorough understanding and commitment to their statutory obligations with regard to the PSEHRD. The Plan is aligned with the Council's Public Sector Duty Action Plan which is informed by an assessment of equality and human rights issues. The Plan also links to an interagency collaborative project with a focus on Traveller accommodation and the PSEHRD.

The Council has clearly demonstrated across the Plan where they have had regard to the need to eliminate discrimination, promote equality and protect the human rights of service users, in particular Travellers, in the development and proposed actions within the Plan.

## Conclusion

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The Council's engagement in preparing the Equality Action Plan is to be commended and the Commission is conscious of the considerable time and resources committed to completing same.

The Commission welcomes the Council's stated engagement with local Traveller representative groups in the preparation of the Plan and its commitment to action a number of proposals put forward by these groups, including the development of a survey regarding future culturally appropriate accommodation needs and the consideration of the need for additional Traveller accommodation support roles within the Council. As stated above, the Commission commend a collaborative approach and welcomes a continuation of such an approach as the Plan is implemented.

The Commission also welcomes the Council's considered actions, in particular the more specific actions, such as the creation of the LTACC Sub-group on Traveller Accommodation and the commitment to provide an equality statement in the TAP, TAP reviews and Allocation Scheme.

The Commission would welcome greater specificity in respect of many of the actions, their intended timeframes, resourcing and funding of specified actions and the identification of a specific staff member or team responsible for leading on each of the actions.

## Appendix 1

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- a. Please clarify the steps taken to date, or planned, where appropriate in coordination with any national bodies (such as the Department of Housing, the Programme Board, and the National Traveller Accommodation Authority (the 'NTACC')), to improve the accuracy of the annual count/census of Traveller accommodation needs in the functional area of the Council, including steps:
  - i. to evaluate the existing methods used for the count/census in consultation with members of the Traveller community and representative groups, and action findings of this evaluation including on accuracy and efficacy of current methods;
  - ii. to improve the quality and accuracy of the count/census of Traveller accommodation needs, where appropriate in coordination with national bodies and other local authorities;
  - iii. to enable accurate capturing of multiple accommodation preferences of members of the Traveller community within the Council's functional area;
  - iv. to ensure that any additional and relevant information that will impact on accommodation planning and/or delivery is properly captured in the count/census including new family formations; and
  - v. to implement processes for that information to directly influence decisions and policy on Traveller accommodation provision by the Council.
- b. Please clarify the steps taken to date, or planned, to address the manner in which data is presented - specifically in the Traveller Accommodation Programme (the 'TAP') and related progress reports - to ensure their accuracy and completeness, in particular ensuring they include the following:
  - i. a breakdown, by accommodation type, of current accommodation status of Travellers in the functional area of the Council, where appropriate linked to above action (a);
  - ii. details of the specific accommodation needs and preferences of Travellers in the functional area of the Council, and how these are identified; and
  - iii. details of how these accommodation needs are to be met through the TAP and related processes, with assignment of roles to relevant stakeholders responsible for delivering on the TAP.

- c. Please clarify the steps taken to date, or planned, to recognise and promote the practical implications of Traveller ethnicity, to ensure respect for Traveller culture and identity in the provision of housing services including standard housing, and to sustain integrated and diverse communities, to include:
- i. consultation with the relevant community and representative groups on the practical implications of Traveller ethnicity and the identification of priorities of Travellers within the functional area of the Council;
  - ii. where identified as needed by the affected community, the promotion and facilitation of horse-ownership by members of the Traveller community residing in the functional area of the Council and availing of social housing support;
  - iii. where identified as needed by the affected community, the promotion of family cohesion and connection with extended family in the provision of housing to members of the Traveller community residing in the functional area of the Council;
  - iv. responses to the other needs of members of the Traveller community to promote and foster respect for Traveller culture; and
  - v. engagement with Traveller and non-Traveller communities with the overall aim of fostering positive community relations.
- d. Please clarify the steps taken to date, or planned, regarding Traveller participation in estate management and development of the Council's function regarding estate management for Traveller accommodation, including consultation with Travellers within the Council's functional area and their participation in relation to estate management functions and responses of the Council.
- e. Please clarify the steps taken to date, or planned, regarding culturally-specific responses to the needs of Travellers experiencing homelessness, including:
- i. the provision of culturally appropriate homeless accommodation to members of the Traveller community who are experiencing homelessness, that responds to the preferences and needs of this group by, for example, providing accommodation that takes proper account of family size and reliance on family networks for support;
  - ii. the provision of specific supports for members of the Traveller community who are at risk of, or experiencing homelessness, ensuring that such supports are accessible and responsive to their needs, and that they take

- account of digital and literacy challenges faced by some members of the Traveller community; and
- iii. the coordination and alignment of any actions and plans regarding homeless accommodation provision to members of the Traveller community with any national bodies (including, for example, the Programme Board and the Department of Housing's Traveller Accommodation Support Unit), thereby taking account of best practice developed at that level and making use of financial and research supports to inform appropriate actions.
- f. Please clarify the steps taken to date, or planned, responding to the needs of Travellers who are nomadic within and through the county through the provision of transient halting site bays as required, including:
    - i. engagement with members of the Traveller community within the functional area of the Council through the mid-term TAP review and/or other processes to ascertain their true preferences with regard to transient halting sites and specifying actions to be taken pursuant to such engagement;
    - ii. engagement on a regional basis to allow for a coordinated approach to provision of transient sites; and
    - iii. cooperation and coordination with national bodies (including, for example, the Programme Board, the Housing Agency and the Department of Housing) in relation to provision of a network of transient halting sites.
  - g. Please clarify the steps taken to date, or planned, to strengthen the availability and accessibility of the Caravan Loan Scheme, including details of:
    - i. the current status and form of the Caravan Loan Scheme;
    - ii. expenditure under the scheme;
    - iii. the number of applicants to the scheme, the number of applications that were successful, and the number of applicants who have, in fact, been in receipt of a caravan pursuant to the scheme;
    - iv. the funding arrangements for any ongoing Caravan Loan Scheme;
    - v. any evaluation undertaken of that scheme and actions planned or proposed on foot of the findings of any evaluation, including engagement with the Department in relation to appropriate funding levels;
    - vi. communication of any ongoing Caravan Loan Scheme (pilot or otherwise), to members of the Traveller community within the functional area of the Council in an accessible manner; and



- vii. any consideration of the Caravan Loan Scheme in the course of the mid-term TAP review and related amendments to the TAP on foot of that consideration.
- h. Please clarify the steps taken to date, or planned, to address the recommendation included in the Council's Equality Review to address the minimum allocation quota of 1:16 standard housing to members of the Traveller community in the Council's Scheme of Letting Priorities, including:
  - i. amendments to the wording of the Scheme of Letting Priorities confirming membership of the Traveller community as a distinct basis for prioritisation, in addition to the general allocations criteria;
  - ii. evaluation of decisions regarding social housing assessments and/or allocations to determine whether the 1:16 quota has been met in respect of relevant developments and, if not, determination of the reasons for this; and
  - iii. actions taken to address the findings of any such evaluation, if applicable.
- i. Please clarify the steps taken to date, or planned, to respond to the introduction of the ethnicity identifier in the application form for social housing support, including:
  - i. informing members of the Traveller community of the option to self-identify in the social housing application form;
  - ii. collection and analysis of this data by the Council; and
  - iii. use of the data to strengthen and inform decision-making including in relation to spending on provision of Traveller-specific accommodation and related services.
- j. Please clarify the steps taken to date, or planned, to introduce new or updated practices to support members of the Traveller community in their engagement with the Council on housing issues, including to:
  - i. employ a dedicated Traveller Liaison Officer, including information on any engagement with the Department of Housing, funding arrangements for such a role, and any other information on the role and duration of appointment;
  - ii. provide feedback mechanisms to allow for issues arising in the course of the day to day work of staff engaged in supporting Travellers with respect of housing issues, including any Traveller Liaison Officer, to be considered and responded to within the Council;
  - iii. enhance the accessibility of service provision to members of the Traveller community, for example by way of drop-in clinics and facilitating and supporting access to online services where required, ensuring that such

- supports are accessible and responsive to their needs, and take account of digital and literacy challenges faced by some members of the Traveller community; and
- iv. improve the awareness among the Traveller community of any weekly phone clinics by the Traveller Liaison Officer and other services; and
  - v. evaluate the effectiveness of the appointment of any Traveller Liaison Officer and the effectiveness of any other staff engaged in supporting Travellers with respect of housing issues.
- k. Please clarify the steps taken to date, or planned, regarding the recording of data specifically on funds allocated and drawn down, including:
- i. clear and transparent recording of data on funds allocated and drawn down for Traveller-specific accommodation, and separately for those for general accommodation for all housing applicants;
  - ii. implementing procedures that enable the Council to take account of the true preferences of members of the Traveller community whose accommodation needs are met through general housing funds and of the varying costs of different forms of accommodation; and
  - iii. recording and reporting on the draw down and allocation of funding for the refurbishment of existing Traveller-specific accommodation, i.e. separate to the general draw down and allocation of funds for new Traveller-specific accommodation, and separate to the funding from general housing funds for provision of housing to members of the Traveller community.
- l. Please clarify the steps taken to date, or planned, to assess and analyse the operation of new procedures set out in Circular 03/2020 (from the Department of Housing) on the rate of draw down of funding for Traveller-specific accommodation, including to measure the effectiveness of the new system for 2022, 2023 and beyond, and addressing any issues arising.
- m. Please clarify the steps taken to date, or planned, with regard to the work of the LTACC, including to:
- i. promote the accessibility and effectiveness of the LTACC;
  - ii. promote Traveller engagement, participation and representation on the LTACC; and
  - iii. build the capacity of the LTACC and provide support to its members.

- n. Having regard to the Equality Review and related recommendations, the Council is in particular invited to clarify the steps taken to date, or planned, regarding:
  - i. the development and implementation of its equal status policy;
  - ii. the inclusion of an equality statement in the TAP;
  - iii. the inclusion of an equality statement in the Allocations Scheme; and
  - iv. the development and implementation of additional Council equality policies, if any.
- o. With regard to the Equality Review and related recommendations, the Council is in particular invited to clarify the steps taken to date, or planned, to:
  - i. have regard to the need to eliminate discrimination, promote equality of opportunity and to protect the human rights of its staff and the persons to whom it provides services in any review or preparation of the TAP as required under section 42(1);
  - ii. have regard to the need to eliminate discrimination, promote equality of opportunity and to protect the human rights of its staff and the persons to whom it provides services in the assessments of housing applications and allocations, as required under section 42(1); and
  - iii. have regard to the need to eliminate discrimination, promote equality of opportunity and to protect the human rights of its staff and the persons to whom it provides services in homeless assessments and allocations as required under section 42(1).



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission