

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



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





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



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

## Contents

Contents.....	1
Glossary.....	2
Introduction .....	4
Section 1 Key areas of interest .....	6
Section 2 Issues arising.....	18
Section 3 Recommendations .....	32
Appendix 1.....	35

## 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 Roscommon 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 30 September 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.<sup>1</sup>

---

<sup>1</sup> The Council has requested the Commission to note in its final account, that the clarifications and details of inaccuracies in the account, provided by the Council, as requested by the Commission, and recorded as footnotes in this report, should be read together with the Commission's account."

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

The Council observes that successful preparation of any TAP requires a functioning LTACC. The Council states that it made extensive efforts to ensure that members of the Traveller community were properly represented on the LTACC. In 2018, letters inviting nominations to sit on the LTACC were issued to all known Traveller households. Seven nominations were received and six were accepted and adopted onto the LTACC.

The Council states that issues pertaining to the provision of housing support to members of the Traveller community are raised at LTACC quarterly meetings. The Council states that the TAP and this associated consultation process is a very important means of determining Traveller demand/preference for the various types of social housing supports.

The Council states that it carried out extensive consultation with prescribed bodies and the Traveller community in order to determine demand for various types of accommodation, including Traveller-specific accommodation. It states that the methodology, scope and results of most recent consultations are detailed in the assessment of need section of the TAP 2019-2024. This section of the TAP sets out that a Traveller count and accommodation survey was carried out by the Council and was considered in preparing the TAP. The key findings of the survey are set out on page 8 of the TAP as a list of the form of accommodation in which Travellers in Roscommon are currently living and the accommodation options chosen in social housing applications. This list includes findings that there are 477 Travellers in Roscommon, comprising 124 households. There are 21 Traveller households not living in their own home (8 of which are on the social housing list) and 7 households living in illegally parked caravans (4 of which are on the social housing list). Of the 40 households on the social housing list, 4 were seeking Traveller-specific accommodation and 34 were seeking standard local authority housing.

While this section of the TAP in respect of a survey does not expressly refer to Appendix 3 to the TAP: Traveller Questionnaire, this may be the content of the survey distributed to Travellers. This questionnaire asks questions about both social housing applications and about accommodation preferences more generally.

Projected need over the duration of the TAP is stated by the Council to be based on the above survey findings. In the TAP (at page 9), it is stated that:

“the projected need for Traveller-specific accommodation over the duration of the programme is low and current demand is below available (vacant) units. Demand among the Traveller community for standard social housing options will rise in line with demographic projections for the Traveller population and the population in general ... as there is a strong trend towards a preference for standard housing options among successive Traveller generations, there is no indication that the demand for Traveller-specific accommodation will increase.”

With its review, the Council also attached an excel document setting out a list of submissions made by various interested parties and Traveller representative groups, the key issues raised in each submission, commentary of the Council on these issues and whether and how they were incorporated into the TAP. Submissions were made by Pavee Point, Dr. Regina Kiernan, Mary Syron, Regional Coordinator, Traveller Health Unit, Tusla, Una Feeley, Roscommon Traveller Health Project, a personal request of a resident of a named location, Minceirs Whiden and the Irish Traveller Movement.

The excel document provided by the Council provides the following extracts from these submissions:

“General feeling is members of the Travelling community are being put living next to other members of the Travelling community, even if one set of tenants is known for anti-social behaviour. The majority of the Traveller Community in Roscommon do not condone or support deviant behaviour/vandalism and don't

---

<sup>2</sup> In July 2021, after receiving a draft copy of this account, the Council commented that the draft failed to record the comments made by the Council in the excel document in relation to the issues raised in these submissions and was therefore not a balanced account. In response to the Council's concern, its comments have been included as footnotes in this final version of the account. In its comments the Council uses the abbreviation 'RCC' in place of 'Roscommon County Council'.

want to be living next to it or associated with it. Forming multi-agency committee specifically to address anti-social behaviour may be beneficial and act as a support to address issues in the early stages.

"The reintroduction of the tenancy training would be very beneficial ... training to emphasise the roles and responsibilities of tenants this could also include a practical module on small scale repairs in the home.

"The existing form is extremely complicated and lengthy. We understand it is a standard form, if a form is not received back by the Council it does not mean that there is no housing need and to remove the applicant off the list. In some circumstances the family may be waiting for someone to call to the house that can read and write ...

"We would welcome the introduction of a more detailed housing assessment to assess each family to identify what the needs are in order to be able to plan accordingly, a needs assessment that will highlight exactly the rates of homelessness, couch surfing, overcrowding, poor quality housing, on-going maintenance issues, etc.

---

<sup>3</sup> The Council makes the following comment on the issue raised: *"In the case of Traveller-specific accommodation sites, the LAs have no option but to allocate the adjacent units to Travellers. With regard to allocation of standard social housing, RCC does not have a policy of placing Traveller families next door to each other. It can be difficult to let property adjacent a property where there is known to be anti-social and RCC would welcome a multi-agency approach to dealing with anti-social behaviour."* Under the heading 'Method for Addressing Issue in TAP' the Council states: *"LTACC to consider setting up a multi-agency group to address anti-social behaviour in social housing (this outside the scope of and would not be part of the TAP)."*

<sup>4</sup> The Council makes the following comment on the issue raised: *"Tenancy training/orientation for new tenants is provided by RCC. This training could be expanded to include refresher training and coordinated with training provided by CIC/SICAP. Not sure if RCC would get involved in practical module on small scale repairs; RCC not setup to provide hands-on training to third parties (insurance etc.)"* Under 'Method for Addressing Issue in TAP' the Council states: *"LTACC to consider augmenting tenancy training and coordinating training with RLP SICAP. RCC could support collective and practical training if it was managed by others with training experience and insurances etc."*

<sup>5</sup> The Council makes the following comment on the issue raised: *"RCC accept the form is very long and detailed but as noted, it is a standard/national form."* Under 'Method for Addressing Issue in TAP' the Council states: *"RCC to discuss further with the Roscommon Traveller Health Project team and arrange for assistance, as required (LTACC to address outside of the TAP)."*

<sup>6</sup> The Council makes the following comment on the issue raised: *"The application for social housing form is issued for update when the annual housing needs assessment is carried out. Applicants are advised to update any information that has changed since the last assessment so they may not need to update the entire form. The entire form is 14 pages and section 6 of the form collects detailed information on where the household lives and addresses the sharing of properties. Poor quality housing, on-going maintenance issues are separate issues most likely to do with the private rental market; these issues are*

"Overall, there is insufficient accommodation in the county with completely inadequate conditions in existing Traveller accommodation. It is essential that there is an adequate supply of housing of suitable size, given the composition of the families in question and should include the provision of essential services such as heating and water."<sup>7</sup>

"It is widely acknowledged that there is systematic failure at a national level in the existing process and structures in relation to Traveller accommodation, especially the fact that Traveller Specific Funding is being provided but not spent. We feel the challenges goes beyond the provision of funding, there is huge need to locally take responsibility and really look at the nature of the problem and openly address local opposition to the provision of Traveller specific accommodation."<sup>8</sup>

"Many Travellers continue to live in very poor accommodation conditions and in an unsafe physical environment. There are often damp problems; pest

---

*addressed elsewhere". Under 'Method for Addressing Issue in TAP' the Council states: "Full assessment of all Travellers in the County will be part of the TAP (this will be in addition to a review of Housing Applications made by those indicating a preference for Traveller-specific accommodation)."* In relation to the issue of inadequate accommodation and the Council's inspection and enforcement role, the Council states under 'Method for Addressing Issue in TAP': *"Private rental inspection programme is in place and in operation. Cases of substandard accommodation can be reported to RCC and inspection of these properties will be prioritised (no action under the TAP)."*

<sup>7</sup> The Council makes the following comment on the issue raised: *"Traveller accommodation provided under previous TAPs in County Roscommon has been provided to a high standard and has always included essential services. Traveller-specific accommodation (accommodation designed to facilitate a transition from a nomadic way of live [sic] to a semi-settled way of life) has been heavily criticised by Travellers as being inadequate and the cause of overcrowding. It is also recognised that a significant number of Traveller [sic] may opt for standard social housing options (LA housing, AHB housing or HAP)."* Under 'Method for Addressing Issue in TAP' the Council states: *"The criticism of Traveller-specific accommodation is acknowledged and it may be that there is no future for certain types of Traveller-specific accommodation in County Roscommon and that older Traveller-specific developments such the older part of Torpan Beg and Harristown, Castlereagh should be modified in part or in full to a standard that meets modern requirements (this will be a critical element of the TAP)."*

<sup>8</sup> The Council makes the following comment on the issue raised: *"It is acknowledged that there is likely to be opposition to projects delivering accommodation to Travellers (Traveller-specific accommodation) and that this is a major project risk in the delivery of any TAP; however, limitations with regard to what the TAP can deliver and what it will fund should also be acknowledged."* Under 'Method for Addressing Issue in TAP' the Council states: *"The TAP will fund Traveller-specific accommodation; i.e., Group Housing and Halting Sites (note; submissions would indicate traditional concepts of Traveller-specific accommodation are out dated). The TAP no longer funds single-instance houses (usually stand alone rural dwellings) and it makes no contribution to the provision of standard social housing on behalf of the Travelling Community, i.e., Travellers that opt for standard social housing are treated the same as anyone else on the housing waiting list (allocations of SH made to Travellers identifying as Travellers are recorded to ensure proportional representation)."*

infestation and lack of basic facilities such as sewerage, public transport, paved roads, pedestrian pavements and electric lighting. Poor site design and drainage problems as well as environmental hazards from land adjoining Traveller accommodation are concerns for Traveller residents.”<sup>9</sup>

“Out of necessity many Travellers are now doubling up in accommodation i.e. bays on sites and houses with extended family members, in many cases already overcrowded accommodation, this is neither acceptable or sustainable and creates the conditions for unnecessary conflicts, and increase risk of accidents and fire hazards. Overcrowding can also be used as justification for eviction by Local Authorities. This has occurred on a number of occasions post Carrickmines regarding a national fire safety audit in Traveller accommodation.”<sup>10</sup>

A single submission was received from a person described as a resident of a named location. The Council describes this as a “personal request” and it includes the following:

“We understand that [named location] is an emergency site and we propose that the status of same is changed to enable the Council to provide permanent accommodation on the site”.

At page 12 of the TAP 2019-2024, the Council sets out how it proposed to engage in consultation with members of the Traveller community during the implementation of

---

<sup>9</sup> The Council makes the following comment on the issue raised: *“General observation is acknowledged. All sites provide under the TAP in Roscommon were provided to a high standard with all necessary infrastructure.”* Under ‘Method for Addressing Issue in TAP’ the Council states: *“Design of all Traveller accommodation sites shall be to a high standard and shall include for all necessary infrastructure.”*

<sup>10</sup> The Council makes the following comment on the issue raised: *“RCC has Traveller-specific units available which it finds difficult to let. However, it is acknowledged that Traveller-specific accommodation may not be the preferred choice for many younger Travellers. Relationships between different Traveller families is an issue for LAs with regard to optimum use of existing Traveller-specific/Traveller Group Housing stock.”* Under ‘Method for Addressing Issue in TAP’ the Council states: *“TAP will forward plan to the extent possible. An inter-agency approach to resolving issues between different Traveller family groups would also be welcome. The appropriateness of Traveller-specific accommodation (as designed to date) also needs to be reviewed.”*

<sup>11</sup> Under ‘Method for Addressing Issue in TAP’ the Council states: *“While this is a personal case, the requirement for transient sites as identified in the TAP could influence available options.”* The Council’s full comment in relation to this matter has not been included, as the matter appears to relate to a specific individual or group of individuals whose personal data may be identifiable from the additional information provided.

the programme. This is also set out in the Council's letter of clarification of 19 June 2020. It is stated that this consultation will consist of:

- Representations from LTACC members including members representing the Traveller community;
- Representations from local and national Traveller support groups including the Traveller Interagency Group;
- Consultation with individual families and family groupings directly affected by proposals;
- Consultation required by planning and Part 8 processes;
- Discussions with social housing support applicants with regard to available accommodation options; and
- Information meetings with local community groups and residents, as appropriate.

The Council states that the main purpose of the consultation process is to lead to a more inclusive and informed decision making process by ensuring that the views and experiences of the Traveller families directly affected by projects proposed in this programme are taken into consideration. The Council outlines the following steps to ensure effective consultation:

- Provision of accommodation in accordance with demand;
- Provision of appropriate accommodation with regard to individual choice, Traveller culture and distinct needs;
- An understanding of the constraints that determine accommodation options; and
- An awareness of the responsibilities of all parties involved in this programme.

The Council sets out a number of permanent accommodation options available to Travellers: standard social housing; single instance housing; Traveller-specific group housing; Traveller-specific hybrid housing; and Traveller-specific halting sites. In addition to this, emergency accommodation for those presenting as homeless is provided for in accordance with the Council's homeless procedure and transient caravan bays (for short-term, occasional use) are provided within most Traveller-

specific sites to accommodate transient visitors. The Council states in the Equality Review that:

“private rental options including HAP are available to support applicants waiting for an alternative form of accommodation.” The Council further states that to “the extent they can be identified and agreed, the distinct accommodation needs of Travellers have and will be incorporated into the TAP.”

The Council states that staff are available to assist and advise applicants throughout the social housing application process and advise that representatives from Traveller organisations, such as the Traveller Health Project Coordinator, are also available to assist.

In respect of unauthorised encampments, the Council states in the Equality Review that previous TAPs:

“have successfully accommodated any unauthorised encampments within authorised settlements. There are no unauthorised encampments within the county at this time; however, there are a small number of illegally parked individual caravans. The Council will continue to use the powers under the Roads and Housing Legislation to move and/or relocate illegally parked caravans or other forms of temporary accommodation from the public road as they are a hazard to the illegal occupants and road users alike. Other forms of illegal parking will be assessed on a case by case basis.”

The body of the current TAP sets out accommodation services that are available to Travellers. The Council states that common areas within Traveller-specific settlements are maintained by the Council’s housing caretaker. Tenant responsibilities and Council responsibilities are specified in the current edition of the Council’s tenant handbook and in the tenant agreement. Tenants can log maintenance issues for which the Council is responsible by using a dedicated phone number.

The Council reports that the tenant handbook references the Council’s anti-social behaviour strategy and estate management in general including the role of residents’ associations and the Council’s tenant liaison officer. Tenants must provide for proper

management and collection of household waste by using an authorised waste collection service. Tenants are encouraged to reduce and recycle waste and compost waste, as appropriate. Dumping of waste and back yard burning of waste are illegal practices in the county.

## B. Comparison of funding to comparator group

The Council sets out funding for Traveller-specific accommodation from 2015 to 2018. The Council reports that over this period, total DHPLG allocation came to €507,827 and that the total sum drawn down was €261,400. The Council reports that, over this period, there was an overspend in 2016, the amount drawn down equalled the sum allocated in 2017 and there was an underspend in 2015 and 2018. The Council reports that as of September 2019, the DHPLG had approved a total sum of €576,499 for two Traveller-specific group housing projects, of which the Council expected to draw down €253,084 by the end of that year.

The Council states that standard social housing is also provided *via* an acquisition programme. Approximate targets are advised by the DHPLG; however, there is no pre-approved budget for this programme. If available on the market, suitable houses are purchased on a case by case basis and in accordance with Department acquisition limits. Over the same reference period of 2015 to 2018, the Council reports that it drew down a total sum of €2,458,265 from the DHPLG.

## C. Adequacy of funding

Over the course of the previous TAP 2014-2018, the Council states that the target in respect of halting sites was achieved in full. The Council reports that 8 serviced bays at the halting site at Ballynacullia were decommissioned and two serviced bays were established at the front of the site for the two remaining households. The Council asserts that areas were cleared and re-established. The Council states that in 2016 a bespoke modular home provided by the Council replaced the remaining caravan.

The Council states that the single instance housing target was also achieved in full: a house at Mullymux was completed and tenanted in 2014.



In terms of group housing, the Council states a proposed additional unit at Cluain Airne, Roscommon did not advance due to lack of demand for group housing in this development. The Council reports that the conversion of 4 hybrid units at Torpan Beg to Group Housing (3 bedroom) units was not achieved due to technical reasons (unsatisfactory layout and loss of rear gardens). The Council states that a new proposal involving the extension of the rear gardens to facilitate a suitable floor plan has been approved by the Department for funding and, as of September 2019, was at the planning (Part 8) stage of the process. The Council hopes to complete this project in the 2019-2024 programme. The Council sets out additional projects that materialised during the course of the five-year programme provided or reinstated 6 additional Traveller-specific accommodation units.

In respect of local authority and approved housing body allocations, the Council reports that the target of 5 local authority ('LA')/approved housing body ('AHB') allocations to Traveller households was exceeded. In total, 36 LA/AHB units were allocated to Traveller households. The Council states that the large allocation of LA houses confirms a notable trend towards a preference for standard LA social housing and a trend away from Traveller-specific types of accommodation.

For RAS and HAP tenancies, the Council reports the target of 12 Traveller households entering into RAS/HAP tenancy agreements was not achieved. The Council reports that, in total, 9 Traveller households entered into RAS/HAP tenancy agreements. The Council is of the opinion that this target was not achieved because Travellers had a stronger preference for standard local authority housing. The Council observes that Travellers remaining in private rented accommodation were more likely to rent privately outside of HAP and RAS.

The Council does not believe that the two instances in which the full Traveller-specific funding allocation was not drawn down have impacted its statutory duty to provide sites for caravans, including sites with limited facilities. The Council reports that in recent years the majority of Traveller households applying for social housing have expressed a preference for standard social housing (the Council refers to the assessment of needs section of its current TAP). The Council states that as a result of

this preference for standard social housing, the number of vacant Traveller-specific units is consistently greater than the current demand for Traveller-specific units.

#### D. Whether all funding allocated drawn down

The Council states that it is required to seek capital funding from the DHPLG for each individual project involving the provision of Traveller-specific accommodation. The Council states that each project is assessed by the Department on its own merits and the Council is required to progress each project in accordance with the Department's prescribed four-stage or single stage social housing approval process and guidelines on approval submissions for capital works. The Council states that other relevant statutory processes concern planning permission and planning-related processes.

In the letter of clarification of 19 June 2020, the Council explains that projects in the TAP are assigned to the "*SEE (capital/technical staff)*" by the Housing Unit Head *via* monthly integrated performance management (IPM) meetings for advancement once the TAP has been approved by Council members. The Council explains that the Housing Unit Head and SEE resource the TAP projects in accordance with the demand priorities indicated in the TAP and responsibilities are assigned to staff *via* the IPM procedure. The Council states that the SEE initiates the 4-stage approval process by applying for Stage 1 approval in principle. The Council states that all project targets, correspondence and progress are recorded in project folders and that progress is also monitored *via* the IPM project management and monitoring procedure.

The Council states that it has a consultancy framework in place to ensure projects progress from the approval stage to the planning and design stage as quickly as possible. The Council states that this has been a very effective process to date. It states that appointed consultants are contracted to bring the projects to tender award stage and to provide on-site supervision, as required. The Council states that quarterly meetings are held with the DHPLG's architectural advisor (capital project supervisor) to discuss and monitor progress on capital projects.

The Council reports that a review of accommodation provided during each five-year TAP is carried out during the currency of the TAP and at the end of the TAP. It states that instances of over or under performance in relation to the TAP's recommendations

are assessed and analysed. It states that draw-down of funding is an integral part of capital project management and that funds can only be drawn down on foot of approved claims in line with contract payment conditions and as approved by the DHPLG. The Council states that it monitors and conducts internal reviews of capital expenditure via its accounting system ('Agresso') to ensure DHPLG funding is drawn down as soon as possible.

Over the period 2015 to 2018, the Council explains that full project allocation was not drawn down on two occasions.

In 2015, it is reported that the DHPLG allocated € 19,622 as a final account settlement for a single project with committed expenditure of € 84,134. It is stated that the DHPLG's proposed final account settlement was not acceptable to the Council due to the significant deficit between the proposed final settlement amount and the Council's committed expenditure. Accordingly, a final account was not agreed and these funds were not drawn down. The final account was eventually agreed for this project in 2017 when the DHPLG allocated € 52,617 against committed expenditure of €87,536 (the shortfall of € 34,919 was borne by the Council).

In 2018, it is reported that the DHPLG allocated €230,000 to Torpan Beg Phase 2. It is stated that this project had an existing Part 8 planning approval but it was not in accordance with DHPLG requirements. The Council states that consultants were appointed in November 2017 and a new design and planning approval was progressed in 2018 (new Part 8 approved in November 2018). The delay meant no construction works commenced in 2018 and despite the progression of planning and design, the consultant did not make any payment claims in 2018 for services provided in 2018. Hence there was no drawdown against the 2018 allocation of €230,000.

The Council states that this project is ongoing but has been further delayed in 2019 due to ongoing engagement with tenants. The Council reports that, as of September 2019, it is progressing the works to the procurement stage and will advertise the tender for construction works as soon as an agreeable solution can be found to accommodate the remaining tenants. If this is not possible, the Council states that there is a risk that the project may not proceed to construction.

The Council notes that a significant number of sitting tenants within this Traveller-specific development have expressed a desire to transfer to standard social housing in the neighbouring towns and villages. The principal reason seems to the Council to be that this type of accommodation, although in good condition, is no longer acceptable to the local Traveller community. The proposed extension project will convert four one-bed units with hard standing for additional caravans into three-bedroom houses. The Council states that it is progressing the extension/conversion project in the hope that it will rejuvenate the Torpan Beg settlement and make it more attractive to future generations, despite suggestions from some local residents that future generations will not want Traveller-specific accommodation regardless of the type of accommodation provided.

#### E. Any further issues of equality of opportunity

The Council sets out the following findings arising from its review:

Following extensive consultation with the LTACC and all known members of the local Traveller community, it would appear that what was considered to be culturally appropriate Traveller-specific accommodation, ranging from serviced halting bays to house/hard stand combinations to standard bungalows in a group housing setting, is no longer acceptable;

In particular, any accommodation options involving caravans or mobile homes were universally criticised by Travellers and health care professionals alike, as being unfit on health grounds. Existing tenants in Traveller-specific group housing (typically 3 plus bedroom bungalows built in a group setting) appear to be satisfied with this type of accommodation; however, this may not be the case for future generations; and

This Council has no agenda of its own in relation to the provision of Traveller-specific accommodation and accepts its obligation to provide Traveller-specific accommodation in accordance with the demand for same. Any reduced activity in the provision of Traveller-specific accommodation is a direct reflection of a reduced demand for this type of accommodation among the local Traveller community.

## Section 2 Issues arising

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

### The Equality Review process

There is no indication of the process pursued by the Council in undertaking this Equality Review.<sup>12</sup> In particular there is no mention of any participation by the LTACC or by local Travellers or Traveller organisations which would be expected in such a process.

However, the Council did usefully provide, as part of this review, information from the range of submissions it received from Traveller organisations and other stakeholders to inform the development of its current TAP.

### Accommodation needs assessment

The Council does not seem to have a robust system in place to capture and record true accommodation preferences of Travellers

The Council's TAP 2019-2024 makes no reference to the Council's recognition of Travellers as a distinct ethnic group and their specific accommodation needs arising from their ethnic identity. In this regard, the Equality Review reports that:

"following extensive consultation with the LTACC and all known members of the local Traveller Community, it would appear that what was considered to be culturally appropriate Traveller-specific accommodation, ranging from serviced

---

<sup>12</sup> In July 2021, after receiving a draft copy of this account, the Council has made the following comment:  
"The Council considers that this statement must be removed as an issue arising. It is entirely unreasonable to expect the Council to follow a particular review process when none was identified by the Commission, other than that provided as set out in appendix A of this Account. The Council used its best endeavors to address all the matters set out in the initial letter of the 25th of June 2019 and in the request for further information in the Commission letter of the 4th of June 2021. The Commission has failed to provide any specific guidance to the Council as to the methodology that should be applied to The Equality Review Process. No guidance appears to be available on the Commission website and it appears that there is no such guidance available. The Council cannot accept the inference that there was a failing by the Council to meet a standard not specified."

<sup>13</sup> In July 2021, the Council has commented that it "does not agree with this statement and seeks its removal. The Council designed and carried out a robust traveller count and survey which was shared with the Expert Traveller Accommodation Review Group and approved as a model of assessment by that Group."

halting bays to house/hard stand combinations to standard bungalows in a group housing setting, is no longer acceptable".

There is no information provided, in the TAP or Equality Review, however, regarding: the nature of the consultation; the exact number of Travellers involved; or the reasons articulated for these changing preferences. Given the conclusions that the Council has drawn from this process, it is of concern that this detail is not provided in the Equality Review.

The Equality Review and TAP indicate that a survey was carried out with Traveller families, as part of the accommodation needs assessment for the current TAP.<sup>15</sup> This survey is appended to the TAP. The survey is short and includes a question on preferred accommodation

The Council states that its current TAP is based on the results of the survey it carried out (set out in a list at page 8 of the TAP 2019-2024). This list includes findings that there are 477 Travellers in Roscommon, comprising 124 households. There are 21 Traveller households not living in their own home (8 of which are on the social housing list), 7 households living in illegally parked caravans (4 of which are on the social housing list). Of the 40 households on the social housing list, 4 were seeking Traveller-specific accommodation and 34 were seeking standard local authority housing. The Council calculates the latter as 87% seeking standard local authority housing.

---

<sup>14</sup> In July 2021, the Council has commented as follows: "*The Council considers that this statement must be removed as an issue arising. It is entirely unreasonable to expect the Council to follow a particular Equality Review Process when none was identified by the Commission, other than to address the matters set out in Appendix 1 and in the request for further information. The Commission has failed to provide guidance to the Council as to the methodology that should be applied to The Equality Review Process. No guidance on methodology or standards expected is available on the Commission website and it appears that there is no such guidance available. The council cannot accept the inference that there was a failing by the Council to meet a standard in its methodology of Equality Review not specified by the Commission. The Council has actively engaged with Traveller groups and individuals in the provision of housing and assessing preferences.*"

<sup>15</sup> In July 2021 the Council as commented as follows in relation to the survey: "*The actions that were taken in relation to the survey were that it was adopted by the Traveller Accommodation Expert Review Group as good practice and that the LTACC approved the survey. Support was provided by the TLO and the Roscommon Traveller Health Project in respect of the responses.*"

<sup>16</sup> In July 2021, the Council clarified that the remaining two households (out of the total of 40 Traveller households on the social housing list) expressed a preference for halting site bays.

This is only 87% of the total of 40 Traveller households that are on the social housing list and those 40 households make up less than a third of the total of 124 Traveller households in the county. Crucially, no information is provided in respect of the accommodation preferences of the 13 households not living in their own home but who are also not on the social housing list. No information is provided in respect of the 3 households stated to be living in illegally parked caravans who are not on the social housing list

Given these figures, it would be expected that the minimum 2019-2024 TAP targets, for current need alone, to be 55, without taking account of projected need with new family formation. Yet, the TAP identifies a target of 38 units of output to be delivered by 2024, not all of which appear to be additional units. Further, there is no clarity in the TAP as to current versus projected need, and whether this figure of 38 includes projected need. If this is the case, this target figure would appear to be a significant underestimate of accommodation need and it is unclear how this figure is arrived at.

The TAP identifies that of the 40 Traveller households responding to the survey who are on the social housing list: 4 have expressed a preference for Traveller-specific accommodation, and 34 for standard housing. It is not specified what preference is expressed by the remaining 2 households. There is no detail provided, in the TAP or the Equality Review, in regard to how the assessment process ensures that preferences identified are in fact true preferences. There is no independent verification process

---

<sup>17</sup> In July 2021, the Council stated that these 3 households have not applied for social housing and that "[t]herefore, the Council have no particulars beyond this" but that "[t]he Tenant Liaison officer engaged with these households."

<sup>18</sup> In July 2021, in relation to this paragraph, the Council noted that two households expressed a preference for halting site accommodation.

<sup>19</sup> In July 2021, the Council has clarified that "the two households in question expressed a preference for halting site bays".

<sup>20</sup> In July 2021, the Council has commented that: "The Housing Application is a standard document which requires the applicant to select their accommodation needs. This is carried out freely by the applicant. In relation to the survey conducted by RCC, forms were completed by the Householder or with assistance for the HLO. It is not clear what is suggested by the comment that the assessment process does not reflect true preferences. If it is the case that the Commission considers the completion of the usual application process/survey fails to identify "true preferences", please provide evidence in support of this statement."

identified in relation to preferences and no tracking of these over time reported in the TAP or the Equality Review.

ubmissions made to the Council on the drafting of its current TAP included issues in respect of difficulties Travellers were experiencing in completing the complex social housing application form (and so, just because a member of the Traveller community does not submit such an application form does not mean there is no accommodation need), inadequate and unsafe living conditions in existing Traveller accommodation (and so, some requests for alternative accommodation may not reflect true preferences, but a desire above all for safe living conditions) and issues of overcrowding and 'doubling up' with extended family members (which in itself suggests that there are unmet accommodation needs).

The Council states that current demand for Traveller-specific accommodation is below available (vacant) units. This fails to take into consideration the above submissions in respect of poor conditions on currently available Traveller-specific accommodation and the desire of some Travellers not to be accommodated near other members of the community. The latter may be a difficult issue to overcome, but the point is that vacant units does not automatically equate to no demand.

### Delivery of Traveller-specific accommodation

The data presented in the current TAP, regarding the Council's delivery of Traveller-specific accommodation for the 2014-2018 TAP, are unclear. The current TAP (in Appendix 2) indicates a total output of 4 units: 1 halting site bay and 3 units of group housing. The current TAP, however, also states that:

"27 allocations were made to Traveller-specific accommodation over the course of the (2014-2018) programme."

No further detail is provided on this figure of 27. Finally, the TAP further suggests, on page six, that there was a total of 8 outputs of Traveller-specific accommodation: 6

---

<sup>21</sup> In July 2021, the Council has commented that: "*Housing preferences are chosen by the applicant freely when completing the application form. It is not clear what is suggested by the Commission as to an independent verification process. Presumably there is no suggestion that RCC staff have unfairly represented the responses in the preference selection.*" The Commission confirms that there is no suggestion that staff of the Council have unfairly represented the responses in the preference selection.



units of group housing, and 2 halting site bays. It is unclear, therefore, what the correct figure is for outputs of Traveller-specific accommodation, over the course of the 2014-2018 TAP. However, given that the current TAP indicates (Appendix 2) that the *targets* for Traveller-specific accommodation, for the 2014-2018 TAP, were 8 (1 halting site bay and 7 units of group housing), it would appear that the figure of 27 noted, for outputs of Traveller-specific accommodation, is incorrect.<sup>22</sup>

The Council, in its Equality Review, advises that, in preparing its TAP, it undertakes a needs assessment and a survey of Traveller families. Neither the TAP nor the Equality Review, indicate how the accommodation needs assessment or the survey processes are conducted. There is no information on how the Council sought to ensure the survey reached all Traveller households in the area, and whether, and how Travellers were supported to effectively engage with the process.<sup>23</sup>

The Council calculates projected future need for Traveller-specific accommodation as low as:

“demand among the Traveller community for standard social housing options will rise in line with demographic projections for the Traveller population and the population in general ... as there is a strong trend towards a preference for standard housing options among successive Traveller generations, there is no indication that the demand for Traveller-specific accommodation will increase”.

This seems to be based on the 87% figure set out above, which is not a robust capture of true accommodation preferences for the reasons set out above. The single submission made in advance of the drafting of the current TAP described as a ‘personal request’ from a resident of a named location reads as follows:

---

<sup>22</sup> In July 2021, the Council by way of clarification stated that *“Appendix 2 of the TAP details new builds and allocations over the timeframe of the previous TAP. The data on Page 7 of the TAP relates to Traveller specific allocations over the same timeframe. However this data can include the re-allocation of existing Traveller specific stock, therefore direct comparison of these figures is not appropriate.”*

<sup>23</sup> In July 2021, the Council has stated that it *“conducts a Traveller count every year for the Department and all reasonable methods are used to gather data including consultation with the LTACC, relevant groups, local Traveller representatives and in consultation with the Council’s Housing staff records”*. The Council further states that it *“used its best endeavors to address all the matters set out in the [Commission’s initial letter] and in the [Commission’s request for further information...but was not asked to address this in the request for further information.”*

“We understand that [named location] is an emergency site and we propose that the status of same is changed to enable the Council to provide permanent accommodation on the site”.

While only a single submission, it is suggestive of a continuing need for halting site accommodation

The TAER found that recording snap-shot or historical data on existing accommodation did not equate to an accurate record of accommodation preferences. Furthermore, in the Commission’s experience, some members of the Traveller community perceive a lack of Traveller-specific accommodation or are exasperated by overcrowding or poor hygiene conditions on halting sites and for this reason, feel they have no choice but to apply for social housing. 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 accommodation preferences. This in turn would create a more solid foundation for future Traveller-specific accommodation policies.

It should be stated that the practice of the Council of recording the submissions made by various interested parties and Traveller representative groups, the key issues raised in each submission, commentary of the Council on these issues and whether and how they were incorporated into the TAP is a welcome practice, which demonstrates the Council’s understanding of the importance of transparency. This practice should be continued.

The Equality Review provides information from stakeholder submissions, to the Council, to inform the current TAP. One such submission, from Roscommon Traveller Health Project, notes the following in regard to the assessment process:

“We would welcome the introduction of a more detailed housing assessment to assess each family to identify what the needs are in order to be able to plan accordingly, a needs assessment that will highlight exactly the rates of

---

<sup>24</sup> In July 2021, the Council clarified that of the 40 Traveller households on the Council’s social housing list, 2 households expressed a preference for halting site bays.

homelessness, couch surfing, overcrowding, poor quality housing, on-going maintenance issues, etc."

In response to this specific item, the Council notes that a:

"full assessment of all Travellers in the County will be part of the TAP (this will be in addition to a review of Housing Applications made by those indicating a preference for Traveller-specific accommodation)."

There is no information provided, however, on what this 'full assessment' process might entail or how its results might form part of the provision to be made under the TAP. It is most important that consultation take place before the TAP is drafted in order to accurately assess need and be able to make proposals on how this need can be addressed in the TAP itself. Ongoing consultation is also important, to assess changes in circumstances/preferences, or new needs that did not exist at the time the TAP was prepared.

## LTACC

It is noted that the Council took steps to ensure the representative capacity of the LTACC. This remains a representative consultative body and is complementary rather than alternative to directly assessing the accommodation needs of all Travellers in the Council's functional area. The Council reports that currently there are six Traveller representatives on their LTACC. The Equality Review advises that invitations for nominations were issued to all known Travellers in the region and that seven nominations were received and six were accepted. Such a model is not based on representation or accountability.<sup>25</sup> The TAP submission from Roscommon Traveller Health Project notes the following in regard to the LTACC :

"we are delighted that the current membership has been reviewed and efforts are being made to ensure that this consultative and implementation committee is representative".

---

<sup>25</sup> In July 2021, the Council has commented as follows: " *This statement is unsubstantiated, and the Council is seeking its removal. The Commission has failed to provide any guidance as to what it considers is an appropriate model of representation or accountability. The Council directly assesses the accommodation needs of all known traveller households within its functional area.* "

The Equality Review does not provide detail however, in regard to what these efforts referred to are, particularly in regard to ensuring that the LTACC is representative in nature. In addition, there is no information in regard to what, if any supports are provided to ensure Travellers effective participation on the LTACC, or any process to ensure accountability back to the wider local Traveller community.<sup>26</sup>

### Transient sites

It is noted that the Council has a homeless procedure that can be availed of by all, transient caravan bays for short-term use and Council staff who are available to assist Travellers with any particular issues that arise. It is not clear from the review, however, to what extent Travellers are aware of these services, whether there is any out-reach work to inform them of same or whether there is an accessible drop-in clinic or phone service by which Travellers can seek assistance.

In regard to the provision of transient sites, the Council reports in the Equality Review that such accommodation is available to visiting Travellers at three of its Traveller-specific sites. The submissions made by Tusla and Roscommon Traveller Health Project ahead of the drafting of the TAP 2019-2024 appear to indicate the need for further provision for Travellers coming into the county, with the Council suggesting in response that demand will be assessed as part of the TAP. The TAP 2019-2024 indicates that "at a local level, there is demand for the continued provision of transient bays to facilitate family relatives visiting existing Traveller-specific sites" and states that the current TAP "will monitor use of existing transient bays and provide additional visiting bays, as required." It is not made clear how or at what stage such demand was assessed.<sup>27</sup>

---

<sup>26</sup> In July 2021, the Council has commented as follows: " *The Commission did not provide guidance as to what level of detail should be included in the Equality Review and it was not raised as issue for further information in the Commission letter of the 24<sup>th</sup> of April 2020.* "

<sup>27</sup> In July 2021, the Council has stated that: " *The Equality Review and information provided by the Council noted that demand was assessed by way of completion of the survey for inclusion in the last TAP, which was provided to the Commission.* "The Commission notes that the copy of the survey provided to it at Appendix 3 to the TAP 2019-2024 does not contain a question in relation to transient sites.

## Social housing supports

Neither the TAP nor the Equality Review reference any specific supports that are provided, by the Council, to Traveller families seeking or accessing social housing supports. It is of concern that neither the TAP nor the Equality Review give any indication as to why 13 of 21 families identified as sharing with other households, and 3 of 7 families on unauthorised sites/roadside are not on the social housing list, and what, if any, measures have been taken to enable and support these families to apply for social housing supports. In relation to the provision of standard LA/AHB social housing there is no reference to any steps being taken to support and sustain integrated intercultural communities on these estates.

## Private rented accommodation

The current TAP notes the following in regard to provision of accommodation to Traveller households:

“[a]ll locations shall be recorded to ensure proportional representation for Travellers with regard to all social housing options.”

This policy statement is not further explained: its intended purpose, how it is applied, and whether its application to-date is or in the future could be in any way discriminatory.

Of the 38 target units for the current TAP, the Council reports that over one third (14 households) will be accommodated through HAP/RAS supports. The TAP submission from Roscommon Traveller Health Project, notes that:

“many landlords [are] refusing to deal with Traveller families meaning families are forced to stay in unsuitable, dangerous and overcrowded accommodation.”

This is compounded with other issues, namely: very low levels of available accommodation to rent in the area; high rental rates; limited supply of suitable

---

<sup>28</sup> In July 2021, the Council has commented that: “*The Council agrees with this concern [and] has liaised directly and through partners to encourage engagement with the Housing Unit of RCC.*”

<sup>29</sup> In July 2021, the Council has commented that “*all supports are outlined in the tenant handbook provided by the [local authority] or AHB*” and that “*[t]he Tenant Housing Liaison Officer (HLO) and Caretaker also provide additional supports.*”

accommodation for larger families that meets the criteria for rent allowance/RAS. The Council's response is that this issue must be addressed at national level.

The Council's Equality Review notes that, regarding:

"private rented accommodation options, this Council cannot confirm that members of the Travelling Community can avail of accommodation services on an equal and non-discriminatory basis with all other service users."

Given the significant levels of discrimination Travellers experience in accessing this sector, and given that over one-third of the Council's target units for its current TAP (14 of 38) will be in this sector, via HAP/RAS supports, it is a gap that the Council has no information as to the experience of local Travellers in accessing private rented accommodation. In relation to accessing private rented accommodation, through HAP/RAS supports, there is no reference to any steps being taken to support Travellers to access this sector, in light of their experiences of discrimination in this sector

### Homelessness amongst Travellers

The TAP indicates that there are no Travellers currently in emergency homeless accommodation, however, there are 7 families on unauthorised sites/roadside. The TAP advises, that of these 7 families, 4 are on the social housing list. There is no detail provided in regard to the remaining 3 families. The TAP submission, from Roscommon Traveller Health Project, notes the following in regard to Traveller homelessness in the region:

"Very limited emergency accommodation options were available to members of the Traveller community in Roscommon. This has resulted in families left sleeping/eating in cars for days, or sleeping in dangerous/unhealthy situations.

---

<sup>30</sup> In response to a submission made ahead of the drafting of its TAP 2019-2024 that raised the issue of the discrimination faced by Travellers when trying to access private rental accommodation, the Council comments that "[d]iscrimination should be addressed via the Rental Tenancies Board (RTB). This is a broader issue for the LTACC to address." In response to submissions regarding the unsuitability of providing social housing supports in the form of private rented accommodation, the Council states that it agrees "that over reliance on the private rental market is short sighted and ineffective in high demand areas" and that "[t]his issue must be addressed at national (Department and Government) level." In its TAP 2019-2024 the Council lists "Rental Market Discrimination" under the heading "Issues the Traveller Accommodation Programme cannot address directly: (for further consideration by the LTACC)".

All families had very young children; with no short term private rented options available to offer to any of the families at the time."

In response to this specific item, the Council advises:

"no action under the TAP", and further indicates that "[t]he Council has mechanisms and protocols in place to address homelessness which apply to all who present as homeless, including Travellers."

This response would appear to fail to appreciate the specific barriers experienced by Travellers who are homeless or are at risk of becoming homeless, as well as failing to address the fact that Travellers are significantly over-represented in the homeless figures nationally, which on the basis of the submission quoted, would appear to be a reality locally.<sup>31</sup>

## Tenant supports

Regarding estate management, the Council advises that Traveller tenants on Traveller-specific sites are encouraged to take ownership of their units and are supported by the Tenant Liaison Officer in this regard. There is no further detail provided as to this process and whether there is a specific process in place to support, enable and provide structure for Traveller participation in estate management. It was not clear, for example, whether any steps were taken to progress the issue raised in one submission in advance of the preparation of the TAP as regards the need for tenancy training.<sup>32</sup> The Commission notes that the Council reports that it has a housing caretaker who provides maintenance services to residents of Traveller-specific settlements and that there is a dedicated phone number provided for maintenance issues. The Commission also notes that the Council provides a Council tenant handbook.

---

<sup>31</sup> In July 2021, the Council has commented that: "RCC has engaged with the specific barriers experienced by Travellers who are homeless or at risk of becoming homeless. [It] does not agree that the response cited is indicative of a failure to appreciate those barriers. Rather the response cited is reflective of the recognition by RCC that many persons who present as homeless have significant needs, including needs which also engage equality rights - for example persons with disabilities. The Council reiterates that all homelessness cases are addressed with the utmost urgency."

<sup>32</sup> In July 2021, the Council has commented that: "[t]his statement fails to reflect the measures indicated by the Council in the Equality Review as to the supports that are provided. Such supports include the interaction of the HLO, the Caretaker and the provision of the Tenant Handbook".

## Drawdown of funds

Over the period from 2015 to 2018, there was an overall underspend on capital expenditure for Traveller-specific accommodation: total allocation was €507,827 and total drawdown was €261,400. While in two of these years there was an over- or equal-spend, there was a further underspend to date in 2019. The total drawdown for general housing was €2,458,625. The ratio for total drawdown as between capital funding for Traveller-specific accommodation as compared to general housing was 507,827 : 2,458,625 or 1 : 5. Given that no information was provided on the comparative populations of members of the Traveller community and the general population, no meaningful comparison can be drawn from this.

The financial data provided by the Council indicate that in 2015 funding of €84,134 was sought from the DHPLG for phase 1 of a Traveller-specific project (Torpan Beg), however, as the Department only allocated €19,622, the Council did not draw down this amount. The Council advises that in 2017 the Department allocated €52,617 to the project, with the Council absorbing the remainder of the project cost from its own resources. Having regard to the content of the review this project appears to have been completed in 2017.

Regarding a second Traveller-specific project: Ballynacullia phase 1a, the Council's data indicate that in 2015, 2016 and 2017, the Council committed to expenditure on this project, with a final amount of €43,452.01 budgeted in 2017. While the narrative on this item, in Table b1, states that this project was completed, it is not stated whether the full cost of this project was borne by the Council (there was no DHPLG allocation given for this project).

While the Council stated that the 2014-2018 TAP target in respect of halting site accommodation was achieved, it is noted that this primarily concerned the decommissioning of 8 halting site bays and establishment of 2 bays. Two group housing targets were not achieved within the duration of the previous TAP: that at Cluain Airne, due to a reported lack of demand for group housing in this development and that at

---

<sup>33</sup> In July 2021, the Council has commented that: "[t]he Council would have provided this information had it been sought by the Commission in its request for further information in the Commission letter of the 24<sup>th</sup> of April 2020."



Torpan Beg to Group Housing, due to reported technical reasons (unsatisfactory layout and loss of rear gardens). The Council hoped however to complete the latter project in the 2019-2024 programme.

It is noted that the Council seems to have in place good procedures to monitor and progress the drawdown of funds for TAP projects, notably incorporating monthly integrated performance management meetings, a consultancy framework, quarterly meetings with the DHPLG's architectural advisor and internal reviews of capital expenditure *via* its accounting system ('Agresso') to ensure DHPLG funding is drawn down as soon as possible.

Allocated funds were not drawn down in two years over the 2014-2018 reference period. In 2015, the DHPLG allocated €19,622 as a final account settlement for a single project with committed expenditure of €84,134. The DHPLG's proposed final account settlement was not acceptable to the Council due to the significant deficit between the proposed final settlement amount and the Council's committed expenditure and so these funds were not drawn down. The final account was however eventually agreed for this project in 2017.

Regarding a third Traveller-specific project (Torpan Beg phase 2), the Council reports that budgets of €110,000; €110,000; €25,000; and €230,000 were indicated for this project, in 2015, 2016, 2017, and 2018 respectively. In 2018, the DHPLG allocated €230,000 to Torpan Beg Phase 2. This project had an existing Part 8 planning approval, but it was not in accordance with DHPLG requirements. Consultants were appointed in November 2017 and a new design and planning approval was progressed in 2018 (new Part 8 approved in November 2018). The Council states that the delay meant no construction works commenced in 2018 and despite the progression of planning and design, the consultant did not make any payment claims in 2018 for services provided in 2018. This was why this drawdown was not made in 2018.

The Council adds that this project is ongoing and has been further delayed in 2019. The Council states that it:

“is progressing the works to the procurement stage and will advertise the tender for construction works as soon as an agreeable solution can be found to accommodate the remaining tenants.”

If it is not possible to reach such an agreement, the Council states that there is a risk that the project may not proceed to construction. The Council does not detail the process it has engaged in to address the underlying issues arising. The buy-in from residents is crucial for the success of any such development projects. For this, it is necessary to engage in ongoing and meaningful consultation with residents. The engagement of a Traveller Liaison Officer or social worker dedicated to working with members of the Traveller community would assist in creating a familiar point to which Travellers could refer to voice any concerns they might have, which could then be relayed to the Council for consideration.

There is no reference, in the TAP or Equality Review, to the Council's statutory obligations under S42 of the 2014 Act: the Public Sector Equality and Human Rights Duty. The Council's Corporate Plan 2019-2024, which was supplied, does include a reference to “deliver on the public sector duty”, however, there is no further detail, and this reference to the duty is cited under a section on customers, suggesting a possible narrow focus on one function area only, which would not be fully compliant with S42.

---

<sup>34</sup>In July 2021, the Council has commented that: “*[h]ad these issues been raised by the Commission in its request for further information, on the 24<sup>th</sup> of April 2020, the Council would have addressed this.*”

## Section 3 Recommendations

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

1. Address policy and procedure for:

- presenting data and information in the TAPs and progress reports, in particular: providing detail on the process for assessment of Traveller accommodation needs and preferences in the administrative area; and providing clearer data on the number of current and projected units needed and targeted, and on outputs by accommodation type;
- acknowledging the Council's recognition of Travellers as a distinct ethnic group, in its TAP, and the specific accommodation and support needs that arise from cultural difference reflected in Traveller culture and identity;
- tracking over time and independently verifying the preferences of the Traveller community in relation to type of accommodation and ensuring a respect for Traveller culture and identity in meeting these;
- 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;
- responding to the practical implications of Traveller ethnicity, in the provision of standard housing, in particular for supporting and sustaining integrated diverse communities;
- amending the provision in relation to 'proportional representation' in relation to social housing options to remove any potential for discrimination;
- tracking the experiences of the Traveller community in seeking to secure accommodation in the private rented sector and addressing the issues identified;
- establishing Travellers' specific experience of homelessness, and developing culturally-specific responses to the needs of Travellers experiencing homelessness;

- establishing appropriate structures, processes, and supports for Traveller participation in estate management on Traveller-specific accommodation;
  - identifying and responding to the imperative of an informed and empowered participation by Travellers on the LTACC through capacity-building or support for local Traveller organisations and Travellers to participate effectively and on a representative basis; and
  - implementing the Public Sector Equality and Human Rights Duty, taking advantage of the next review to assess the equality and human rights issues relevant to this function and to ensure action on these is implemented under the TAP.
2. Establish and implement an ethnicity identifier in data gathering and analysis in relation to the provision of social housing and homelessness services and include all Traveller-specific accommodation options in housing applications (i.e. allow applicants identify themselves as a member of the Traveller community if they wish and for the sole purpose of identifying accommodation needs and include a list of needs/preferences any or all of which may be ticked, including, but not limited to permanent/transient halting site, group housing, outdoor space for dogs/horses and preference to be accommodated close to family members).
  3. Develop a more transparent recording of the methodology of collection and data obtained in the annual count of members of the Traveller community (for example by survey, setting out the steps taken to ensure all members of the Traveller community were reached and including such questions as multiple accommodation preferences and difficulties in accessing such preferences or other accommodation in the past).
  4. Consider the possibility of employing a Traveller Liaison Officer, who should have a drop-in or phone clinic by which members of the Traveller community can voice any concerns they may have in respect of their accommodation directly. They could also assist with online applications where members of the Traveller community have no access to the internet. The officer should have regular

meetings with members of the Council mandated with housing issues to ensure regular feedback on accommodation issues raised by members of the Traveller community.

5. Engage the services of an appropriate independent body, to draft a report on the reasons why the remaining residents of the Torpan Beg site have concerns about being temporarily or permanently moved out of the units and possible steps that could be taken to address these concerns. Any such steps taken by the Council should be published.
6. Record data on both funds allocated and drawn down for Traveller-specific accommodation and those for general accommodation. This would help to inform the Council to ensure that there is no less favourable treatment of Travellers in the provision of accommodation. Account may be taken of the true preferences of members of the Traveller community whose accommodation needs are met through general housing funds and of the fact that some forms of accommodation are more expensive than others.
7. 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.
8. 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 draw down in each of the last four years;
- (c) The amount of funding applied for by the Council to the Department of Housing, Planning and Local Government, but which was not drawn down;
- (d) If the entirety of funding allocation was not drawn down, to provide the reason(s) for this;
- (e) For each of the previous four years, the projects for which the Council applied for funding from the Department of Housing, Planning and Local Government and to confirm which of these received funding. To also confirm which of these projects were completed, and if not completed, to advise of the reason(s) for this;
- (f) To confirm the amount of funding in respect of general or standard housing available to the Council in each of the previous four years, the amount requested to be drawn down and the amount in fact drawn down in each of these years;
- (g) The impact that any failure to draw down allocated funds has on the Council's statutory duty to provide sites for caravans, including sites with limited facilities;
- (h) To confirm the amount of funding in respect of the provision of Traveller specific accommodation already applied for and/or that will be applied for in 2019;

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









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

The Irish Human Rights and  
Equality Commission  
**16 – 22 Sráid na Faiche,  
Baile Átha Cliath, D07 CR20**  
16 – 22 Green Street,  
Dublin, D07 CR20

Íosghlao/Lo-Call 1890 245 245  
Guthán/Phone + 353 (0) 1 858 3000  
Ríomhphost/Email [info@ihrec.ie](mailto:info@ihrec.ie)  
Idirlíon/Web [www.ihrec.ie](http://www.ihrec.ie)  
🐦 @\_ihrec