



No End in Site: One Year On

An Investigation into the living
conditions of children on a local
authority halting site

December 2022



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Introduction

In May 2021 the Ombudsman for Children's Office (OCO) published No End in Site, an investigation into the living conditions on a Local Authority run halting site, where 66 children and their families were living.

As part of our investigation we made 10 recommendations which were all accepted by the Local Authority. Since then we have had continued engagement with the Local Authority, the advocacy groups and the families, and believe it is timely to now provide an updated report on the progress made.

The No End in Site investigation resulted from a complaint initially made to the OCO in 2018 by a Traveller Advocacy Group (TAG). Subsequently 11 families came forward to make individual and shared complaints about a range of issues. These included persistent problems with rodent infestation; inadequate sanitation; extreme overcrowding; illegal dumping in and around the site; inconsistent and inadequate waste disposal; inadequate heating systems; unsafe electrical works; a high rate of childhood illness caused by living conditions; safety concerns about the access routes to the site; a lack of safe play areas for children and housing applications not being progressed.

As part of the investigation the OCO visited the site on three occasions where we observed the very basic conditions which have been in place since it was established in 1989. At the time of our visits there were approximately 140 people using toilets and washing facilities originally designed for 40 people. The residents and their advocates told us this has led to stress, tension and, at times, conflict. A very important aspect of our investigation was that we also met with 17 children living on the site who told us about the difficulties they encounter daily due to their living conditions and how they feel different to their peers as a result.

Twelve months on from our initial report, the Ombudsman for Children is satisfied that significant progress has been made by the Local Authority on the recommendations arising from the investigation. The Local Authority has engaged with the families around their housing needs and is actively planning to develop Traveller Housing in the area to ensure the needs of the community are better catered for in the long-term. The local authority have also taken significant steps to improve the living conditions of the families living on the site.

Despite the significant efforts made by the Local Authority a small number of families report that their living conditions remain unchanged and they are frustrated with the pace of developments. We remain concerned that relationships between the Local Authority, the residents and their advocates can be strained at times, and we have conveyed to all parties that open communication is central to building trusting working relationships going forward.

The recommendations which appear to have proved more challenging for the Local Authority are those related to the inclusion of children and young people in consultation and planning processes. This is an area that the Local Authority must give further attention to in the coming year.

Review Process

As part of the review we gathered information from a wide range of sources including:

- A written submission from the Local Authority.
- Meetings with the Local Authority's Chief Executive (CE), Assistant Chief Executive (ACE), Director of Housing, staff from the Traveller Accommodation Unit (TAU) and other parts of the Local Authority.
- We reviewed the Local Authority's files on the original 11 complainants.
- Following publication of the statement we met with the Minister of State for Housing, Local Government and Heritage (DHLHG), as well as senior officials and staff in the Department.
- We met with two separate Traveller Advocacy Groups.
- We conducted a visit to the site to meet with complainants, residents and their children.

Update on Recommendations

Recommendation 1

Due to the significant and prolonged adverse impact on children living on this site, the oversight for the implementation of these recommendations must be held at CE level to ensure accountability and a ring-fenced budget.

In response, the Local Authority advised that the CE would prioritise this matter and take specific measures to have appropriate oversight of the implementation of the recommendations of the investigation statement. We were also informed that the annual revenue and capital budgets relating to the provision of traveller accommodation were ring fenced, once approved by the Local Authority's elected members (revenue budget) and the DHLGH (capital budget).

Update 2022

The Local Authority has informed us that the CE continues to prioritise this matter and that bi-weekly meetings take place with the Assistant CE to discuss progress made. We are also told that the CE and the ACE have conducted meetings throughout 2021 and 2022 with members of the two advocacy groups to keep them apprised of progress, to address issues that arise and to build positive working relationships.

Parallel to this we are also informed by the DHLGH that senior representatives of the department attend monthly meetings with the Local Authority to provide the Minister with regular updates. The Local Authority reiterated that the annual revenue and capital budgets for Traveller Accommodation continue to be ring fenced. In this context we were advised that €450,000 has been spent in the year up to April 2022 on both maintenance and capital projects and from more recent engagement with the local authority we understand that this figure has now increased significantly.

The oversight and proactive involvement by the CE is important given that the issues raised in our investigation are clearly complex and longstanding. The level of commitment to improve the lives of children was evident in all of our engagements with the CE and their senior management. It is also reflected in the extensive time and resources they have collectively dedicated to this site and associated projects in the past 12 months. It is commendable that despite multiple challenges, the CE and their team continue to work intensively on resolving issues as they arise in the short term, while constantly looking to the future.

In the circumstances where there is real evidence of progress made on a number of the agreed recommendations it is essential that the CE continue to oversee the implementation of the recommendations up to their conclusion.

Recommendation 2

The Local Authority should immediately review the housing applications and complaints made by the 11 families. If there were any administrative errors that may have adversely affected them and their children, then redress should be provided including an acknowledgement of same.

In response the Local Authority advised that they were not aware of any administrative errors but would undertake a review of the housing applications in question. They also advised that if any errors were to be found these would be acknowledged and rectified without delay.

Update 2022

The Local Authority told us that following a review of the housing applications by their Internal Audit Section it was confirmed that all information was considered and relevant procedures followed in the processing of the 11 families housing applications. The Local Authority told us that no errors were identified that would have adversely impacted any applicants' opportunity in bidding for social housing on the choice based letting system (CBL).

However, the review undertaken was based on the materials and information contained on the residents files and, as detailed in No End in Site, some of these files were believed to be incomplete. We welcome the fact that in December 2021 the Local Authority introduced a new policy where residents can appeal and seek a review of disputes about the length of time for which they are recognised as being on the housing list.

We are assured that the reviewer of those disputes does err towards recognising the greater number of years in such instances when residents make an appeal about the length of time they have been on the list. The Local Authority hand delivered letters to all residents on the site in relation to this review mechanism. A number of families have since had their credit time on the housing list substantially increased. Hence we are satisfied that any potential adverse effect due to incomplete files has been addressed through this resolution mechanism.

Recommendation 3

The Local Authority should, without delay and in cooperation with the residents (including children), undertake a risk assessment of the named site with a view to taking immediate action to address the health and safety risks identified. Particular consideration should be given to the connection of all mobile units to plumbing and sewerage, the refurbishment of the welfare huts, the removal of fire safety hazards, the clearing of children's passage to school and the consistent provision of waste management, pest control, electrical and other maintenance. The matter of illegal dumping on the site must also be addressed as a matter of priority.

In response, the Local Authority advised that:

- A risk assessment would be carried out by a competent contractor in Quarter 3 2021 and initial survey work had already begun on this.
- They would immediately action the provision of a new temporary welfare pods in the short term and they will be provided in Quarter 3, 2021 at the latest.
- They would totally refurbish the original 10 bays which include the welfare units, electrics, water, and sanitary services in parallel with the delivery of a group housing scheme in the adjacent site.
- They would examine in Quarter 2 whether alternative methods of refuse collection was possible on the site, with a view to reducing or eliminating illegal use of the service.
- They would make sure that the current pest control service would resume following its temporary suspension due to the Covid pandemic and this will require full cooperation with residents to ensure success.

With regard to the clearing of the children's passage to the school, the Local Authority advised that this was a complex and emotive matter but that they would continue to engage with residents to find a mutually acceptable access solution for both the children living in the halting site and those residing in the neighbouring community.

Update 2022

As noted above, the Local Authority has informed us that up to April 2022 over €450,000 had been spent on refurbishment and upgrading at the site in the past year. Those works were informed by a report commissioned by an engineer in November 2021 and included;

Care taker services

- A caretaker has been hired five days a week and has been tasked with logging and reporting maintenance issues. In addition to the caretaker there is a dedicated phone line for residents to log complaints.

Welfare units

- In response to COVID-19 pandemic 30 portaloos were installed on the site along with water tankers. 24 remain on site and are regularly serviced.
- Four new welfare units have been installed and connected to services to replace existing units that were in very poor condition.
- The tendering process is currently underway for several additional welfare units. It is anticipated that these new welfare units will be in place by the end of Quarter 1 2023.

Mobile homes

- Two mobile homes have been installed and four more are scheduled for delivery in 2022.
- The drainage and power supply to one mobile has been replaced. The area in front of that mobile was concreted and walled off to provide separation from the horses being housed in the rear.
- The area to the front of two bays was resurfaced.

Water supplies

- A survey was undertaken of the existing drainage infrastructure on the site. Blockages are regularly freed in the network and further works are proposed in the areas of regular blockages to determine the cause and remedy the problem.
- Improvements have been carried out on the water pipes on the site including running mains to several units and re-piping of old mains. New water mains and new outside taps with shut off valves have been fitted to several units.

Electricity works

- Surveys have been undertaken to determine the extent of works required and to assess the capacity in the existing ducting network. Drawings have been prepared of the proposed new electrical infrastructure and costings are currently being sought for the works. Due to cost of works a tendering process will need to be undertaken.
- It is proposed to upgrade the electricity network at the site. Breakers were already upgraded to facilitate an increase in the electricity demands of the site. Seven new mini pillars are to be installed across the site with associated ducting and cabling.
- Following the proposed works each mini pillar should be catering for a maximum of two mobile homes.
- It is anticipated that the full electrical upgrade will be completed in quarter 1 2023.

Embankment work and footpath

- Works were undertaken to reduce the steepness of the slope of the embankment on the eastern boundary of the site. Phase 1 of this work is done. Phase 2 was interrupted due to an ESB pole on the pathway. The local authority informed us that these works are now very near to completion. The footpath will provide a permanent safe and clean passageway for children walking to the local schools.

Other works to individual bays and mobile homes

A range of much needed maintenance work was undertaken in different mobile homes including fitting showers, addressing plumbing issues, new water mains, cladding to base of some mobile homes, replacing broken windows, and taps.

General maintenance on the site was also completed including cutting back of hedging, filling potholes, replacing fencing, new drainage pipes, additional container for storage and new wall near the road way to protect the bay at the end of entrance hill.

Decant strategy

The site in question was originally designed to have 10 bays but currently caters for almost 50 families. A stakeholder engagement specialist service was engaged by the Local Authority to assist the authority and the site residents to reach an acceptable solution to the problem of overcrowding. In this context the stakeholder engagement specialists consulted with the families on site and discussed their preferred option in terms of future accommodation.

The Local Authority tell us they are actively trying to purchase houses and identify existing stock that are suitable for the needs of families who wish to move offsite. Indeed, a number of families have already been accommodated in social housing to date. The Local Authority also inform us that the design phase is progressing on a proposed group housing scheme in the adjacent site to accommodate some of the residents on the site who have expressed a desire to move to such a scheme. More recently the local authority have informed the OCO of plans to construct a further traveller group housing scheme. The local authority expects to seek planning approval for this development in Quarter 1 2023.

The OCO recognises the huge efforts being made by the Local Authority to address the poor conditions on the site and the different housing needs of the families living there. However the OCO is aware that some families remain dissatisfied with their individual living conditions. While the families are aware of the long-term plans to address their housing needs, they feel there has been no meaningful improvement to date. The local advocacy organisations have continued to engage with the local authority about the needs of individual families.

The local authority have acknowledged the frustrations of residents. They have told us that they have encountered a number of challenges in completing the agreed works. Contractors are busy given the current growth in the construction market and this is causing delays in getting quotations for works and getting works completed. We are further advised of the reality that there are only a limited number of contractors who are willing to undertake works on the site. Compounding this, is supply chain issues for some materials and products due to “Brexit” and the war in Ukraine.

The OCO also recognises that there has been difficult discussions and decisions made in terms of the scope of work to be undertaken and whether mobile homes or other infrastructure should be refurbished or ought to be replaced.

It is critical that the current range of works and housing options are addressed in the spirit of partnership by all stakeholders, focusing on what is best for the children. Good

communication is vital to build trust between parties and we cannot forget that it will take some time to resolve all these matters. Nevertheless, a significant amount of work has been achieved in the past 12 months but there is still a long road ahead to rehouse families and ensure the site is fit for purpose.

Recommendation 4.

Due to the deficiencies in the current Traveller Accommodation Programme 2019-2024, the Local Authority should, without delay and in cooperation with the residents (including children), set out in particularised form how it will address the accommodation needs of the site residents in 2021, 2022, 2023, and 2024 (including annual targets). The risk of failing to address the needs of this group which is experiencing severe housing deprivation is too great to allow the current paralysis in the system to continue.

Local Authority's commitments 2021

The Local Authority advised that a comprehensive assessment in conjunction with the residents, Traveller representative bodies and the Traveller Accommodation Unit (TAU) would be commenced in Quarter 3 2021. That assessment was to set out a strategy for addressing the accommodation needs of residents for each year from 2021 to 2024 inclusive.

They noted that their ability to deliver on expectations would depend on the availability within existing housing stock, the demands of the growing social housing support waiting-list in the area and a willingness by the residents to be flexible regarding the type and location of support they are willing to accept to meet their housing needs.

Update 2022

As referenced above, the Local Authority has engaged stakeholder engagement specialists service to carry out a meaningful consultation with the families to determine the preferred permanent housing solutions. This process was considered a very positive initiative by all involved and generated a defined list of options for all families. At this stage the Local Authority told us that they have established a comprehensive list of families who wish to remain on the refurbished site, move to a group housing scheme or be accommodated in standard social housing. We are also informed that the preferences expressed by families to the stakeholder engagement specialists can change with certain families expressing an interest in different options at different times.

Confined competitions have taken place within the Choice Based Letting (CBL) system, one in 2021 and a second one in 2022. This has involved the local authority making a number of standard social housing properties available for the residents of the site to bid on in the circumstances of the extreme over-crowding on the site. We understand that a number of families secured suitable homes through these schemes and have moved off site.

The OCO received very positive feedback from all stakeholders in relation to the stakeholder engagement specialists role and the manner in which it was conducted. Some

concrete progress has resulted in housing offers being made and taken up. The DHLGH have in recent weeks also issued a circular approving the national roll out of an extension of the caravan loan scheme, a scheme previously piloted by this Local Authority. Furthermore, in the course of this review our Office has been advised that approval has been granted by the DHLGH to the Local Authority for four caravans under the loan scheme.

From the conversations we have had with advocates and families it has been highlighted how important it is that each family continues to receive regular updates from the Local Authority on the efforts to meet their housing needs.

Recommendation 5

The Local Authority should conduct an audit of all social housing applications from the families on this site, including those for Local Authority housing, group housing and halting sites. This audit should be completed independent of the Local Authority and inform accommodation planning under recommendation 4. It should also consider whether the current allocation system is appropriate in ensuring equal access to social housing for these families with due regard the findings of this investigation. Consent should be sought from residents participating in the audit. Where that consent is refused, that data should be excluded in line with GDPR.

Local Authority's commitments 2021

In response the Local Authority advised that it would engage an independent organisation to conduct an audit of all social housing applications from families living on the site. The results of this would be used to inform accommodation planning to be carried out under recommendation 4. The Local Authority advised that it would also consider whether the current system can be improved and simplified for use by the Traveller community when the results of the equality audit under recommendation 6 were available.

Update 2022

As outlined above, the stakeholder engagement specialists have been working to determine each family's composition and as a consequence of this the individual preferences for future accommodation have been identified and discussed with all families currently on the site.

It is evident that the engagement process has led to robust information on the housing needs of those living on the site. However, from the interviews conducted as part of this review there are reports of poor communication on the progress. The Local Authority representatives have agreed to consider options for better communication such as newsletter and high level meetings with advocates and others.

This is important as considerable efforts have been made by the local authority and these efforts should be shared with relevant persons. It is also noted that under recommendation 6 below, a new of Traveller Liaison Officer is expected to be in place in the TAU by the start of quarter 1 2023.

Recommendation 6

The Local Authority should consider how Travellers who experience severe housing deprivation may be assisted proactively in navigating the housing CBL system and the Housing Assistance Payment (HAP) scheme. The Local Authority should devise and share their Traveller specific policy setting out the same. The specific implementation of this policy should be included in the Monthly Management Reports to Council Members.

Local Authority's commitments 2021

The Local Authority will arrange that the CBL system be independently equality proofed in quarter three of 2021 and will implement any resulting recommendations in a timely manner. Should it call for the establishment of a Traveller specific policy, this will need to be designed, approved, implemented, and shared without delay.

Update 2022

In addition to the audit referred to above, an Applied Social Studies department at a National University was appointed to undertake an independent equality review of the CBL system. This work was completed and presented to Local Authority's Strategic Policy Committee in April 2022 and formally adopted by the full city council (An Chomhairle) on 9th September 2022. A summary of the main recommendations from the equality review being;

- Travellers should continue to have access to the CBL system along with a number of other initiatives to address the inequality they experience.
- The Local Authority should consider recruitment of suitably qualified site-based traveller liaison officers to act as a link between the families and the council.
- There should be a further review of accessibility of the CBL platform.
- The issue of insertion of ethnic identifier option on housing applications should be raised by the Local Authority with the DHLGH.
- Traveller cultural awareness training should be provided to the Local Authority's Traveller Accommodation Unit (TAU).
- The Local Authority should undertake an audit of the policies, processes and operation of the CBL to ensure it functions in a manner that doesn't breach GDPR.

The Local Authority have confirmed that An Comhairle, the full city council, has approved all of the recommendations made in equality review. We are further advised that the post of Traveller Liaison Officer is with the Local Authority's *People and Organisational Directorate* for recruitment with a view to the appointment being made in quarter 1 of 2023. It is noted that all parties to this review agreed that this post is an important

development in advancing the broader recommendations made in the equality review. Again, we wish to acknowledge the significant work to implement this OCO recommendation and indeed the commitment by the Local Authority to implement the actions from the review.

Recommendation 7

The Local Authority should review the purpose, function and operation of the Traveller Accommodation Unit (TAU). This review should consider the capacity, resources and staff composition of the unit to ensure the following:

- 1. Strategic planning for the development of Traveller Accommodation going forward.*
- 2. That a system is in place to ensure routine and emergency maintenance works and upgrade works are addressed in a timely manner and that contracts with external service providers are proactively managed.*
- 3. Support to families with their individual housing needs, with particular regard to well documented psycho-social challenges faced by the Travelling Community.*

That structures are established through which regular engagement can take place with residents of halting sites and Traveller Representative Groups.

Local Authority's commitments 2021

In response the Local Authority advised that a full review of the TAU would be conducted in 2021. It was also suggested it would put an updated system in place to ensure routine and emergency maintenance and upgrade works are carried out efficiently in quarter 4 of 2021.

It continued that attempts would be made to establish a structure to facilitate regular engagement between the halting site residents and the Traveller representative groups. This should be a place by Quarter 4 of 2021 following consultation with residents groups.

Update 2022

The Local Authority advise that a full review of the TAU has been carried out. This review has encompassed the purpose, functioning, staffing, resources and training needs in the operation of the Unit. The recommendations from that review are being implemented.

As outlined above the Local Authority has engaged a consulting engineer to undertake the necessary risk assessment of the site. Further technical resources and a senior engineer executive level have been allocated to give effect to the interim upgrades and permanent housing solutions onsite.

In addition to the above the new caretaker is engaged 5 days a week on site and has been tasked with logging and reporting of maintenance issues. A dedicated phone line has been linked to TAU to aid residents and advocacy groups in the logging of complaints and issues.

The Local Authority have provided us with a copy of the review of the TAU dated October 2021. The issues raised are in keeping with the recommendations in the investigation

statement in terms of the need for senior level oversight of the TAUs work at the site. The report does highlight that the TAU is staffed by administrative grades and suggests the appointment of somebody from either a social work background or possibly a member of the Traveller community. To this end, as commented above, the sanctioning of the post of Traveller Liaison Officer is to be welcomed.

Recommendation 8

The Local Authority should establish a specific complaint handling mechanism within the Traveller Accommodation Unit or, as an alternative, amend the current complaint process to ensure it is easily accessible and effective in managing complaints raised in the course of this investigation.

Local Authority's commitments 2021

In response the Local Authority advised that it would establish a specific complaint handling mechanism within the TAU in quarter 4, 2021 and would ensure the Travelling community and their representative groups are made aware of the system and how it can be accessed.

Update 2022

The TAU now has a dedicated phone line for taking complaint related calls. This is in addition to the caretaker who has been tasked to log complaints from residents and report these to the offices on a weekly basis. The Local Authority's consultant engineer and technical personnel referenced above also attend the site on a weekly basis.

These are very positive developments but the information provided by the residents and advocates suggest that there remains problems with complaints being addressed after they have been logged. Specifically we are advised of persistent issues with general upkeep; maintenance and /or replacement of mobiles and welfare units.

The Local Authority has informed us that there is schedule of works to address these issues and expects developments on other recommendations such as resourcing and upskilling of the TAU to be of benefit going forward.

Recommendation 9

The Local Authority should engage with other key agencies that have specific responsibilities for the health and welfare of children such as the HSE social inclusion unit, the Child and Family Agency, local youth services and local schools. This child centred multi agency approach should focus on improving the lives of the children living on the site through dedicated actions such as access to youth services, educational supports and mental health services. Children should be active participants in this work. The Local Authority should consider utilising the local Children and Young People's Services Committee to support this.

Local Authority's commitments 2021

In response the Local Authority advised that it would:

- Prioritise and immediately re-emphasise the needs of the resident children in all its actions and plans relating to this site, and, if necessary, will provide enhanced staff training and monitoring to keep this to the forefront of all its deliberations.
- Continue to engage with the local Traveller Interagency Group(TIG) which includes HSE Social Inclusion Unit and Tusla to develop actions to improve the lives of children on this site by Quarter 4 2021.
- Will engage with local children and young people services to support this initiative.
- Has commenced collaboration with Tusla to participate in important deliberations in relation to services to this site.

Update 2022

The Local Authority advise that it remains a member of the local Traveller Inter-Agency Group (TIG) and will continue to engage with the agencies involved to develop actions to improve the lives of children on the site and for the traveller community.

OCO Analysis

The OCO is concerned that little or no progress has been made on this recommendation. In this context it has been agreed by the Local Authority that they would raise this issue with the members of TIG and engage with the advocacy groups to progress their stated commitments on this recommendation.

Recommendation 10

The Local Authority should in consultation with children residing on the site, take measures to ensure the provision of safe dedicated play areas and activities, and should commit to reviewing this on an ongoing basis.

Local Authority's commitments 2021

In response the Local Authority advised that measures to ensure the provision of safe dedicated play areas will be considered this year in conjunction with the refurbishment of the 10 bays and development of the Group Housing scheme.

Update 2022

The Local Authority advise that they are advancing detailed plans and options regarding the layout of the proposed design of site and the group housing scheme, both of which

will incorporate green areas and a designated play space. Stage 1 funding approval has been obtained from the DHLGH for the group housing scheme and a consultation process under Part 8 of the Planning and Development Regulations (2001) for the overall scheme is expected at the beginning of 2023.

We are informed that all plans will be discussed in detail with the families on site to secure buy in and agreement. A comprehensive consultation is also being developed to ensure open and transparent engagement with all stakeholders, state agencies, advocacy groups, and community and political representations to aid understanding and acceptance of developed proposals.

Conclusion

Our review of the progress made on the recommendations contained in the No End in Site investigation is encouraging. We commend the Local Authority, the advocacy groups and the families concerned for their considerable efforts over the past year to engage with each other and with the longstanding problems at the site.

As a general issue we would strongly advise that the Local Authority consider and implement more effective and regular communication mechanisms with the different stakeholders and with the families living in the site. This includes better communication about the work underway on the delivery of homes and welfare units, the schedule of works for general improvements and any specific plans to improve services and facilities for children.

Parallel to this it is important that the Local Authority meaningfully explore, with other key agencies, how children can be active participants and stakeholders in the work of improving conditions on the site.

The OCO will seek a further update on the progress being made in on the agreed recommendations in May 2023.



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