

Regulation & Inspection Thematic regulation studies 2002



**Services for
Gypsies/Travellers**



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COMMUNITIES SCOTLAND THEMATIC REGULATION STUDY

SERVICES FOR GYPSIES/TRAVELLERS

SUMMARY REPORT



EXECUTIVE SUMMARY

1. The planning and provision of services for Gypsies/Travellers is a new area of regulation for Communities Scotland. To develop our approach to assessing councils' performance and to gather information about current provision, our Regulation & Inspection Division (R&I) carried out a thematic regulation study of services to Gypsies/Travellers during 2002.
2. Through the study we have developed and tested a framework for assessing councils against Performance Standard AS6.1, which states:

"We plan and provide or arrange good quality serviced stopping places for Gypsies/Travellers. We let pitches in a way that ensures fair and open access for all. We take Gypsies'/Travellers' views into account in delivering our services, and we are responsive to their needs."
3. Our framework comprises a range of questions and techniques to assess councils' performance in the light of recognised good practice.
4. The study has tested the assessment framework through a set of eight individual case studies in councils. We assessed how well each case-study council was performing against AS6.1, through testing five challenge statements relating to planning, site provision, access, site management and consultation and participation. The challenge statements are detailed on page 7 of this report.
5. We have fed back our findings from individual case studies to the respective councils. This first section of the report summarises our findings from all the case studies. As well as suggesting areas of improvement for delivering good quality sites and services, we then discuss the findings in more detail under the relevant sections in the main body of the report.

Key findings

6. In certain areas of service provision, individual councils are making good progress, including strategic planning, the establishment of communal facilities for on-site services and the negotiation of improved electricity tariffs. Examples of good practice in these areas have been highlighted throughout the report.

7. While there are examples of good outcomes, none of the case-study councils is performing well across all the key assessment areas. On the contrary, we found that all the councils showed weaknesses in key areas, including:
 - the lack of robust information on the needs, preferences and aspirations of Gypsies/Travellers;
 - the absence of long-term planning for site improvements;
 - the absence of effective financial planning for sites;
 - the limited information for Gypsies/Travellers on using pitches and site services;
 - the lack of defined service standards and associated performance monitoring;
 - the lack of evidence on the affordability and comparability of current rents.

8. Almost all councils we looked at have established multi-agency structures – though with varying remits – for the strategic planning of services to Gypsies/Travellers. Yet there was little evidence that strategic planning was based on sound information about the needs, preferences and aspirations of the local Gypsy/Traveller community. Similarly, there was little evidence among the case-study councils that they translated their planning decisions into effective strategies and action plans that they then monitored and reviewed.

9. Gypsies/Travellers only represent a very small proportion of councils' overall tenant population, but they must be included in planning, performance monitoring and review, especially as the Scottish Executive has formally recognised them as a minority group that may experience discrimination.

10. Councils should consult Gypsies/Travellers in appropriate ways about their changing needs and preferences, and should reflect this in the types of sites and stopping places they make available and the range and quality of facilities there. The importance to Gypsies/Travellers of access to essential services such as health and education through good on-site facilities has been well documented. So we were encouraged to see that several case-study councils provide facilities such as community meeting places, play facilities, barrier-free site access and adapted amenity chalets.

11. Many of the decisions about the location of sites have resulted in sites being in far from ideal locations. In addition, guidance on the design of sites, based on previously determined needs, has resulted in amenity units being of a standard that fails to meet the current needs of some of the site residents. In particular they told us about costly and inadequate heating in amenity units and their unsuitability for cooking. These important issues need to be considered in future plans.

12. The case-study organisations do not have enough financial information about sites to make informed decisions about rent setting or planning for long-term improvements.
13. Pitch rents are generally high in comparison with mainstream housing. We found no evidence to demonstrate how affordable they are, and very little evidence to show how they compare with rents for other sites in neighbouring areas. In some cases the conditions attached to renting a pitch, such as a deposit, do not correspond fairly to the conditions applied to renting a council house.
14. Very limited information is given to Gypsies/Travellers on finding pitches and on the range and quality of services available. Many of the case-study councils do not have a documented policy for allocating pitches. Few provide information on the range and quality of services or on residents' rights comparable to what is given to housing tenants. This is reflected in tenancy agreements, which tend to focus far more on residents' responsibilities than on their rights.
15. An important element in the effective planning and provision of services is to take account of the needs of local Gypsies/Travellers, but only a few councils are formally making efforts to encourage local participation. In some cases, they back up these efforts with a range of support to sustain participation, including financial support, material resources, administrative help and training as well as the development of skills among council staff.
16. To get residents actively taking part, councils need to demonstrate that they value their involvement and use their views. This means that councils need to give feedback on consultation, demonstrating how they intend to respond to what people say they need. We found little evidence of feedback from consultation.

INTRODUCTION

17. The planning and provision of services for Gypsies/Travellers is a new area of regulation for Communities Scotland. Underpinning our approach to regulation is a new set of published Performance Standards that came into effect on 1 April 2002. The relevant Performance Standard against which we will assess councils in this area of service provision states:

Activity Standard 6.1

We plan and provide or arrange good quality serviced stopping places for Gypsies/Travellers. We let pitches in a way that ensures fair and open access for all. We take Gypsies/Travellers' views into account in delivering our services, and we are responsive to their needs.

18. The focus of this standard is on the landlord services that councils provide in relation to sites for Gypsies/Travellers. We acknowledge there are broader issues concerning this client group, covering the provision and delivery of services by local authorities and other agencies, such as the management of unauthorised encampments, education, health and social services, but these services lie outside the scope of our regulatory role.
19. To enable us to decide how to assess councils' performance against the standard and to gather some baseline information about current provision, our Regulation & Inspection (R&I) Division carried out a thematic regulation study of the services offered to Gypsies/Travellers.
20. Thematic regulation studies complement our inspection process by focusing in detail on specific areas of provision, with the aims of raising awareness and understanding of key issues, highlighting good practice and influencing improvements in service delivery. During 2002 our studies have focused on the theme of Equalities. This study fits within the equalities theme because of our recognition of Gypsies/Travellers as a minority group that may face discrimination.
21. We would like to thank all the councils that took part in this study for agreeing to participate, and in particular the staff involved who took the time and effort to assist us. We would also like to thank the individuals from the Scottish Gypsy/Traveller Association (SG/TA), the Gypsy/Traveller Community Development Project (G/TCDP) and the Heatherywood Residents Association who accompanied us on visits to some sites in order to introduce our inspectors to residents.

Setting up the thematic study

22. An Advisory Group, comprising members from a range of statutory, voluntary and representative organisations, was set up to oversee the study and to contribute its collective expertise to its management. The members of the Advisory Group are listed in Appendix 1.
23. An independent consultant with considerable experience in this field (Delia Lomax from Heriot-Watt University in Edinburgh) was commissioned to identify the key issues and good practice in services for Gypsies/Travellers and to develop an assessment framework for assessing councils' performance.
24. The assessment framework we developed draws on the findings and recommendations from key research and reports from around the UK and Ireland. In particular, it draws on the lessons learnt from the Advisory Committee on Scotland's Travelling People (ACSTP) and the recommendations of the Scottish Parliament's Equal Opportunities Committee (SPEOC) "Inquiry into Gypsy Travellers and Public Sector Policies". A full list of the literature used to inform the development of the framework is given in Appendix 2.
25. A draft of the assessment framework was discussed and, following amendments, agreed by the Advisory Group. The framework is available as a series of self-assessment questions on our website at www.communitiesscotland.gov.uk
26. As preparation for the study our inspectors were given two awareness training sessions on Gypsy/Traveller issues. An initial training session was delivered by Save the Children Fund along with two Gypsies/Travellers resident on different local authority sites. A follow-up session was delivered by a representative of the Scottish Gypsy/Traveller Association (SG/TA).

Method

27. A key element of the study was to test both the framework and our proposed approach through several individual case studies. We carried out eight case studies in councils across Scotland during April 2002. The participant councils, selected to achieve a balance of geographical location, a mix of numbers and types of sites, and a variety of management arrangements, were:

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- City of Edinburgh Council
 - Dumfries & Galloway Council
 - East Lothian Council
 - Fife Council
 - Glasgow City Council
 - The Highland Council
 - North Lanarkshire Council
 - Perth & Kinross Council
28. In carrying out the study we adopted the five principles of good regulation: being transparent, accountable, targeted, consistent and proportionate. Alongside these, we followed the specific principles of focusing on service delivery and putting service users at the heart of our processes. These principles have informed the method used in the study.
29. We used a range of techniques to assess the service from a consumer perspective, including:
- critical examination of any written material produced by the councils about Gypsy/Traveller services;
 - in-depth interviews with a range of staff who manage and deliver the services;
 - on-site assessment of the location, design and facilities of the councils' sites for Gypsies/Travellers;
 - checking a small sample of relevant case files on, for example, allocations, repairs and tenancy issues;
 - discussions with site residents to gather their views on services.
30. To carry out the case studies, we visited and assessed 15 Gypsy/Traveller sites and spoke to almost 40 site residents.

Report structure

31. After completing the case studies, we circulated individual reports and agreed them with each council, aiming to inform their service improvement. This report summarises our findings from all eight case studies and highlights examples of specific good practice we found in individual councils.

32. Our findings reflect the situation at the time. Since giving the case-study councils their own individual reports, some have already said they have adopted the points raised and begun to improve their performance. However, it is not possible to mention all these improvements here.
33. We have structured this report around five challenge statements that were used to assess performance against the Performance Standard. The five challenge statements are:

Challenge Statement 1:

Are there robust mechanisms in place for a strategic approach to the planning, provision or arrangement of sites based on good quality local information and in consultation with Gypsies/Travellers and the settled community?

Challenge Statement 2:

Is there a range of site provision and does that provision meet the needs of Gypsies/Travellers using the area?

Challenge Statement 3:

Are pitches let in a way that ensures fair and open access?

Challenge Statement 4:

Are the services for Gypsies/Travellers managed effectively in relation to clear service standards?

Challenge Statement 5:

Are there appropriate mechanisms for consultation with Gypsies/Travellers and for their participation, both as service users and potential service users?

34. For each challenge statement, we have outlined our findings, highlighted examples of good practice found and suggested improvements where we have identified areas requiring attention.
35. Throughout the report we use the terms 'Gypsy/Traveller' or the plural 'Gypsies/Travellers', which have been agreed through consultation with key stakeholders. Working within the broad definition of equal opportunities defined in the Scotland Act 1998, we recognise Gypsies/Travellers in Scotland as being a distinct minority group who have specific requirements and who require protection from discrimination and abuse.

MAKING IMPROVEMENTS

36. To improve the approach to planning and providing sites and services for Gypsies/Travellers, it is important for landlords to have access to high quality guidance on best practice. To help them, Appendix 2 contains an annotated bibliography of publications that have tackled the key issues on the subject and made recommendations on good practice. In addition, councils will find a useful self-assessment framework against which they can review their performance on our website at www.communitiesscotland.gov.uk

Challenge Statement 1: Planning

Are there robust mechanisms in place for a strategic approach to the planning, provision or arrangement of sites based on good quality local information and in consultation with Gypsies/Travellers and the settled community?

37. We based our assessment of the quality of planning for Gypsy/Traveller services on the following indicators:
- whether councils integrate the planning of sites and services for Gypsies/Travellers within broader planning processes;
 - how services are planned at a corporate or a service level;
 - Gypsies'/Travellers' role in these arrangements;
 - the existence and quality of written strategies;
 - the quality of information on the needs, preferences and aspirations of Gypsies/Travellers to feed into the planning process; and
 - whether Gypsies/Travellers are covered by the councils' ethnic minorities or equal opportunities policies.

Planning of sites and services

38. All but one of the case-study authorities have some kind of specific multi-agency group that focuses on Gypsies/Travellers. All these groups include some Gypsy/Traveller representation. Most commonly, they do this by including the Scottish Gypsy/Traveller Association (SG/TA). While representative bodies can make an important contribution to planning, it is also important to ensure that planning processes take account of local needs, preferences and aspirations, through getting site residents or other members of the local Gypsy/Traveller community actively involved.

39. Good practice suggests that the remit for strategic planning should be wider than the focus of Activity Standard 6.1, and that the provision of accommodation should be regarded as the cornerstone for delivering other services, such as education, health and social services. The composition and focus of multi-agency groups varied across authorities, some being consistent in approach with this good practice, with others taking a much more limited outlook on reviewing site provision or dealing with the issue of unauthorised encampments in the local area.
40. We did find several good examples of strategic planning and liaison arrangements. These include one case where Gypsy/Traveller issues and views are incorporated into a Race Equality Forum and another where overarching corporate planning is complemented by more local arrangements, with good links between the different levels. However, it was not apparent that councils are considering the possible impact of any changes in their provision or approach on other councils.

Highland Council has an integrated approach to planning service provision for Gypsies/Travellers through a multi-agency Partnership Group for the area. The group is supported by two Area Forums, which deal with Gypsy/Traveller issues at a local level. There are good links between the Partnership Group and Area Forums, with Gypsies/Travellers represented at both levels. Meetings usually take place on site to encourage Gypsies/Travellers to take part.

There have been several positive outputs from the Partnership Group, including a new tenancy agreement and application form and the appointment of a development officer through a successful Innovation Fund bid for a project to improve child and family health and wellbeing.

Strategies adopted by councils

41. In general we found a lack of policies, strategies and other written information relating specifically to services for Gypsies/Travellers.
42. None of the case-study councils had a stand-alone strategy or plan, nor a comprehensive statement as part of another document, clearly setting out the way it intends to provide services for Gypsies/Travellers. Only four authorities referred to their Gypsy/Traveller sites or services in key strategies or plans. Of these, two included references in their Housing Plan (of which one is only a brief statement on pitch provision), a third refers to Gypsies/Travellers in its corporate Mainstreaming Equalities Strategy and the fourth has incorporated specific objectives on Gypsies/Travellers into its Service Plan.

Information on needs, preferences and aspirations

43. Only two of the case-study authorities demonstrated that they have good-quality information on the needs, preferences and aspirations of their Gypsy/Traveller community to inform their planning processes. Their knowledge of local needs has mainly been acquired through effective liaison with local representative bodies. A further two councils are making efforts to improve their knowledge through carrying out a needs assessment in their area, and one of these is actively working on a research project with its nearest Communities Scotland Area Office.
44. All the case study authorities take part in the Scottish Executive's twice-yearly count of Gypsies/Travellers, but most do not analyse or make use of this basic information in their planning.

Equal opportunities

45. In 2001 the Scottish Parliament's Equal Opportunities Committee Inquiry into Gypsy Travellers and Public Sector Policies recommended that "all legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic minority group, until such time as a court decision is made on recognition as a racial group under the Race Relations Act 1976". In advance of Gypsies/Travellers being recognised as an ethnic minority group under the Race Relations Act 1976, the Scottish Executive agreed to treat Gypsies/Travellers as a distinct minority group in its own work. Most of the councils in the study have followed suit, but the short time since the recommendation was made has meant that only a few have revised their equal opportunities policies, strategies or monitoring arrangements accordingly.
46. Where case-study councils have revised their policies, they identify Gypsies/Travellers as a distinct minority. Those that have not yet revised their policies do intend to make this identification when revising their policies. One organisation could not recognise Gypsies/Travellers because it did not have an equal opportunities policy.

Areas for improvement

47. Councils and their partners should review the powers and membership of multi-agency planning groups to ensure they are consistent with recommended good practice. Good practice suggests that as many bodies as possible should have a voice on planning groups or committees. This could include relevant council departments, statutory and voluntary organisations and representatives from the local Gypsy/Traveller community.

48. Councils need to improve the way they translate strategic decisions into effective action plans for the delivery of good-quality sites and services for Gypsies/Travellers. This should include incorporating Gypsy/Traveller issues into general community planning. Other areas where councils should consider these issues include:
- the Local Housing Strategy;
 - the Local Homelessness Strategy;
 - the Service Plan;
 - structure and development plans, to form a framework for Gypsies'/Travellers' site provision, with local plans identifying suitable locations;
 - the Community Safety Strategy;
 - the Community Learning Strategy.
49. Strategies for Gypsies/Travellers need to be underpinned by effective information about their needs, preferences and aspirations. We found that all councils needed a better supply of relevant information. So they should consider how best to use current information sources and how to include Gypsies/Travellers in future collection of research and information, such as housing need surveys, tenant satisfaction surveys and Best Value reviews. They should also consider how to complement this research by developing comprehensive and unambiguous methods of monitoring that will show where they need to improve services and access to services for Gypsies/Travellers.
50. As most councils in the study regard Gypsies/Travellers as a distinct minority, they should be clearly identified in documents that can be used to monitor services, for example in waiting lists, applications, nominations, homelessness applications and other activities, as recommended by the Scottish Parliament's Equal Opportunities Committee's Inquiry into Gypsies/Travellers and Public Sector Policies.

Challenge Statement 2: Site provision

Is there a range of site provision and does that provision meet the needs of Gypsies/Travellers using the area?

51. Our assessment of site provision considered:
- the level and types of provision in each council area
 - the location of sites
 - the design and quality of sites, based on both available guidance and residents' opinions
 - facilities on sites.

Types of provision

52. All the sites we visited are owned and managed by the respective local authorities. Some areas also have private sites, which in the past have counted towards meeting former pitch targets¹. The councils vary in their knowledge of and involvement with these private sites and their owners.
53. All but one of the sites visited were all-year-round sites; one authority operates a seasonal site, which is only open during the summer months. All but one site were at least partly occupied at the time of the case studies, with the unoccupied site no longer operational. The level of demand for pitches, as shown by occupancy levels, varies across the country and also within council areas where more than one site operates. Several sites were fully occupied, but we found very limited, if any, waiting lists for pitches on the all-year-round sites. Waiting lists are discussed further in the section on 'Access to Services'.
54. All the case-study authorities have some experience of Gypsies/Travellers making use of unauthorised stopping places in their areas. In a few cases we identified this as a significant issue, with associated costs. Although our regulatory role does not cover the examination of unauthorised stopping places, we see the investigation of the causes of unauthorised camping in their area as important to councils' consideration of overall provision.
55. There are no transit sites or formally designated emergency stopping places in Scotland. Evidence from research in Scotland – Moving On; A Survey of Travellers Views (Lomax et al, 2000) and Right to Roam: Travellers in Scotland 1995/96 (Bancroft et al, 1996) – shows that some Gypsies/Travellers would like to see the provision extended to include this type of serviced stopping place, to complement the existing range of all-year-round and seasonal sites.

¹ Targets for the provision of pitches on sites for Gypsies/Travellers were set by Scottish Ministers from 1985 onwards to encourage local authorities to take advantage of the Development Department grant scheme for site provision. Pitch targets were, however, discontinued in 2000.

The purpose of a site may be to offer a permanent, short-term or temporary stopping place or an emergency or transit site for Gypsies/Travellers travelling through the local authority area. Moving On; A Survey of Travellers Views, Lomax et al (Scottish Executive, 2000) noted that Gypsies/Travellers: “would like to see more local authority and private sites in addition to a network of transit sites”; also that: “It appears from the analysis, that transit sites are required for travelling mainly during the summer months whilst both private and local authority sites are required to provide a base during winter months.”

56. Two of the case-study councils recognise that their current level and type of provision is not meeting all the acknowledged needs of Gypsies/Travellers in their areas. These authorities, alongside Gypsy/Traveller representatives, are examining options for developing other types of stopping places – although one council intends to wait until it has assessed the effect of a new long-stay site which is about to open, before considering any further or alternative types of new provision. The other has begun to consider the option of a transit site to reduce high levels of unauthorised encampments in its area.

Site location

57. The pattern of site location and the geographic accessibility of sites understandably varies with the nature of the area. In urban or city-based authorities, sites tend to be more easily accessible, including by public transport, and closer to other amenities. In rural authorities, sites are less accessible and usually need private transport. In some cases, as with other rural communities, the sites are very remote. Many sites have been located where Gypsies/Travellers had previously found they were able to stop.
58. Site residents raised few concerns over the general geographic location of the sites, but they were worried about the specific positioning of several sites. Their greatest concerns were about a site directly under several large pylons and next to a major electricity sub-station. Periodic checks are carried out to ensure that this location presents no evident risks to residents’ health; however, this has not allayed residents’ concerns. The pylons also cause various practical problems for residents, including continual static shocks and noise disturbance during rain.
59. Two sites, in different council areas, have been flooded due to rivers or culverts running by or through the sites. The councils in question are aware of the problems and have taken action to prevent their recurrence but residents are not yet confident that it will prove effective. Other sites have been built next to a sand and salt works, in a disused quarry, close to a working quarry or on previous landfill sites.

60. None of the above positions accords with good practice, and clearly past decisions about the location of sites continue to affect Gypsies/Travellers.

Site layout and quality

61. The sites visited are generally well laid out with pitches of a reasonable size for caravans and vehicles. Only in one case did we find that the site and individual pitches were cramped and overcrowded. However, on another site we found that exposure to wind had forced residents on certain pitches to position their caravans where there is less risk of being blown over. This means they take up excessive space.
62. A few sites have fencing and gates around individual pitches. Although maintenance of the fencing can cause dispute, site residents generally see it as an advantage as it increases privacy and safety for children.
63. Two themes relating to the site design emerged both from our own observations and from residents' feedback. These were that chipped areas are unpopular with residents, and appear difficult to keep tidy, with weeds evident in several cases. Residents prefer tarmac or concrete to loose chips, but sites also need some soft landscaping so they do not look too harsh.
64. We found that lighting and safety arrangements on sites were generally appropriate. Most sites have regular inspections by the Fire Brigade and some councils have carried out their own health and safety risk assessments. In two cases, residents said they were worried whether the fire equipment was adequate, but the councils were able to prove to us that they were complying with Fire Brigade requirements.
65. At only five of the sites we visited was the barrier in use. In most cases the decision about whether or not to use the barrier has been made in response to residents' views. This was reflected in discussions with residents, where only one said they had experienced any difficulty in entering and leaving the site. We recognise that a barrier can make it difficult to provide certain services, such as rubbish collection. These difficulties can be dealt with through local management arrangements.
66. Besides the barrier, two sites have other security measures in response to previous problems. One site has a CCTV system, and residents told us they valued this. Another site has both a part-time site manager and a 24-hour security service. This was put in as a "temporary" arrangement but had been in place for around a year at the time of the case study. It was not clear whether this arrangement was still cost-effective.

67. Amenity units were designed to provide toilet and washing facilities for each pitch but were not intended to provide cooking facilities. There is some variation in the design of units across sites, but we noted that all complied with the 1997 design and specification guidance from the Advisory Committee on Scotland's Travelling People.
68. However, several of the major concerns that residents raised with us on the sites we visited related to the quality of the amenity units. Concerns about amenity chalet design, such as poor insulation, layout, and cooking facilities have previously been highlighted by the SPEOC (2001), which recommended the need for improvement in consultation with Gypsies/Travellers. Our findings would support that approach.
69. The most common complaint from residents was about the difficulty and cost of heating the units. Amenity units at one permanent site had no heating and at the others all the residents we spoke to regarded the heating as being inadequate. The design and level of insulation of the buildings make it difficult to retain heat and maintain a comfortable temperature inside. While these units are clearly not for living in, meaning that comparisons with energy-efficiency requirements for housing may not be relevant, people need to use the units for bathing, so a review of the current heating/insulation guidelines may be due. Councils should also seriously consider how to resolve residents' concerns over heating.

Fife council has responded positively to residents' concerns by improving the heating and insulation of amenity units on one of its sites. It is also arranging to conduct energy-efficiency tests and to assess whether alternative types of improvement work may be more effective.

70. The difficulties of heating the amenity units seem to be worsened in some instances by the general cost of electricity on the sites. Residents commonly spoke of the cost of electricity. The problems seem to arise because the charges for the electricity tend to be based on a commercial tariff rather than a lower cost domestic tariff. Some of the case-study councils have recognised the problem of electricity costs and have tried to negotiate better tariffs with energy suppliers.
71. We also saw instances where tariffs varied between different meters on the same site and between different sites within one council area.
72. Electricity cards are commonly available on site. In only one council was this not the case, where residents had to obtain electricity cards from the local housing office. This was mainly to avoid holding cash on site and to avoid out-of-hours demands on the residential site manager. The residents had to travel to the nearest housing office to

get cards, which could be difficult, especially if transport was not readily available. Installing pre-pay electricity meters means that having electricity cards easily available is an important element in running council sites.

73. Another concern relates to the internal layout of the amenity units, linked to their changing usage. As mentioned above, these units were originally built to provide toilet and washing facilities only. But we found that some units were also being used for cooking. This raises several health and safety concerns, including whether the internal layout is suitable, with the toilet opening directly onto the area being used for cooking.
74. We recognise that adapting units to make them suitable for cooking is likely to have significant cost and space implications, if indeed it is possible at all. Nevertheless, due to health and safety concerns, councils should consider this matter properly and consult site residents about their changing expectations of the amenity units and possible options for responding to them.
75. Only three sites had a 'barrier-free' amenity unit suitable for wheelchair users, even though the Scottish Office's grant scheme for upgrading sites had been applicable for this purpose. A further barrier-free unit is to be available at one site currently under construction. In addition, an amenity unit on one site has been adapted, through the installation of a shower and grab rails, for residents with a physical impairment. One council had tried to adapt an amenity unit through installing grab rails, but could not do so due to lack of space.

Facilities on site

76. We found the facilities on sites varied within and between councils. Four of the 15 sites had Portacabins for use as community facilities. Similar facilities are also being actively considered for three more sites. Councils recognise that it is good practice to make available community facilities which allow for a range of services, such as education, health, etc on site. This was recommended by the ACSTP Guidance on Site Provision (1997) and SPEOC (2001) and highlighted as important in surveys of Gypsies/Travellers.

On their Thistlegrove site, Dumfries & Galloway Council are using the Portacabin community facility to provide on-site school, nursery, adult education, IT and healthcare services.

77. In addition to a community facility, the other main facility provided on sites is a play area for children. At the time of the study, play areas were available on five sites. On another site a residents group was hoping to get a lottery grant to establish a play area. The quality of the play areas varies: not all have play equipment, and in one case, the play area is an area of grass with goal posts. On only one site are both a community facility and a play area available to residents.

The Highland Council has improved the facilities available to Gypsies/Travellers on its Inverness site by using money from its budget to install communal laundry facilities. At the time of the case study, the Council also had plans to introduce launderettes on its other two permanent sites.

Areas for improvement

78. Through effective consultation and planning, councils should keep under review the types of sites and stopping places required and Gypsies'/Travellers' ability to get to them. This should include consultation with residents at both official and unauthorised stopping places about the types, locations and designs of sites they need, so that they will wish to use them. In addition, councils could act more consistently over a wider area by co-ordinating their provision where practicable.
79. Our findings suggest that expectations are changing and this needs to be reflected in service provision. So it is important that councils look systematically at whether the range and quality of amenities and facilities provided at stopping places meet the changing needs and preferences of Gypsies/Travellers. They should take into account evidence of changing tenancy and travelling patterns, family groupings, age structures and special needs, and should address key issues, such as the health and safety aspects of using amenity units for cooking.
80. Councils need to make long-term site improvement plans, developed in consultation with Gypsies/Travellers and effectively resourced. The resourcing of improvement plans will require more effective financial planning for sites than most of the case-study councils currently demonstrate.
81. The success of some councils in negotiating electricity charges that correspond more fairly to domestic charges is a positive development that addresses one of the key issues raised by the SPEOC. This success shows that the whole sector may be able to achieve greater parity with domestic rates.

82. In considering new provision or improvements to current provision, councils should recognise the benefits of facilities such as community meeting places, play areas, barrier-free access and adapted amenity chalets.

Challenge Statement 3: Access to services

Are pitches let in a way that ensures fair and open access?

83. In assessing how well Gypsies/Travellers can get fair and open access to council sites and services, we looked at several indicators:
- whether councils have clear and fair policies and procedures for allocating pitches;
 - the nature of tenancy agreements;
 - the quality of information given to Gypsies/Travellers about services and how to access them.

Allocations

84. We generally found that information about pitch allocations was poor.
85. More than half the councils lacked a documented policy for allocating pitches, mainly citing low demand. On some sites where there are always more pitches available than the number of applicants, councils see no need to have systems in place to prioritise applicants. Of the councils that do have waiting lists for pitches on their site(s), two apply their housing allocations policy and a third uses a dedicated but outdated policy for each separate site. We found two councils operating different allocations procedures for different sites in their area. In one case this was due to different levels of demand for different sites, while in the other, different policies inherited from previous authorities were still in use.
86. Site managers have told us they would welcome national guidelines on pitch allocations. Although we did not ask site residents for their view on this, site managers felt that, because Gypsies/Travellers move between different council areas, a standardised allocations policy across the country would help Gypsies/Travellers understand the issues about using pitches on council sites.
87. Where councils keep waiting lists, they generally give priority to people who have been waiting longest. Only one council demonstrated that it would take applicants' needs into account. Another takes need into account in allocating pitches on one of its sites, although this is not a consistent approach because it has different policies on different sites.

88. In 1999, revised site management guidance from the ACSTP advised councils that the collection of information such as national insurance numbers and road tax details may not be appropriate. Despite this guidance, we found two councils still using highly restrictive application forms that ask applicants for information that has no clear relevance to letting a pitch. This is not good practice and does not match the information requested from housing applicants.
89. In only one case did we find that applicants were informed how to appeal against an unsuccessful application.

Tenancy agreements

90. Current tenancy agreements tend to favour the landlord. They generally focus clearly on the responsibilities of residents, with very little, if any, information on their rights as tenants or on the landlord's responsibilities. In only two councils did we find tenancy agreements that reflect good practice. A third council was about to implement a new agreement.
91. While most tenancy agreements need updating, only two councils demonstrated that they plan to review their tenancy agreements to take account of the statutory terms of the Housing (Scotland) Act 2001.

The Highland Council, in partnership with Gypsies/Travellers, has developed a new tenancy agreement that mirrors the Scottish Secure Tenancy (SST).

Information about services

92. Residents are generally not given good information from their landlord on how to access services or the standards of service they can expect. Site managers are usually responsible for informing residents about the range and quality of service they can expect. Where written information was available, it was very limited or outdated. Only one council gives residents information in the form of a tenants' handbook and none can give information in different formats, e.g. audiotape, video.
93. None of the case-study councils has specific or explicit service standards for Gypsy/Traveller services and only a few have any explicit policies setting out how services would be provided. This became evident in discussions with residents, where the majority did not know how quickly they could expect a repair. Therefore it was unclear what services landlords were intending to deliver and what the residents could

expect from them. So, in most cases, we could only assess performance quality against independent good practice guidance.

94. There was very little information available on site about welfare benefits or local services. Again, this information is given verbally, most commonly by the site manager, housing officers, a Gypsy/Traveller liaison officer (G/TLO) and/or other organisations, such as Save the Children Fund. The need to improve local information and support services for Gypsies/Travellers was raised in 2001 by the Scottish Parliament's Equal Opportunities Committee, which recommended that councils appoint a designated G/TLO to work separately but closely with site managers. At the time of the study, two councils employed a G/TLO and two more were planning to do so.

Areas for improvement

95. Gypsies/Travellers should be able to get pitches in the same way that applicants for housing get houses, through appropriate allocations policies and procedures. These should be straightforward, governed by statutory requirements and in use irrespective of the general level of demand for pitches on some sites. The policy for allocating pitches should correspond to that for housing: giving priority to applicants' needs; only requesting information relevant to the letting of a pitch; and being consistent across sites in individual council areas.
96. Applicants allocated a pitch should get a comprehensive tenancy agreement setting out rights and securities that, so far as possible, mirror those of the Scottish Secure Tenancy (SST). We recognise that with a pitch lease there are certain legal restrictions that do not allow similar rights in all aspects of the tenancy, e.g. no Right to Buy or right of succession.
97. Tenancy agreements should be supported by essential information on tenancies. Councils should consider the range of information that Gypsies/Travellers need, and the most appropriate formats in which to present it. In addition, previous work in this area – SPEOC (2001) – has recommended appointing a designated G/TLO as a point of contact for specialist services provided or arranged by the council. This recommendation outlined the role of G/TLOs as working closely with but separate from the site manager; developing information and support services for Gypsies/Travellers in the local area; and establishing appropriate methods of consultation.

Challenge Statement 4: Management and services on site

Are the services for Gypsies/Travellers managed effectively in relation to clear service standards?

98. In assessing the management of services on site we looked at the following indicators:

- site management arrangements;
- rents and other charges;
- repairs and maintenance;
- the policy covering visitors on sites;
- policies and procedures for dealing with anti-social behaviour;
- the handling of complaints.

Site management

99. On most of the sites, site management is the responsibility of a full-time, residential site manager or site officer. In one council a single site manager manages two relatively close sites and a further three councils have different arrangements for site management. In one of these three councils a Best Value review led them to replace the site manager by site management services run from the local housing office for a few hours each day. During our case-study discussions, residents said they were generally satisfied with this arrangement. However, some would prefer a site manager present on site – but only if recruited to an agreed job description and person specification.

100. The specific responsibilities of site managers/officers vary (e.g. some deal with unauthorised encampments, some do repairs). But their responsibilities were not always clearly defined as not all have up-to-date job descriptions. The lack of job descriptions has previously been identified by the SPEOC Inquiry as an issue for improvement, and continues to be so.

101. Two of the case-study councils demonstrated their commitment to improving the quality of site management by supporting the site manager in the completion of the Chartered Institute of Housing's National Certificate in Housing (Traveller Site Management). Using this specific accredited training programme accords with good practice.

102. The 2001 SPOC Inquiry reported that good practice in site management varied between council areas. During our site visits we spoke to residents to get their views of site management. In all but one case, residents said that in general they were satisfied with the site management. However, as we found that most residents are insufficiently informed about the services they can expect, their satisfaction with site management is relative.
103. We recognise that our finding differs noticeably from recent research (Moving On: A Survey of Travellers' Views, Scottish Executive Central Research Unit, 2000), which reported that over a quarter of residents on council sites did not find the site manager useful.

Rents and other charges

104. Pitch rents are generally high in comparison with housing, and are mainly equivalent to rent levels for larger council houses. However, none of the case-study councils could give information to justify the levels of rent they charged. Neither could they give evidence to show that they had considered the affordability of current rents or, in most cases, comparability with other landlords. Moreover, three councils charged different rents for pitches on different sites, without offering significantly different amenities in justification.
105. One of the reasons we were given for the high rent was the scale of running costs in relation to the number of pitches for rent. This implies that councils intended sites to be self-financing. However, this was not an explicit policy of any of the case-study councils. Indeed, we found that budgeting and costing practices and financial information about sites were generally poor, with few case-study councils able to identify the costs of operating their sites. One council set no annual budget for sites and others set some costs inappropriately against Gypsy/Traveller sites.
106. Where financial information on sites was available, it was insufficient to make reasoned decisions about rent setting and long-term planning for improvements.

In Glasgow City Council the site manager controls a dedicated budget for the Gypsy/Traveller site. This is an important factor in planning for site improvements and in maintaining good quality services as it enables the manager to make informed decisions specific to that site.

107. Two councils require applicants who are allocated a pitch to pay a deposit before their tenancy can begin. This deposit is refundable at the end of the tenancy if they have met certain listed tenancy obligations. The deposit is not required for housing tenancies and we do not consider it an acceptable practice for sites.

Repairs and maintenance

108. Our inspections showed that estate management services were working well at most sites. For example, roads and footpaths were in a satisfactory condition, grassed and shrubbed areas were well maintained, and pitches and communal facilities were in relatively good repair.
109. Response repairs are one area where the lack of consistent and explicit service standards was evident. Where councils offer a responsive repairs service similar to that for housing tenants, we found general satisfaction among site residents. Residents in one council area did report some variation in the quality and responsiveness of maintenance between its sites. This may be because the council operates a decentralised repairs system, with standards varying between the different area offices. In only one council was the overall level of maintenance regarded as poor, with residents on both its sites dissatisfied with the repairs service. However, overall we could not make an independent assessment of the relative standards of repair (and whether they were of equivalent quality to those for housing) as councils do not collect separate monitoring information on Gypsy/Traveller sites, particularly about inspections of completed repairs.
110. Site visits revealed various outstanding external repairs on some sites, e.g. repairs to clothes dryers, drain covers and fences. When site residents do not report these repairs, they are not always picked up by on-site or visiting council staff. In particular, on one site we saw amenity units for unoccupied pitches that needed significant repair to make them fit for re-letting.
111. None of the councils in the study had any form of long-term maintenance or improvement plan for their site(s). The reasons given for this included restrictions on internal budgets and the removal of Scottish Executive grant funding (even though this grant funding was only applicable to site upgrading and not long-term maintenance). One council, however, did show a positive commitment to improving standards in its intention to build an improvement plan for the site into the budget and to do this in consultation with site residents. All councils need to consider long-term improvement plans, if the gaps are to stop widening between current provision and residents' expectations.

112. As stated above, estate management and other services to sites (rubbish collection, road cleaning, grass cutting and postal services) are generally considered to be well managed across all the sites visited. However, on a few sites residents said they were dissatisfied with arrangements for mail delivery. On these sites, mail is being delivered to the site office instead of individual pitches as is recommended under good practice.

Visitors

113. The arrangements for accommodating visitors on sites also vary among the councils. Decisions about whether to allow visitors with caravans onto sites tend to be at the discretion of site managers and are generally not supported by written procedures. Of the case-study councils, two do not allow visiting caravans on site, one allows visitors for a maximum two-week stay, subject to restrictions and to both the host and visitor completing application forms, and the others take a flexible approach, accommodating visitors for a reasonable period if space is available. However, they do not define a reasonable visiting period. Around a third of the sites provide car parking spaces for visitors, but none provide any specific short-term visitor pitches.

Antisocial behaviour

114. We found few reports of antisocial behaviour at the Gypsy/Traveller sites we visited. However, we were told that site managers do not always record or monitor many of the cases being dealt with, as they are not formally reported. So the true extent of antisocial behaviour is not clear.

115. There may be many reasons why residents rarely formally report antisocial behaviour, including the fact that they are not given clear information about how to report, or about what their rights are. Where instances of antisocial behaviour had been recorded, file checks showed that they had been dealt with appropriately.

Complaints

116. Only two councils demonstrated that residents were given information about how to make a complaint. The other councils do not advertise their complaints policy or tell residents they have one. Where residents wish to make a complaint they do so verbally through the site manager. Recording of complaints is therefore poor, so we cannot accurately assess the number and range of complaints, or the efficiency and effectiveness of responses.

Areas for improvement

117. The role of site managers and the services they are expected to provide should be made clear through detailed job descriptions. Both the ACSTP (1998) and the SPEOC (2001) have highlighted the need for a precise job description because of the complexities of the site manager role. Good practice suggests this role should go beyond the immediate core management tasks to include:
 - making tenants aware of benefit entitlement and avoiding overpayments;
 - training and liaison with social services on issues concerning care in the community that affect Gypsies/Travellers;
 - monitoring unauthorised encampments and recording basic information, to monitor Gypsy/Traveller movement in the area.
118. As highlighted under “Access to services”, councils should give clear information on site management services and service standards to site residents to better inform them about the range and quality of services they can expect. This information should also include details on their rights to obtain, report and complain about services. Creating explicit service standards would also help councils to monitor and review performance.
119. Standards for repairs and maintenance should be made explicit and should mirror the standards for housing. This should include repair response times, levels of pre- and post-repair inspections and satisfaction surveys. The information given to residents should also list the repairs they are responsible for reporting.
120. Where councils monitor their performance on repairs at Gypsy/Traveller sites alongside that on housing repairs, they should show clearly whether Gypsies/Travellers are receiving the same level of service as housing tenants.
121. Councils should be better able to demonstrate that pitch rents are affordable to tenants and comparable with council house and Registered Social Landlord (RSL) rents in the area, as well as comparable with other sites. They should consider whether pitch rents are both affordable and viable, as rent levels determine a council’s ability to plan and budget effectively for the operation of its sites.
122. The conditions attached to renting a pitch should correspond fairly to the conditions applied to renting a council house. This would exclude collecting a deposit.

123. Councils should have a defined policy on accommodating visitors, developed in consultation with Gypsies/Travellers. A formal policy would help site managers to manage visiting arrangements effectively and clarify the procedures for site residents. Policies for allowing visitors to stay on site should, as with other management policies, correspond fairly to the rights of, and restrictions on, council house tenants.

Challenge Statement 5: Consultation and participation

Are there appropriate mechanisms for consultation with Gypsies/Travellers and their participation, both as service users and potential service users?

124. In assessing the methods that councils use to involve and consult Gypsies/Travellers in the delivery of services, we looked at the following indicators:
- the range of consultation and participation methods used with Gypsies/Travellers;
 - the monitoring and review of the outcome of consultation, and the feedback given to Gypsies/Travellers using appropriate methods;
 - the monitoring of complaints and appeals to help identify issues of concern;
 - the resources given to support groups, such as tenant associations and representative groups, to encourage consultation and participation.

Consultation and participation methods

125. We found that only around half the councils have gathered local Gypsies'/Travellers' views and used these to help plan services to meet their needs. Where councils take part in formal consultation, they most commonly use liaison groups and forums involving a range of council departments, partner organisations and Gypsy/Traveller representatives.
126. As stated under 'Planning', we found that only a few landlords are actually consulting directly with site residents. We have already highlighted an example of good practice, where meetings of planning groups take place on a site to encourage residents to take part. As another example of good practice, a site manager organises a site liaison committee which includes the police, local community council and a local teacher, and to which all tenants are invited.
127. We found some cases of poor practice with regard to consultation with Gypsies/Travellers. One council has developed and consulted on a racial harassment policy, but the consultation did not include Gypsies/Travellers. In addition, this council has held discussions with the settled community about the long-term future of sites in its area but has not held any discussions with site residents.

Monitoring and feedback from consultation

128. Even among councils that actively encourage participation from Gypsies/Travellers, there was little evidence of effective systems for monitoring and reviewing the outcome of consultation and feeding the results back to residents, other than through formal planning structures. Only one council showed us that it had given Gypsies/Travellers any formal feedback after a consultation.

After consulting Gypsies/Travellers through a survey, Perth & Kinross Council sent them a letter feeding back changes made and checking whether they were satisfied with the improvements.

Monitoring of complaints

129. As noted earlier, councils do not generally monitor residents' complaints effectively. Improvements in monitoring systems would complement their consultations by identifying issues of concern for site residents.

Provision of resources to support participation

130. In two councils we found examples of good practice in allocating resources to support groups such as tenant associations, with the aim of encouraging and promoting consultation with Gypsies/Travellers. These examples included support for an active residents association and the establishment of a site liaison committee. We also found that other councils had offered to set up and support tenants associations but these offers had not been taken up.

Areas for improvement

131. Councils should ensure they include the local Gypsy/Traveller community in consultations on issues affecting Gypsies/Travellers. Choosing the most appropriate methods for consultation will depend on the lifestyle and characteristics of the community. They could include, for example, forums, workshops, planning events and/or working groups.

132. Good practice suggests that councils may also wish to consider including Gypsies/Travellers within a defined strategy to make feasible participation which is acceptable to Gypsies/Travellers and which contains clear aims and objectives for participation. Such a strategy should identify the resources needed to support and promote

consultation and participation. The type of support required is likely to include financial support, material resources, administrative help and training as well as the development of council staff skills.

133. Councils need to recognise that to get the Gypsy/Traveller community interested in taking part, they need to be able to see the benefits of doing so. It is essential to provide feedback on the outcome of consultations to Gypsies/Travellers and to tell them how the council intends to respond to the needs they identify.

Advisory Group Membership

Name	Organisation
Brian Kane	Travellers Site Managers Association/South Ayrshire Council
Jessie Wallace	Travellers Site Managers Association/Falkirk Council
Mark Kennedy	Scottish Gypsy/Traveller Association (SG/TA)
Mhairi McKean	Gypsy/Traveller Community Development Programme
Rachel Hilton	Gypsy/Traveller Community Development Programme
Helen Jones	Scottish Executive
Ron Ashton	Angus Council/COSLA
Donald MacVicar	Argyll & Bute Council/COSLA
John Paterson	Commission for Racial Equality
Tim Pogson	Chartered Institute of Housing
Karen Watt	Communities Scotland (Regulation & Inspection)
Yvonne Summers	Communities Scotland (Regulation & Inspection)
Mark McCabe	Communities Scotland (Regulation & Inspection)

ANNOTATED BIBLIOGRAPHY

Introduction

The bibliography provides a brief description of published materials used in developing the assessment framework for Activity Standard 6: Services for Gypsies/Travellers. This is not intended to be a comprehensive bibliography in this field, but draws attention to some key documents from the UK and the Republic of Ireland.

Bibliography

The Advisory Committee on Scotland's Travelling People (ACSTP) (2000) Ninth Term Report 1998-1999, Edinburgh: Scottish Executive

This report covers the work of previous committees. As the last report from the Advisory Committee, it sets out the background and role of the ACSTP, and makes recommendations on:

- the development of sites;
- unauthorised stopping places and the policy of toleration and non-harassment;
- principles of assessing needs, including accommodation needs, through statutory and community plans;
- access to health and education services;
- research, information and consultation.

ACSTP (1998) Guidance on Site Management, Edinburgh: Scottish Office

Updates the management guidance issued in 1991 but becoming dated following the Ninth Term Report and the outcome of the Scottish Parliament Public Inquiry on Gypsies/Travellers and public sector policies. Gives advice and identifies good practice on site management issues, including: allocations, repairs and maintenance, rents, visitors, neighbour nuisance, tenancy agreements, and tenant participation; and on issues to do with electricity, security, benefits, liaison arrangements and job profiles for staff. Includes: examples of an application form and visitors permit form; guidance on electricity supplies; missive of let; details of pitch targets; and policy of toleration and non-harassment.

ACSTP (1997) Guidance notes on site provision for travelling people, Edinburgh: Scottish Office

Provides guidance on planning, site selection and aspects of site design, although now in need of review. Contains information on the grant scheme available at that time.

Scottish Parliament Equal Opportunities Committee (SPEOC) (2001a) Inquiry into Gypsy Travellers and Public Sector Policies – 1st Report, Edinburgh: Scottish Parliament

Volume One summarises the key findings of the inquiry and lists 37 recommendations. These relate to principles of terminology and minority status, accommodation, education, health, personal social services, policing and criminal justice, and promoting good relationships with the ‘settled’ community.

Volume Two contains the evidence submitted to the Equal Opportunities Committee Inquiry; oral and written evidence and site visit reports.

Scottish Parliament Equal Opportunities Committee (SPEOC) (2001b) Gypsy Traveller Civic Participation Event – 4th Report, Edinburgh: Scottish Parliament

This reports on an event held in November 2001 to discuss the public inquiry recommendations (2001a) and includes the Scottish Executive’s response to the SPEOC Report.

Niner P (2002) The Provision and Condition of Local Authority Gypsy/Traveller Sites in England, Office of the Deputy Prime Minister: London

Reports on research by the Centre for Urban and Regional Studies at the University of Birmingham into the extent and quality of local authority Gypsy/Traveller sites in England. This research has collected a large amount of information about Gypsy/Traveller sites, how they are managed and about future needs. This report states the main conclusions of the research, with detailed findings to be published in a separate future report.

Molloy S (1998) Accommodating Nomadism, Belfast: Traveller Movement N.I.

The report raises concerns about the living conditions of Gypsy/Traveller families in Northern Ireland. The author argues for nomadism as a valid way of life; and discusses the effect of legislation and policy on families; the provision and costs of accommodation; “push/pull” factors in the use of sites and housing; and the need to resource consultation and participation.

Clarke N, Egon K and Wake M (1998) Living on the Edge of Your Town, London: Bridge Housing Association

This study of Gypsy/Traveller provision and conditions in outer London and the home counties highlights concerns about inadequate conditions; proposals for improving models of service delivery; identifying areas of good practice; and recommendations for developing partnership and joint working. The conclusion raises the effects of stigma and social exclusion and the need for legislation and policies to promote a more positive approach.

Connolly P and Keenan M (2001) Consultation with Travellers on the Recommendations of the PSI Working Group on Travellers, University of Ulster

This report describes the findings and methods of a consultation on Gypsies'/Travellers' views of the PSI Working Group recommendations. Shorter and more in-depth interviews, held in interviewees' homes, were undertaken with individuals or in small informal (often family) groups, rather than public meetings. (See PSI Working Group reference below.)

Bancroft A, Lloyd M and Morran R (1996) Right to Roam: Travellers in Scotland 1995/96, Dunfermline: Save The Children Fund

This study reports on a survey of Gypsies/Travellers, including young people, interviewed for their views on health services, education and sites. Recommendations on site services include the promotion of family sites; a network of transit sites; government grant aid for private and owner-occupied sites; and design and piloting of shared ownership schemes.

Beckett J and Bogie M, "Travellers and the law in Scotland", Judicial Review, 1998, Part 1, pp 21-36

This paper examines international, national and Scottish law on Gypsies/Travellers, giving a brief synopsis of the criminal and civil laws available to authorities, with particular reference to unauthorised camping. The authors note that on crossing the border, the Gypsy/Traveller is subject to "...pan-United Kingdom laws, specifically Scottish provisions and also widely diverging local peculiarities, of which a person is often blissfully unaware. An often complex and contradictory set of rules has emerged." (p. 24). In particular the authors note: confusion arising from inconsistencies between Scottish and English laws; unfair and uneven application, with different standards used by local authorities and the imposition of criminal trespass on Scotland which they argue was "for no real reason" as traditional Scots law had previously been adequate (p. 35).

Cowan D, Donson F, Higate P, Lomax D and Third H (2001) The Management of Unauthorised Camping: Monitoring the Good Practice Guidance, School of Planning and Housing, research paper No.77, Edinburgh College of Art/Heriot-Watt University

This research report was commissioned by the DETR and Home Office to monitor the implementation of the good-practice guidance on managing unauthorised camping in England (DETR/Home Office, 1998). A national telephone survey of local authorities and police forces was followed up by case studies in 12 local authority areas. The report recommends that the guidance be revised to include more consultation with Gypsies/Travellers on the management of unauthorised camping and the development of local strategies based on the needs of Gypsies/Travellers.

A technical appendix details the legislative background to the management of unauthorised camping. While the report focuses on English legislation, aspects of the Criminal Justice and Public Order Act (1994) and the Human Rights Act (1998), for example, also apply in Scotland.

DETR/Home Office (1998) Managing Unauthorised Camping – A Good Practice Guide

Following research by Niner et al (1998), the good-practice guide offers detailed guidance on the management of unauthorised camping, including the development of Gypsy/Traveller strategies, policies and structures for making decisions about unauthorised encampments; discussion of “toleration” as an approach in management; and the use of available powers if the decision is to evict Gypsies/Travellers.

DETR/Home Office (2000) Managing Unauthorised Camping – A Good Practice Guide, Revision of Chapter 5.

The guidance was revised in July 2000, in advance of the research findings on the implementation of the 1998 guidance (see Cowan et al 2000). It clarifies and amends the guidance on “toleration”. Further revised guidance is planned for late 2002.

Douglas A (1997) Local Authority Sites for Travellers, Edinburgh: Scottish Office Central Research Unit (SOCRU Research findings no. 33, 1997).

This paper reports the findings of a survey of local authority sites in Scotland, from a “provider” perspective. It identifies problems of site design and management and considers examples of best practice.

Duncan T (1996) Neighbours’ views of official sites for travelling people, Glasgow: The Planning Exchange

Research on three case-study sites where there had been substantial local opposition, describing the effect of the sites after about a year.

“The results of this study suggest that where official sites for travellers are well managed, they present no serious problems to the local communities and settle to coexist remarkably quickly.”

And “remaining problems revealed in the study, if not fully preventable, are certainly capable of amelioration by attention being paid to capital spending, either at or close to the site, at the times sites are created”. (p.19)

Lomax D, Lancaster S and Gray P (2000) Moving On: a survey of Travellers’ views, Scottish Executive Central Research Unit (SECRU): Edinburgh (SECRU Research findings no. 94, 2000)

The findings of research commissioned by the then Scottish Office about Gypsy/Traveller views on site accommodation, housing, advice and information, travelling and employment, prejudice and harassment. The survey was aimed at residents on private and local authority Gypsy/Traveller sites and families camping on unauthorised sites. Although views varied, two key issues emerging from the range of subjects covered were the reduction and changing pattern of travelling and discrimination as an everyday experience for Gypsies/Travellers.

Fahy K (2001) A Lost Opportunity? A Critique of Local Authority Traveller Accommodation Programmes, Dublin: Irish Traveller Movement

This report relates to the Government of Ireland, Housing (Traveller Accommodation) Act 1998. It offers a critical analysis of the Local Authority Traveller Accommodation Programmes and whether these meet the requirements of the Act and Memorandum on Implementation.

The specific requirements of the five-year Traveller Accommodation Programmes give relevant guidance on good practice in planning, providing and arranging for a range of accommodation options for Gypsies/Travellers, though in a different legislative and policy context to that of Scotland.

Requirements relating to strategic planning and provision of accommodation are:

- consultation mechanisms;
- assessment of need;
- policy statements;
- strategy statements;
- voluntary housing and other accommodation;
- regard for Travellers’ distinct needs;
- implementation and review.

In addition, there are requirements relevant to other aspects of inspection:

- Basic services and facilities for caravans.
- Unauthorised encampments.
- Management and maintenance procedures.
- Estate management and antisocial behaviour.

The report identifies specific concerns where programmes are not meeting the requirements of the Memorandum and also where there are examples of good practice in equality and social inclusion, notably Donegal, Wexford County, Dun Laoghaire/ Rathdown County Council and South Dublin.

Research Consultancy Services (2001) The Twice-Yearly Count of Travellers in Scotland, SECRU

Brings together data from the first six twice-yearly counts of Gypsies/Travellers in Scotland, to show trends over three years and winter/ summer variations in levels of site occupancy. Details include the number of households on local authority and privately owned Gypsy/Traveller sites and the number of caravans on unauthorised encampments.

Morran R, Lloyd M, Carrick K and Barker G (1999) Moving Targets, Dundee: University of Dundee/ Save the Children Fund.

This study examines the legal position of Gypsies/Travellers on unauthorised sites and the actions taken by the police, local authorities and private landowners to move them on. The effect of eviction on access to health and education services is assessed. The report also includes the experiences and views of young Gypsies/Travellers.

Recommendations include:

- a review of government policy towards nomadism;
- a statement within the social inclusion framework on the rights of families to follow a nomadic way of life;
- more accurate monitoring as a minority group;
- including the consideration of welfare criteria in decisions on eviction from unauthorised encampments;
- training in relation to monitoring racist incidents; and
- the development of transit sites.

Morris R and Clements L (eds.) (1999) *Gaining Ground: Law Reform for Gypsies and Travellers*, Hatfield: University of Hertfordshire Press

This book was developed from two TLAST/TLRU conferences held in 1997 and 1999 and related Traveller Working Group meetings. Legal themes and reform proposals are outlined in Part 1, with more specific and detailed pieces in Part 2, including a section on accommodation.

A Traveller Law Reform Bill has been subsequently drafted, available at www.cf.ac.uk/claws/tlru

Morris R and Clements L (2001) *Disability, Social Care, Health and Travelling People*, Cardiff: Traveller Law Reform Unit, Cardiff Law School

A report on the literature relating to the social and health care needs of Gypsies/Travellers. Includes a detailed bibliography, adding accommodation under the section on environmental issues

Morris R and Clements L (2002) *At What Cost? The Economics of Gypsy and Traveller Encampments*, Cardiff: Traveller Law Reform Unit, Cardiff Law School

A report on research into the costs of unauthorised encampments, covering all local authorities in the UK between 1999-2001. Discusses past and present law from 1944 and looks at the numbers of unauthorised encampments and the loss of public pitches. It presents findings on the costs to local authorities and if and how they budget for activity resulting from unauthorised encampments. The report considers whether costs are increasing or decreasing, discussing the costs to Gypsies/Travellers, the police service, landowners and the planning system. Consideration is also given to how Best Value might be applied to unauthorised encampments. It makes three recommendations to develop policies on unauthorised encampments.

Niner P, Davis H and Walker B (1998) *Local Authority Powers for Managing Unauthorised Camping*, DETR

Following implementation of the Criminal Justice and Public Order Act 1994, the study examined local authority powers for dealing with unauthorised camping. Fourteen case studies were conducted in 18 local authority areas, identifying current practice. The report identified areas of concern on the use of legal powers, concluded that clear objectives and policy directions were needed on a range of Gypsy/Traveller issues, and argued that providing more sites was the best way to deal with unauthorised encampments, to reduce the scale and justify more rapid and firm action.

Office for Standards in Education (Ofsted) (2001) Managing Support for the Attainment of Pupils from Minority Ethnic Groups, London: Ofsted.

The report evaluates recent developments by LEAs and schools in England to promote higher achievement by minority ethnic groups. Section 4 reports the findings on Traveller education. The report notes that many sites are some distance from schools and may be on marginal land with environment and health dangers to resident families. To maximise school attendance, home-to-school transport is reported to be helpful in these circumstances and even, under LEAs' discretionary powers, when the distance is below the statutory minimum (p. 36, para 136). The report notes that in all inspected LEAs, Gypsy/Traveller families moved into the area on a temporary basis and that in most areas families stopped on unauthorised sites due to a shortage of designated sites. Additionally, the report highlights specific issues relating to eviction from unauthorised sites:

“However, positive efforts by Traveller education services to fulfil the LEAs' statutory responsibilities were sometimes at odds with the practice of eviction of the families. In a number of cases, decisions by the authorities appeared not to take into account adequately the educational and other needs of the children in these circumstances.” (p. 37, para. 138)

Promoting Social Inclusion Working Group (2001) Consultation on the Final Report of the PSI Working Group on Travellers, New TSN, Northern Ireland Government

This consultation report sets out the background to the social exclusion of Travellers in Northern Ireland. The report identifies the need for a strategic approach to tackling the needs of Gypsies/Travellers, underpinned by five strategic priorities:

- better and more appropriate services for Travellers;
- working in partnership with Travellers;
- accommodating nomadism;
- empowering Travellers;
- promoting good relations between Travellers and the 'settled' community.

Of the 33 recommendations, recommendations 5–9 relate to accommodation. Key elements of this section are:

- recognition of the need for one strategic agency to deal with Gypsy/Traveller accommodation;
- provision to be administered through Executive/housing association funding mechanisms;

- the ownership and management of existing sites to be transferred to the Northern Ireland Housing Executive;
- district councils to be responsible for provision of transit sites.

Recommendation 9 refers to the design and management of specific accommodation schemes for Travellers.

Task Force on the Travelling Community Report (1995) Government of Ireland

This study brings together documents related to the report and the legislation which followed the Housing (Traveller Accommodation) Act, 1998, published by the Department of Environment and Local Government, Government of Ireland:

Guidelines for Accommodating Transient Traveller Families (undated)

Covers measures to provide services and facilities for transient families including:

- a network of transient halting sites;
- accommodation where possible in permanent halting sites and group housing schemes;
- assisting families to make their own arrangements;
- liaising with private residential caravan parks to provide space;
- identifying public land for temporary camping purposes.

Guidelines: Residential Caravan Parks for Travellers (undated)

Guidance on consultation, site investigation, design, site facilities, maintenance and management and fire safety. The guidelines refer to caretaking arrangements and how Travellers could be considered for this role where on-site residential caretaking is thought necessary.

Guidelines for Traveller Accommodation (November 1998)

The guidance discusses consultation, information, and provision for basic services and facilities for caravans before permanent accommodation is arranged.

Memorandum of Implementation (undated)

Provides advice and guidelines to housing authorities on the implementation of the Housing (Traveller Accommodation) Act, 1998

More recent reports, published by the National Traveller Accommodation Consultative

Committee, follow the evaluation of Local Traveller Accommodation Consultative Committees (LTACCs) as required by the Act:

Evaluation of Local Traveller Accommodation Consultative Committees (October 2000)

Guidelines for the Operation of Local Traveller Accommodation Consultative Committees (LTACCs) (April 2001)

Scottish Executive Development Department (March 2002) National Planning and Policy Guideline NPPG3, Planning for Housing - Consultation Draft, SEDD

Contains a brief reference to the role of planning authorities in identifying sites and their policies on applications for privately owned sites, in the context of local need assessments in the local housing strategy and community planning.

Weber L (1999) Cambridgeshire Travellers Review, Research Report Number 5, Suggestions for Good Practice, Cambridge: Cambridgeshire County Council

Sets out discussion and good practice under the headings: provision of accommodation; access to services; community relations. The report draws on fieldwork in Cambridgeshire, and information collected from district councils and from Gypsy/Traveller Liaison Officers at County and London Borough level in England. Includes a useful annotated bibliography for a range of services, including accommodation.

Weber L (amended 1999) Cambridgeshire Travellers Review, Research Report Number 6, Overall Summary of the Research Programme, Cambridge: Cambridgeshire County Council

A good example of local research on Gypsies/Travellers, summarizing the findings from a series of five research reports conducted as part of a comprehensive multi-agency review of policy and services in Cambridgeshire.

Websites

In addition to the government websites and those of housing organisations, more specialist information on Gypsy/Traveller issues is available through the websites of organisations working with Gypsies/Travellers.

The Traveller Law Reform Unit is a useful starting point with good links to other agencies, including the Republic of Ireland, Europe and further a field:
www.cf.ac.uk/claws/tlru

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