

# **Understanding Rights and Responsibilities in Emergency Accommodation**

**Survey Results**

**October 2019**



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## Introduction

### Why this piece of work was carried out?

The North-East Inner City (NEIC) Dublin has one of the highest concentrated areas of homeless accommodation nationally. ICON has been working with a number of individual, family and service-users regarding a range of issues arising in emergency accommodation. We found that there were a number of similarities across all cases whereby people were seeking help with advocacy around their issue and in taking a complaint. There appeared to be a lack of awareness around the complaints process and how to raise grievances in a formal manner and have their voices heard. It was unclear if the complaints process was being communicated across emergency accommodation effectively. Subsequently ICON was interested in exploring further the subject of rights and responsibilities of people in emergency accommodation and the accessibility of the complaints system.

### Background

The *National Quality Standards Framework for Homeless Services in Ireland* was published in April 2019 by the Department of Housing, Planning and Local Government in conjunction with the Dublin Regional Homeless Executive. The framework is the latest governing document setting out the rights of people accessing emergency accommodation. Under *Theme 1: Person-Centred Services*:

*“The theme of person-centred services is concerned with service users’ rights and autonomy, including the right to have a complaint heard and responded to. The standards under this theme puts persons at-risk-of or experiencing homelessness, at the centre of the decision-making process at the personal level and involve service users in the planning, delivery and evaluation of services at organisational level. The standard statements recognise the right of each service user to determine their own lives and have their decisions and preferences respected.”*

The *National Quality Standards Framework* (2019:16) sets out 12 key principles underpinning the rights and diversity of each service user. This study will make specific reference to the third principle as it sets the context for the research:

#### **3. Service users**

- a. Are informed of their rights and responsibilities.
- b. Understand their rights and responsibilities.
- c. Are facilitated in exercising their rights and responsibilities.

The *Homeless Complaints Handling System* (2014), published by Dublin Regional Homeless Executive (DRHE), outlines the complaints procedure taken to address complaints and appeals for service users. The complaints procedure establishes DRHE as the oversight body tasked with the management of complaints received to them and Dublin City Council Homeless Service. Funded services are required to have in place a complaints/handling system for service users. The DRHE (2014:4) document outlines the principles of best practice that should govern such mechanisms. All managers of homeless services have a responsibility to ensure that:

- All those accessing homeless services are aware of their rights and the complaints/appeals mechanism.
- A consistent and standardised approach is adopted for the management of all issues/complaints.

- The complainant and the service provider have an equal voice and are of equal importance in the process.
- The complaints/appeals handling process should be implemented without fear, favour or prejudice towards the complainant, the person or service about which the complaint was made.
- Neither the complainant nor the subject should be afraid of recrimination of any kind at any stage of the process.
- The complaints/appeals handling system is well publicised and accessible to service users.
- The complaints/appeals handling system aims to effectively resolve all issues/complaints for the complainant.
- The emphasis will be that all issues/complaints are resolved in a timely manner and in line with best practice.
- All issues/complaints are dealt with in an impartial manner i.e. the service user must have the opportunity to be heard
- The issue/complaint must be investigated without prejudice to either the service user or staff member/service implicated.
- Staff are aware of the process in responding to issues/complaints raised by service users.
- Following an investigation of an issue/complaint that action is taken where required to address a shortfall in relation to service delivery
- Similar occurrences are avoided in the future.
- The issues/complaints handling system must remain flexible to change in best practice following investigation of an issue/complaint.
- Any recommendation or learning from the process informs to the improvement of quality and best practice.

In addition to these principles, the Handling System states that complaints procedures should be transparent to the service user during the process of investigation. A complaint will be acknowledged by the DRHE within 5 working days.

While both documents reflect a progressive approach to a rights-based homeless service, in practice cases coming into our frontline service did not appear to reflect the nature of these documents. The study was commissioned to capture the views of a wider audience of people in emergency accommodation. Specifically asking questions on their knowledge of rights, responsibilities and the accessibility of the complaints process.

### **ICON's Community Participation Project**

Goal 4 of the *National Drugs Strategy (2017-2025)* underpins the work of ICON's Community Participation Project. The role of the Community Participation Project is to promote the involvement of people directly affected by issues in local, regional and national structures. To this extent, community participation encourages, empowers and supports people's active engagement in making decisions that affect their lives.

ICON is locally based, and the staff and volunteers have a comprehensive working knowledge on the issues affecting people in the NEIC. ICON is well positioned to act as an informed advocate on these issues. There is a great understanding on the barriers to engagement in a local context.

If empowered communities involved in decision making processes is the end goal, then the in between must not be overlooked. Facilitating action and positive change is a process. The first step of community participation is to give people the space to share their views and experiences. To this end, this research can be best understood as a preliminary response. The aim is to first gather data and trends centring on knowledge of rights and responsibilities in emergency accommodation and the accessibility to the complaints handling system.

## Methodology

The method of data collection was through a survey. Respondents could either participate online via a Survey Monkey link that was posted to ICON's social media accounts or people had the option of filling in a paper version of the survey.

ICON engaged with local projects in the area, targeting frontline services with links to service-users in emergency accommodation. The specific target group for the survey was people currently living in emergency accommodation or those who have had a previous experience of living in emergency accommodation.

The survey was carried out in July 2019 and a total of 80 respondents engaged with the research.

Questions were a mixture of yes/no, multiple choice and comment sections. The comment sections were particularly useful in capturing a rich, detailed narrative on the barriers to exercising rights in emergency accommodation and the accessibility of the complaints process.

## Ethical Considerations

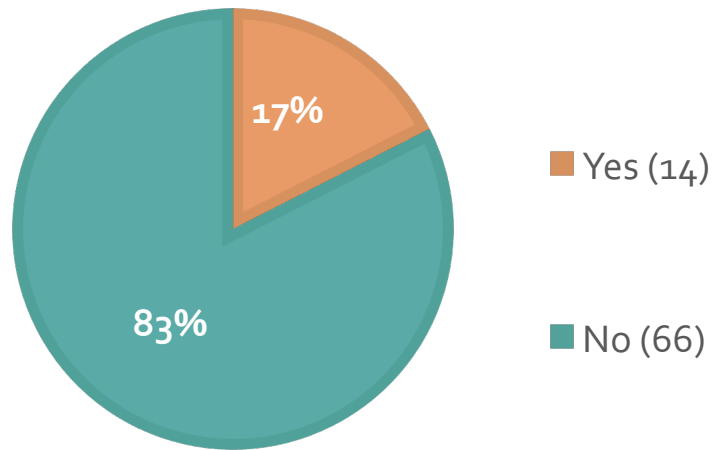
It is important to design ethical, non-exploitative research that does not stigmatise or disempower those who are the focus of the work. The *Ethical Guidelines of the Sociological Association of Ireland* were adhered to. The research was based on informed consent of all participants.

The research was carried out with considerations to the centrality of ethical and participatory research approaches. This means that the research was carried out with respect for participants, and responses were confidential and based on consent. Participants' identities were protected.

ICON met with many of the respondents to explain the nature of the study prior to their engagement and why ICON was collecting this data and what we intended to do with it. This information was also posted online. The survey was anonymous and did not ask for identifying details, in the event of disclosure personal information was redacted accordingly. All respondents were aware of the nature of the study and gave consent to their input being published in this report.

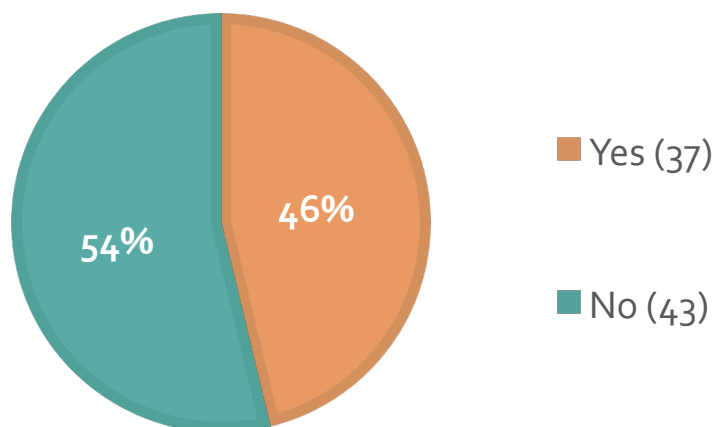
## Survey Findings

**Question 1: Do you feel you know your rights in emergency accommodation?**



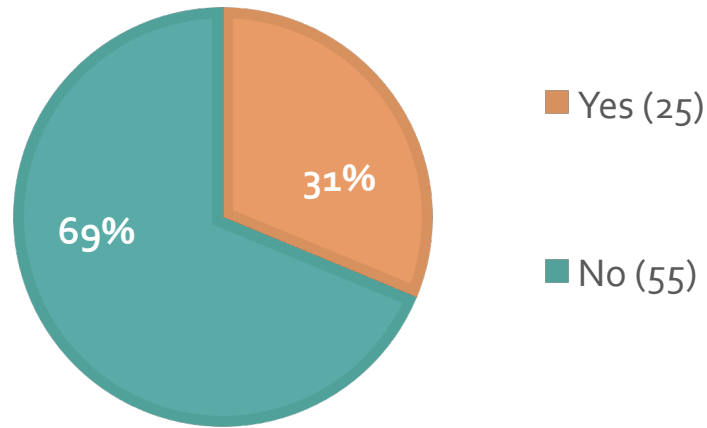
The first question focuses on gaining an understanding as to whether residents in emergency accommodation understood their rights. A total of 80 respondents answered this question: 82.5% felt that they did not know their rights in relation to emergency accommodation 17.5% stating that they did know their rights.

**Question 2: Do you feel you know your responsibilities in emergency accommodation: for example, the rules of the emergency accommodation?**



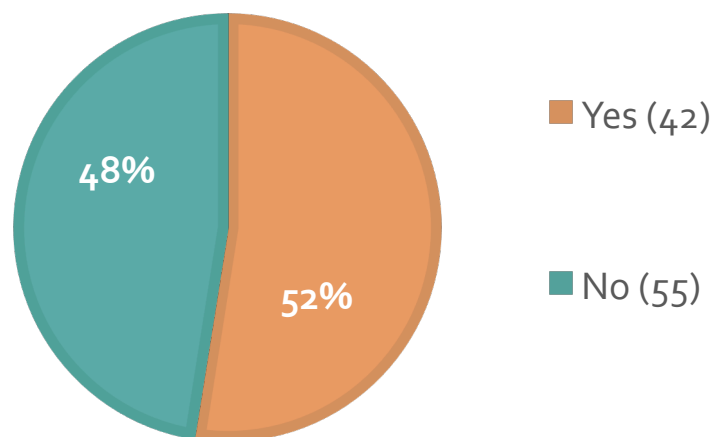
When asked if they were aware of their responsibilities as a resident in emergency accommodation, a total of 80 respondents replied. Of those, 54% stated that they were not aware and 46% stated that they were.

**Question 3: Do you know how to make a complaint in emergency accommodation?**



Of the 80 individuals who responded to the question on how to make a complaint, 55 people (69%) stated that they did not know how to make a complaint with 25 people (31%) stating that they did know how to make a complaint.

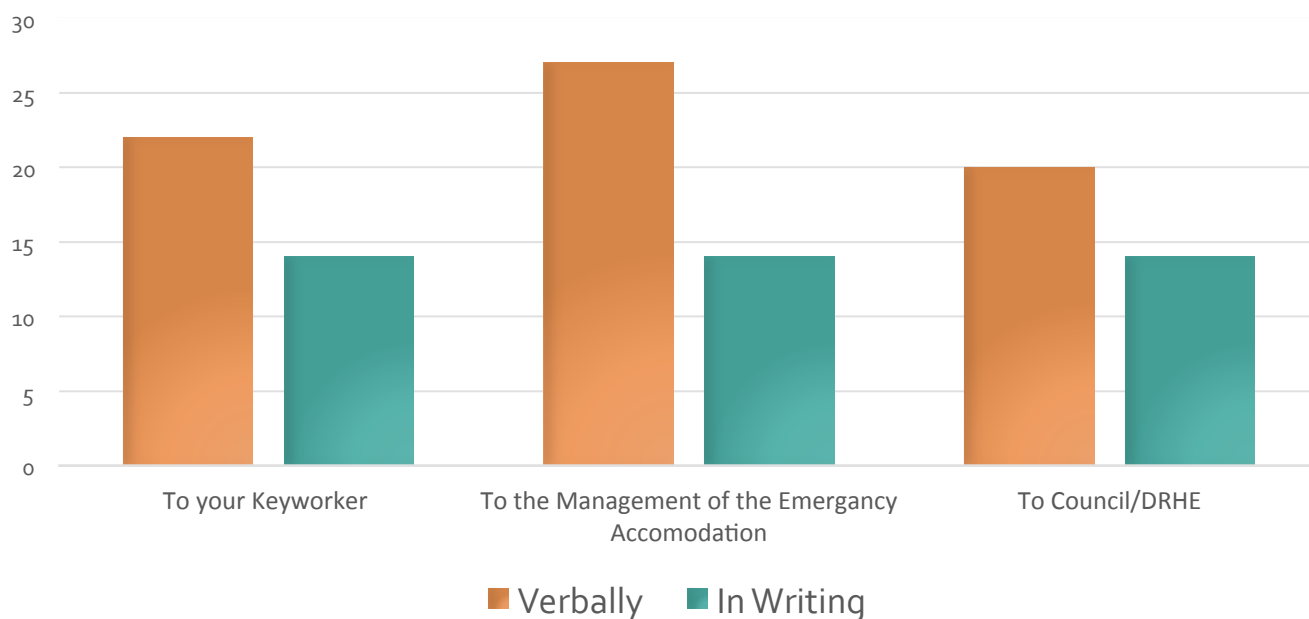
**Question 4: Have you ever made a complaint about your emergency accommodation?**



53% of respondents (42 individuals) have made a complaint about their accommodation with 48% (38 individuals) stating that they had never made a complaint.

**Question 5: How did you make this complaint?**

Some of the respondents used multiple methods of making a complaint. The preferred form of making a complaint was verbally to the management of the emergency accommodation with 41.5% of respondents using this method. This was followed by verbally to the resident’s key worker, 33.8%, and then verbally to the local council and/or to the Dublin Region Homeless Executive (DRHE) (30.77%):



Answer Choices	Responses	
Verbally to the management of the emergency accommodation	41.54%	27
Verbally to your key worker	33.85%	22
Verbally to your local council and/or Dublin Regional Homeless Executive (DRHE)	30.77%	20
Question not relative to me	26.15%	17
In written writing to the management of the emergency accommodation	21.54%	14
In written writing to your local council and/or Dublin Regional Homeless Executive (DRHE)	21.54%	14
In written writing to your key worker	21.54%	14
Other (please specify)	4.62%	3
	Answered	65

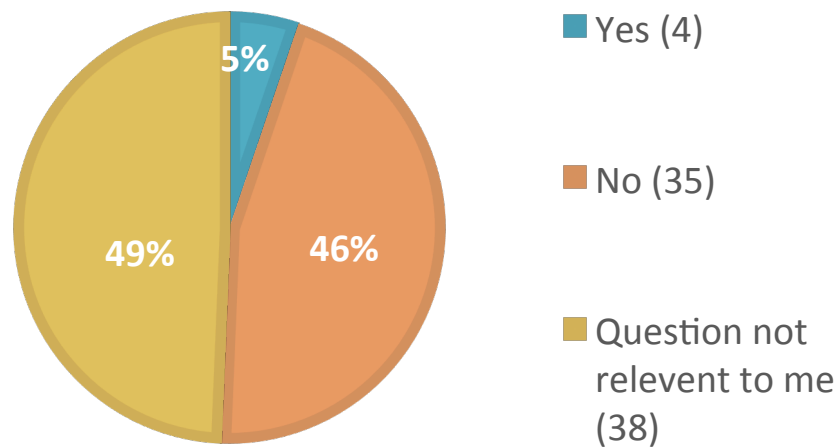
17 respondents or 26.15% stated that the question was not relevant as they had not made a complaint.

A total of 64% of respondents made the complaint in writing either to the management of the emergency accommodation, to the local council or to the DRHE or to their key worker.

The other methods for making a complaint were detailed as contacting a TD who contacted the council on their behalf and contacting Focus Ireland and Inner City Helping Homeless.

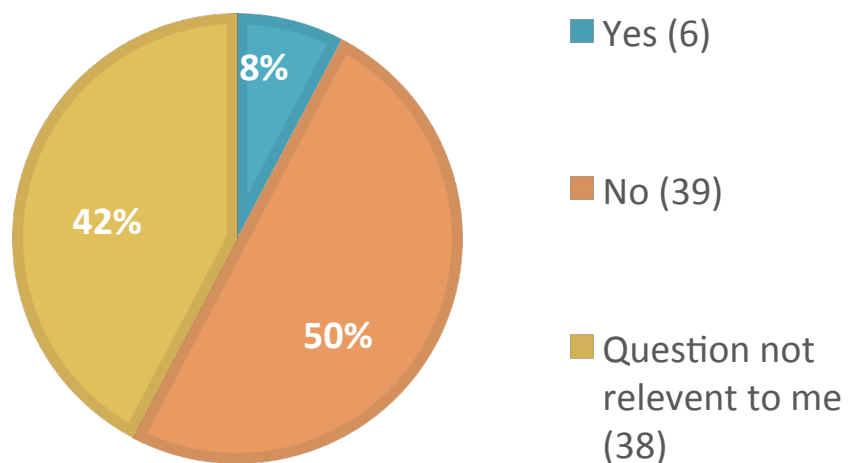


**Question 6: If you ever made a written complaint, did you receive confirmation of the complaint within 5 days?**



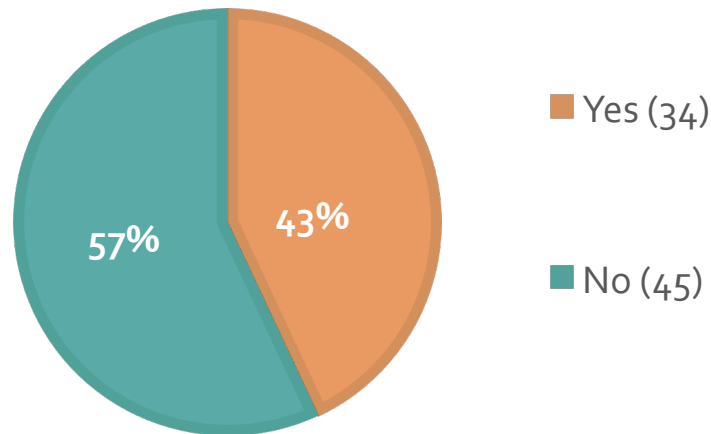
The DRHE complaints procedure states that a complaint made in writing will receive confirmation of the complaint within 5 days. When respondents were asked if they had received confirmation within 5 days of making a written complaint, 45% responded that they had not received confirmation with 5% stating that they had. For 49% of respondents the question was not relevant.

**Qs 7: If you ever made a complaint, are you happy with the outcome?**



Of those surveyed, 50% (39 people) stated that they were not happy with the outcome of their complaint with 8% (6 people) responding that they were happy with the outcome.

**Question 8: If you had an issue with your emergency accommodation today, would you feel comfortable making a complaint?**



57% (45) of those surveyed that they would not feel comfortable making a complaint about their emergency accommodation with 43% (34) stating that they would.

**Question 9: If you answered no to the above question, please explain why you would not feel comfortable taking a complaint.**

There was a range of responses to this question which are detailed below and demonstrate the fear felt by residents when considering taking a complaint. The responses detail threats and intimidation, fear of losing their accommodation and of being barred from services.



Not sure whether you would affect your place

Because I feel that when I did, they never addressed the problem and I don't think they care to be honest

All they will say we cannot do anything.

Falls on deaf ear

*You are just a number*

No action taken. Felt I was punished for complaining

They work with the managers to turn the abuse on you and lie.

Because you have no other place to go and better than been on the streets or been put in hub that your kicked out at 9 in the morning or been put in a place full of junkies that's what you live with everyday not knowing where you be day to day it's mentality draining and no stability for children.

Get abused not worth it

I feel judged and looked down upon and uncomfortable even being here.

They may kick me out

Not gonna risk me and me kids being f\*\*\*d out

They r not taken into account seriously

In case we get kicked out

In case you get moved

Seen families been removed for complaints

Because I am a member of the travelling community and already find it hard to secure accommodation. I'm afraid as I could be left where I am and forgotten about its hard being in emergency acc as you don't know your rights and if complaint afraid of being thrown out

Never taken seriously

You're always terrified of being evicted

Because they would find a way to evict you! They pass you on to another place, and same goes!! Vicious circle...

After I said what I said some of the night staff went out of their way to make me say something that they could kick me out. Only for my key worker tell me to stay in my room after staff handover. I would have no help. I thank him so much for telling me I was a marked man & that he hear night staff talking about me. Some of the night staff were Bullying people just to pass the time. My key worker was great he help me much & others. I was bullied when I was a kid & it stop when I started to hit back. The night staff would try get me when I was on my own 2 r 3. I am not a small kid anymore & the other homeless guys I was in with we would know how to ask for to let us make tea get some food. The other staff we would stay away from. It was hard some guys would tell them to fuck off & they would lose their beds. All hours of the night. I went to bed 1 night. Next morning 3 guys got kicked out. You walked on eggshells. We all knew 3 r 4 nights a week just go to bed early stay out of the TV ROOM & try go around in twos. I cannot thank my key worker for all the help. He did more than his job.

I just wouldn't like to be annoying people I would rather deal with it if I could

Because my complaint was never dealt with for example responded to after the acknowledgement stage

I have complained 3/4 times to DRHE and no reply now I feel like I'm not been listened to so therefor I don't bother complaining anymore so hotel managers are getting away with shite they shouldn't be.

*As I would be afraid of been throwing out with my children*

Was homeless for years and was treated like shit so stayed in a sleeping bag in Grafton street for 5 years instead of dealing with people in the homeless care system they did not care one bit

Being discriminated against for complaint

Made a complaint before an nothing was done about it they turned a blind eye

Afraid of been put out

There not nice people to talk too

I feel u get nowhere I have made complaint s before and have got noting back I feel if u speak out u get yourself in more trouble than anything

I wouldn't feel comfortable making a complaint about my emergency accommodation as I feel they the council actually don't care who complains and we should be privileged to even be in hotels

You could be put back on the streets for complaint

Because they think you should be happy with somewhere to sleep but when you've kids it's not that simple some emergency accommodation, I've been in has been crazy with drugs drink trouble it's not a way for my kids to live

*I would feel ok to complain*

After making the complaint was told I had to self-accommodate by focus, still never heard from the council. no, they don't think the unit is gone be renewed for emergency accommodation

Cause I'd be afraid I'd be kicked out an would have no were else to go with my family

### Question 10: Any further comment

The range of responses to this question detail the fear, the anger and the despair felt by many people living in emergency accommodation. There are difficulties with managing day to day life like laundry and sleeping arrangements but there are also issues of trauma, isolation and terror featured; all of which impacts on the mental health of adults and children living in emergency accommodation:

Emergency accommodation does not provide for larger families with babies i.e. no cots .... I had to sleep in a double bed with a 3 year old 1 year old, 4 month old baby while my 8 year old and 5 year old slept on the top part of the bunk beds and having to be out by 9am is terrible especially if its lashing out of heavens and nowhere to go.

It's horrible here.

This is no place for a family. This is no place for children. This is not right. I am here 1 week, and I am depressed and distraught. This is not the life I want for my kids. I am devastated.

They all evil who own them some staff nice

Scared and vulnerable

I would tell all the politicians and Prime Minister get homeless or sleep at least one night in the street. Then only maybe they will realize how it's feel like.

I'm currently waiting for a house possibly allocated but not finished being constructed. However, I need to get my daughter enrolled in school, but I can't as I have no permanent address for the area. And to be honest it does not look like I'll be allocated the house as every time I call or email no one's is available to respond. I wish once an offer for a house is made housing associations would just work with the council from day one of offers to avoid all the tensions and honestly anxiety. I don't know if we are coming or going at least when there was no offer we knew where we stood.

I'm suicidal

The whole system needs to be investigated by a truly independent body.

You feel worthless like you're nothing. Working all my life and struggling to get to work as my uniform can be damp because of laundry facilities but if you complain staff say there is nothing they can do

It's not fair on the amount of families living in emergency accommodation with no place to call home our kids are growing up in these situations it's not fair and I fear for my kids' mental health when their older

A person in an emergency accommodation hub feel we as people don't get treated equally as anyone who is not homeless. I feel the council don't understand or seem to listen to our rights or concerns and strongly feel (speaking from experience with council re my premature babies health problems) that once you're in emergency accommodation that you're one less problem to worry about once you're off the streets but funny enough most of the time you would probably be better sleeping on the streets as the vast majority of hotel/hubs you go to are full of drugs/anti-social behaviour, not to mention infection people around may have or sickness you may pick up etc, or the hygiene can be very poorly etc.

Still with all this being allowed to go on nothing being done to prevent or limit these issues there still letting poor defenceless little premature infant with respiratory problems get sicker and sicker by not giving them a valid home and not to mention all the consultant letter you get from hospitals stating your child's problems they are still not bothered and refuse to give medical grounds.

Also, you need family connection in the country but not Dublin so if look for a home anywhere in any county so why don't Dublin send back people back to their council??

Something needs to change - no one listens or cares

Homeless accommodation is a joke to live in

There should be a directory of all landlords accommodations made available online to everyone. The state should be building more social housing and less private renting for all.

Also not to mention the intimidation alone in hotels/hubs of getting watched 24/7 and being told what to do and not to do and cameras looking at you pretty much every angle of where you go every day and your children not being allowed to play the way they should be is ridiculous and very mad for their mental wellbeing, it really feels like a prison sometimes but unfortunately it's out of a lot of people's hands and this is the harsh reality which needs to come to an end. I could go on and on all day with list of problems but I still don't think our government will let this come to an end because we live in a selfish country.

Management restrict access and we have seen families evicted because of complaining about conditions

32 months homeless I want a home

Young girls with kids and especially sick kids should be a priority for family hubs

I'm in one night only since July 2018 and a 21 year old girl by herself not on drugs to be put in drink and drug

Most of day staff were sound like to help you I got a fault back then with the help I got. Night staff should have never had the job. The place would get those & things for the homeless to go to wear. The night staff would go into the bag & take the new or good things for themselves. That's what I told the boss of the place he was not happy with some of the night staff. That's what got me into the book they had. It was hard for me not to hurt a few of them. That's were my key worker help me and others.

I'm in emergency Acc which is a lovely place but found staff going through my personal belongings when approached owner he laughed and said sure it's only women I'm sorry but not accepted since reported it staff have gone totally different towards me and my partner since it happened not to mention our post being sent back with not knowing at this address why these people think it's OK to discriminate us for opening our mouths or raising issues it's not acceptable



## Summary Issues

- 82.5% of respondents felt that they did not know their rights in relation to emergency accommodation, with 17.5% stating that they did know their rights.
- When asked if they were aware of their responsibilities as a resident in emergency accommodation, 54% stated that they were not aware and 46% stated that they were.
- Of the 80 individuals who responded to the question, 55 or 69% stated that they did not know how to make a complaint with 25 or 31% stating that they did know how to make a complaint.
- 53% of respondents have made a complaint about their accommodation with 48% stating that they had never made a complaint.
- The preferred form of making a complaint was verbally to the management of the emergency accommodation with 41.5% of respondents using this method. This was followed by verbally to the resident's key worker, 33.8%, and then verbally to the local council and/or to the Dublin Region Homeless Executive (DRHE) (30.77%). A total of 64% of respondents made the complaint in writing either to the management of the emergency accommodation, to the local council or to the DRHE or to their key worker.

The other methods for making a complaint were detailed as contacting a TD who contacted the council on their behalf and contacting Focus Ireland and Inner City Helping Homeless.

- The DRHE complaints procedure states that a complaint made in writing will receive confirmation of the complaint within 5 days. When asked if they had received confirmation within 5 days of making a written complaint, 45% responded that they had not received confirmation with 5% stating that they had.
- 50% stated that they were not happy with the outcome of their complaint with 8% responding that they were happy with the outcome.
- 57% of those surveyed that they would not feel comfortable making a complaint about their emergency accommodation with 43% stating that they would.
- There was a range of responses detailing the fear felt by residents when considering taking a complaint. The responses describe threats and intimidation and the fear of losing their accommodation and being evicted. They demonstrate the anger and the despair felt by many people living in emergency accommodation. There are difficulties with managing day to day life like laundry and sleeping arrangements but there are also issues of trauma, isolation and terror featured; all of which impacts on the mental health of adults and children living in emergency accommodation.

## Recommendations

The *National Quality Standards Framework for Homeless Service in Ireland* (2019) and the Homeless Services Complaints Handling System (2014) are two important documents that portray a clear picture of what a rights-based homeless service should look like. In practice however, the reality is much different for individuals, families and service-users accessing homeless accommodation as standards fall short of what is written.

### 1. Rights Awareness Campaign

Results from the survey indicate that people are made more aware of their responsibilities and less of their rights in homeless services, this is suggestive that services operate more from the pretence of governing and regulating behaviour than from a holistic, rights-based approach. The survey would indicate a failure of communication in the provision of rights to people accessing services. An insufficient number of people are unaware how to exercise their rights, particularly in terms of raising grievances and having their voices heard.

It is acknowledged that the publication of the National Quality Standards is relatively recent and may take some time to implement. However, in the interim a communications campaign to all homeless services providers should be undertaken. Specifically, we recommend that anyone accessing emergency accommodation be given a copy of house rules (responsibilities) alongside a copy of their rights on admittance to the service.

### 2. Complaints Log

The survey highlights the variety of ways in which people in emergency accommodation can raise complaints. Majority of these complaints are in verbal format to service provider and/or key worker – both of which are frontline and the first point of contact for people accessing emergency accommodation, so it makes sense that the intake of complaint would be higher here versus a centralised service.

As it stands however, there is no system in place for service providers and/or key workers to keep a log of verbal complaints, only written complaints will be taken as formal. There may be a lack of understanding around moving complaints through formal remedies. People complaining verbally with no results is an aggravating factor of not feeling listened to, understood or heard. The capacity of people to raise issues in a formal manner must be given consideration as written format can be a barrier in itself.

We recommend establishing a local complaints log for service providers and key workers that records both verbal and written internal complaints, actions taken and the outcomes of complaints. Where an individual verbally complains, they should be linked with their key worker who can help facilitate a formal complaint as needed. Local complaints logs are to be forwarded to DRHE at regular intervals, keeping them updated on trends of issues that require a timely input. DRHE is then responsible for keeping a centralised log of all local, internal and central complaints, actions and outcomes taken to each of these complaints.

The idea of a complaints log is to promote transparency and standards across service providers, while embodying a culture where people are not afraid to speak out about issues as they arise.

### **3. Change of Culture**

The responses in the survey suggest that people accessing emergency accommodation are afraid to speak out, meaning issues are going unaddressed for fears of recrimination. A resident taking a complaint should be safeguarded against any reprisals from staff and management of the emergency accommodation. Promoting a culture of integrity where people's voices are heard and respected and their complaints and issues acted on is imperative to the well-being of people accessing homeless services.

### **4. Due Process**

Emergency accommodation beds should not be cancelled in lieu of a complaint investigation, unless a serious event warrants so (such as physical/sexual assault). Beds are being cancelled under definition of 'anti-social' behaviour, but there is no definition of what constitutes anti-social behaviour across homeless services. In the event of an issue arising a warning process should be followed whereby people are given a preliminary verbal warning followed then by a written warning of their conduct. In order to have a transparent system, a definition of anti-social behaviour will need to be established. This will ensure all service providers are approaching conflict in a standard way. We advocate that people accessing homeless services have space to exercise due process and right of appeal to any warning subject against them. Cancellation of beds and displacement to an alternative service should not occur without the warning procedure having been followed.

The reality of cases coming in is that beds have been cancelled with no/limited notification meaning the individual/family does not have time to contest. A right to due process and appeal is an essential element to fair and just service provision.

In the event of a clash of personalities between staff/management and service users, Dublin Regional Homeless Executive should be on hand to provide mediation and defuse internal conflicts before escalation. All staff and management should too be trained with basic techniques in conflict resolution and maintain professional high standards of care at all times.

### **5. Standardised Services**

There should not be alternative provisions of care pending what service / service provider a person ends up with. Homeless services should be standard in their provision of accommodation. This is inclusive of house rules, rights and complaints mechanisms. There should also be a basic level of standard training for all staff working in emergency accommodation. There should be no difference in service provision from a non-government organisation versus a private emergency accommodation. All services should be governed by the same standards, policy and legislation.