

## **Position Paper on a Commissioner for Ageing and Older People - Republic of Ireland** ***Prepared by the Alliance of Age Sector NGOs***

### **What would a Commissioner for Ageing and Older People do?**

A Commissioner for Ageing and Older People would safeguard and protect the interests and well-being of older people and an ageing population in Ireland. Ageing consists of a series of stages throughout a life-long process which begins at birth – it does not end at retirement or when you reach your 65<sup>th</sup> birthday.

The process of ageing is not discriminatory; it affects all people regardless of gender, ethnicity, race, beliefs, abilities or context. We must recognise the contributions of older people to our society, as well as economically and financially. We need to plan for our future to provide a stable environment in which Irish people can live well and age well. We want to provide the best quality of life throughout every person's entire life cycle.

The appointment of an independent Commissioner, with legal authority, would help to achieve this by:

- **Reviewing and overseeing the adequacy of legislation, policy formation and future planning** which is informed by the voice and lived experience of older people in Ireland.
- **Holding Government and public bodies to account** by monitoring policy implementation and practice.
- **Advising Government on matters concerning older people**, including by reference to international best practice.
- **Creating a positive ageing experience** by promoting healthy ageing, encouraging best practice in valuing older people and challenging age discrimination.
- **Supporting an ageing population** through service and information provision which responds directly to both the needs and contributions of older people.

### **Who is a Commissioner for?**

In the space of 30 years, the make-up of Ireland's population will change considerably. Often, we talk about the needs of Ireland's ageing population as if this represents a change in demographics to be considered in the future. The truth is, our population has already gotten considerably older in recent years, and will continue to do so.

- In 2011, there were 535,716 people aged 65+ in Ireland, making up 11.4% of the total population.
- By 2021, this was projected to increase to 796,484 people; by 2031, to more than 1 million.
- By 2041, the population aged 65+ is projected at almost 1.4 million, or 22.4% of the population.
- Furthermore, the number of people aged 80 and over is projected to increase from 130,598 to 457,962 between 2011 and 2041. This is an increase of 250%.

Older people are not a homogenous group and every individual's experience of ageing will be different. In the experience of the Alliance, significant numbers of older people experience challenges relating to income, housing, health, transport, work, energy, education, and digital communications. The Alliance's recently launched account 'Telling It Like It Is; Combatting Ageism' also exposed the ingrained nature and impact of ageism in Ireland in which older people are typically portrayed as uniformly frail and vulnerable. Furthermore, this important account revealed how there has been an implementation deficit in relation to many of Ireland's policy commitments relevant to ageing and older people.

## Why do we need a Commissioner for Ageing and Older People?

Many policy and strategy documents relating to the rights and needs of older people have been introduced over the years. When it was published in 2013, the National Positive Ageing Strategy (NPAS) aimed to create a “shift in mindset in how we, collectively and individually, conceptualise ageing”. At the time it described itself as “the blueprint for this planning - for what we can and must do - individually and collectively - to make Ireland a good country in which to grow older in the years ahead”.

However, in the absence of a senior leader or statutory driver for this key Strategy, an implementation plan was never published or actioned, and the Strategy was downgraded over time to a series of ‘guiding principles’, rather than aims to be achieved. This is despite the fact that the Citizens’ Assembly in 2017 recorded that “100% of the Members recommended that the Government urgently prioritise and implement existing policies and strategies in relation to older people (i.e. the National Positive Ageing Strategy)”.

Had it been implemented in the seven years between publication and pandemic, many of the negative effects on older people of the Covid-19 response could have been avoided. The Alliance believes that the long-term inaction on the National Positive Ageing Strategy could not have happened had an independent commissioner been in place.

A number of other key strategies and actions relating to older people have been delayed, postponed or paused indefinitely;

- The current Programme for Government (Our Shared Future, 2020) sets out a commitment to set up a Commission on Care – yet to be established.
- The Roadmap for Social Inclusion (2020) committed to implement benchmarking of the pension by 2021, while also pledging to develop an implementation plan to deliver on the objectives of tackling loneliness and isolation, both of which have yet to be completed.
- The joint policy statement, Housing Options for our Ageing Population (2019), identified a programme of 40 strategic actions to progress housing options for older people, all time-lined to be completed by 2021 at the latest, and which have not all been progressed.
- Policies including transport options for older people and the development of a statutory home support scheme have all been committed to for many years - some as far back as the ‘Care of the Aged’ report published in 1968 – and have not yet been implemented.

Furthermore, almost **every** Government strategy and action plan, whether it is relating to health, transport, housing, the environment, or connectivity, must be considered in the context of our ageing population and the ageing demographic they will serve. By 2041, people aged 65+ will make up more than 1 in 5 of the Irish population.

Demographic change is noted on the 2023 draft list of the ‘National Risk Assessment 2023: Overview of Strategic Risks’. In spite of this, there are only **six** mentions of older people in the ‘National Development Plan 2021-2030’ – a 180 page document which “will play a significant role in addressing the opportunities and challenges faced by Ireland over the coming years from issues such as Covid-19, Brexit, housing, health, climate action and a population projected to grow by one million people between 2016 and 2040”.

In the context of an ageing population, ensuring the needs of older people are met and planned for will be more important than ever. The work of Age Friendly Ireland has been welcomed in recent years and operates as a shared service of local government. However, **what is missing is an**

**independent champion at national level, to ensure the effective mainstreaming of ageing across Government strategies and plans.** What is needed is a champion with statutory powers and a cross-Departmental brief who takes responsibility for focussed progress on tackling ageism and making the 2013 NPAS vision a reality. We need to see leadership and coordination, systematic engagement and real commitment, energetic implementation and meaningful monitoring.

Creating an Ireland that values older people, warrants a whole of Government response which would inform future planning and service delivery across a range of entities: Government Departments, national and local statutory agencies as well as the community, voluntary and private sectors.

The Commissioner for Ageing and Older People would provide an independent voice with the ability and capacity to engage with all Government departments. They would support a coordinated approach towards the implementation of strategies and actions relevant to the needs and rights of older people taking a role independent of any one department.

### **How is a Commissioner different from the current role of Minister of State for Older People, or roles that already exist within the Department of Health?**

Currently the Ministry for Older People is a Minister of State position reporting to the Minister for Health, and is part of a dual Ministry for Older People and Mental Health – two significant portfolios.

Comparative portfolios include the Ministry for Children, and the Ministry of State for Disability. Both Ministries exist within the Department of Children, Equality, Disability, Integration and Youth; it should be noted that the Ministry of State for Disability is a standalone role, and the Ministry for Children is a Cabinet position. Within the Department of Health, there is a Principal Officer role of ‘Older Persons Service Oversight and Planning’ which includes responsibility for “cross-sectoral collaboration on national policies for older persons”.

Older people have, of course, needs and rights far beyond the Department of Health, where the portfolio is currently placed. Rather than a position centred within the Department of Health, an independent Commissioner would have a remit to promote the needs of older people across all Departments, ensuring the needs of older people are met across the variety of services and departments they interact with. There remains a gap for an independent role that looks at, but also beyond, national policies written specifically for older people, and considers how policies in other areas address the needs of our ageing population.

### **Why a Commissioner and not an Ombudsman?**

Ideally, both roles would be established; appointing a Commissioner however does not preclude the possibility of also establishing an Ombudsman in time to come.

An Ombudsman, however, traditionally deals with complaints regarding the actions of organisations and bodies under their remit. The Alliance believes that now is the time for the introduction of a strategic position of Commissioner, with statutory powers, so as to better place Ireland to Ireland to ensure a positive ageing experience for all.

### **Should the planned Commission on Care consider the need for this role first?**

The establishment of a Commission on Care is currently being scoped and planned for by the Department of Health. The Commission was set out in the Programme for Government in 2020 “to assess how we care for older people and examine alternatives to meet the diverse needs of our older citizens”.

The Commission, though it has yet to be established, will have an important role in examining the care and support needs of older people. However, we envisage that the Commissioner for Ageing and Older People will have a much broader remit recognising the full capacity and potential of older people and will cover the needs and rights of older people across the spectrum, not just in terms of health and care.

Based on currently available information, it would therefore not be within the remit of the Commission on Care to consider the need for this role.

There is no requirement to wait for the Commission on Care to be set up, and then to consider and carry out its work plan, for a Commissioner on Ageing and Older People to be established. This Commissioner role is one that can and should be established as soon as possible.

### **Does it work?**

The Commissioners for Older People in both Northern Ireland and Wales have established track records of achievements for older people as well as enhancing the capacity and capabilities of public services to respond to the challenges and seize the opportunities presented by population ageing.

The first Commissioner for Older People for Northern Ireland (COPNI) was established in 2011. There was unanimous political support for the appointment of a Commissioner. The establishment of the COPNI was recognised as a key enabler underpinning Northern Ireland's Programme for Government commitment to deliver an effective independent voice for older people.

Some of the more recent achievements of the COPNI include:

- 1. Raising awareness of elder abuse:** COPNI has played a significant role in advocating for stronger protections for older people. In 2016, COPNI launched a research report '*Financial Abuse of Older People in Northern Ireland: The Unsettling Truth*' highlighting the issue of financial abuse of older people and expediting the introduction of an Adult Protection Bill for Northern Ireland.
- 2. Supporting older people during the COVID-19 pandemic:** The Commissioner produced guidance on how to stay safe and well during lockdown and called for universal testing in care homes from as early as April 2020. He also worked closely with government and other organisations to ensure that older people's needs were considered in the pandemic response.
- 3. Advocating for better healthcare for older people:** COPNI has been a vocal advocate for improvements in healthcare for older people, including better access to services and adopting a more person-centered approach to care. In 2021, the Commissioner drafted a *Mental Health Strategy* as well as an *Active Ageing Strategy*.
- 4. Promoting social inclusion:** Collaborations with other age organisations and bodies such as Belfast Strategic Partnership, which developed the Age-friendly Belfast project, which aims to make the city a more accessible and welcoming place for older people. COPNI established a *Disability Action Plan 2017* and *Translink 'Better Connected' Strategy 2021* which also helps to facilitate social inclusion.
- 5. Providing Guidance and Legal Assistance:** COPNI has developed a series of research reports ranging from fraudulent calls and crime against older people to valuing an ageing workforce and supporting older carers. A dedicated legal team is available to provide direct legal assistance to older persons and associated service providers.

The Older People's Commissioner of Wales (OPCW) was first appointed in 2008 to promote and safeguard the rights and interests of older people in Wales. Ruth Marks was the world's first Older People's Commissioner. Some of the more recent achievements of the OPCW include:

- 1. Advocating for better healthcare for older people:** The Commissioner, through a series of activities, has supported improvements in healthcare and quality of service provision. A review in 2014, *A Place to Call Home?* called attention to the experiences of older people in care homes and led to significant improvements in this area. A 2021 report highlighted challenges faced by older people in accessing NHS services including issues relating to transport. A further report, *'Dignified Care?'* provided detail on a robust investigation into the experiences of older people in Welsh hospitals.
- 2. Advocating for and protecting the rights of older people:** OPCW has a dedicated Advice and Assistance Service and is working towards improving older people's involvement in decisions about their future in areas such as healthcare, social protection, housing and media coverage. The Commissioner has produced a range of resources to empower older people such as *Know Your Rights: An Easy Guide* along with advice on your rights within care homes, accessing social services, powers of attorney and mental capacity.
- 3. Raising awareness of ageism and discrimination:** OPCW continues to develop and implement campaigns to raise awareness, change attitudes, and tackle ageism including supporting older workers. The Commissioner responded to the latest *Tertiary Education and Research (Wales) Bill* by calling for the removal of barriers that older people face in accessing life-long learning, training, re-training and development opportunities. *Taking Action Against Ageism* was produced in 2020, offering advice on how to recognise and challenge age discrimination.
- 4. Promoting social inclusion and combatting loneliness:** In 2021, the Commissioner published *State of the Nation* detailing how Covid-19 has had detrimental effects on quality of life for older people. OPCW has successfully called for guidance for Local Authorities and Health Boards on older people's rights to access information in a digital age.

#### The differences between the two jurisdictions:

- 1. Legal Capacity:** Both Commissioners have the authority to investigate complaints and take action on behalf of older people. However, the OPCW has additional jurisdiction to make recommendations to Welsh Ministers and to the National Assembly of Wales, influencing policy formation. The COPNI can advise the Secretary of State and the Executive Committee of the Assembly who are responsible for the implementation rather than the formation of legislation.
- 2. Legal Basis:** The OPCW was first established in 2006 under the Commissioner for Older People (Wales) Act. The COPNI was established in 2011 under the Commissioner for Older People (Northern Ireland) Act. Both Commissioners must consider and adhere to the United Nations Principles for Older Persons.
- 3. Functions:** Each Commissioner has the responsibility to promote the rights of older people and to protect older peoples' interests. The duties of the COPNI are distinctly set out in the Commissioner for Older People Act (Northern Ireland) 2011. However, the OPCW has a more expansive list of functions. This allows newly elected Commissioners to form their own programme of work during their term in office with consideration of the needs of older people at that time.
- 4. Funding:** The COPNI is sponsored by the Department of Communities. According to the COPNI Annual Report for the year ending 31 March 2022, funding of £1.4 million was granted for the 2022-2023 financial year. The OPCW is funded by Welsh Ministers who are required

to produce an Estimate to the National Assembly for Wales, based on the Commissioner’s annual budget. The Commissioner for Older People Estimate of Income and Expenditure 2022-23 (Wales) allocated just under £1.6 million in funding.

- 5. Population Size:** The Northern Ireland NISRA Census 2021 found that those aged 65 and over represented 17% (326,500) of the population. In Wales, the national level population estimates conducted by Stats Wales revealed that in 2021, the number of people aged 65 and over was 665,792 (21%).

#### What does it cost?

##### **Northern Ireland: Actual expenditure for the financial years 2019 – 2022**

	Actual expenditure to 31 March 2022 £	Actual expenditure to 31 March 2021 £	Actual expenditure to 31 March 2020 £	Actual expenditure to 31 March 2019 £
Resource	1,160,195	949,929	927,420	865,918
Capital	25,180	9,441	1,796	702
Depreciation	6,072	5,841	6,185	7,703
<b>Total</b>	<b>1,191,447</b>	<b>965,211</b>	<b>935,401</b>	<b>874,323</b>

Source: COPNI Annual report & financial statements for the year ended 31 March 2022. Funding of £1.4m has been confirmed for the 2022-23 financial year according to the Northern Ireland Budget Bill Supporting Memorandum 2023.

##### **Wales: Statement of comprehensive net expenditure for the year ended 31 March 2022**

	2021- 2022 £000	2020- 2021 £000
Staff costs	1,115	1,100
Other operating expenditure	389	347
Depreciation	9	12
Provision	8	11
<b>Total operating expenditure</b>	<b>1,521</b>	<b>1,470</b>

Source: OPCW Annual Report and Financial Statements 2021-2022:

The Commissioner for Older People Estimate of Income and Expenditure (Wales) allocated just under £1.6 million in funding for 2022-23.

In Ireland, by way of comparison, the Ombudsman for Children operated with a budget of €2.9 million in 2020.

#### What’s next? What can you do to help bring this about?

There are several ways you can help to bring this about:

- **Support a cross-party motion calling for the establishment of a Commissioner on Ageing and Older People.** We ask that you facilitate such a motion and publicise that you are taking part in the relevant vote.
- **Make it part of your (party) policy and campaigning platform.** We ask that you work with your (party’s) policy staff and/or health/older persons’ spokesperson to add this recommendation to your policy and strategy documents, as well as your campaigning platform. Should you/your

party enter into Government, the Alliance would be pleased to work with you in supporting the establishment of the role of the Commissioner for Ageing and Older People.

- **Raise this issue with relevant Ministers, in Dáil and Seanad debates, and at relevant Joint Oireachtas Committees.** We ask that you bring this matter to the attention of the relevant Ministers through parliamentary questions and speaking slots which you may have.

### **Who is the Alliance?**

The Alliance of Age Sector NGOs represent the collective thinking of seven significant national organisations working in the age sector, uniting our learning from working with the diversity of older people and the issues that they face. The seven member organisations are ALONE, Age & Opportunity, Irish Senior Citizens Parliament, The Alzheimer Society of Ireland, Irish Hospice Foundation, Active Retirement Ireland, Third Age.

Ireland is ageing fast, and our economy, health service, communities and families need to adapt. Although many Government departments and agencies play an important role, we still need to have a coherent, active and measurable national strategy supported by a structured, whole-of-government, cross-Departmental approach with senior-level Government engagement and oversight.

The Alliance of Age Sector NGOs launched its 2023 Report, 'Telling It Like It Is; Combatting Ageism,' which sets out why Ireland needs to take ageism seriously and take meaningful action to counteract it. The report highlights the nature and impact of ageism in Ireland and offers several evidence-informed strategies to reduce it.

The report includes nine actions which, when implemented, will reduce the stigma and ill effects associated with ageing. The most pressing of these actions is the appointment of an Independent Commissioner for Ageing and Older People. The Alliance believes that the establishment of a Commissioner for Ageing and Older People would support our ageing population by actioning a programme for government which prioritises older people. It would ensure that the commitment to mainstreaming ageing is kept to the fore of policy and decision-making and that there is enhanced investment in programmes and services to combat ageism nationally.