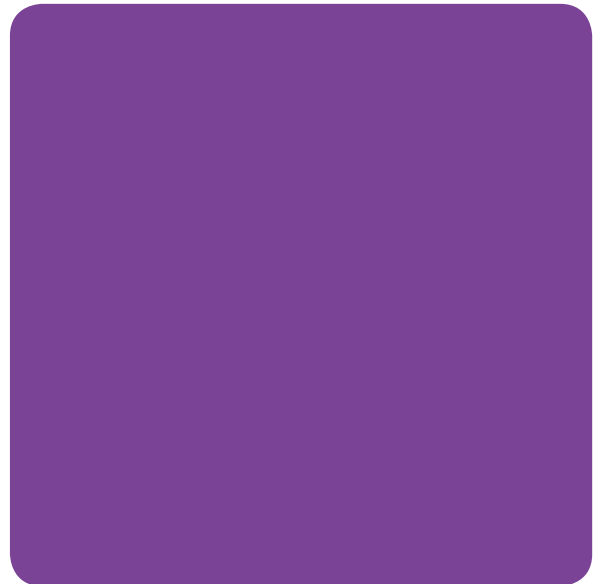
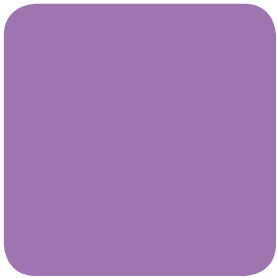




Older People's Commissioner for Wales
Comisiynydd Pobl Hŷn Cymru



Annual Review **08/09**

Putting older people at our heart



Accessible formats

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Foreword

The role of Older People's Commissioner for Wales was created with a range of powers to help improve the lives of older people in Wales. This is the first Commission of its kind in the world and we are pioneering work that can be followed internationally. Many groups and individuals worked hard to bring this independent post into being, and the Commissioner's powers reflect their serious intent to challenge the barriers and discrimination that face older people. When I took up my post I wanted to carry out two major tasks. Firstly, I wanted to listen to older people and begin to make a difference to the issues which matter. Secondly, I aimed to establish an organisation to bring the legislation that created my role to life, vital for our long term success.



I have always made it clear that the views and interests of older people are at the heart of the Commission. They guide all our priorities and decisions and are our greatest source of strength and authority. I promised that I would engage with older people directly and over the past year I have visited and spoken with many individual, and groups of, older people all over Wales. The issues raised with me have been wide-ranging, from inaccessible transport to the availability of education; from the perceived injustices around paying for care to the need to protect dignity and promote respect. Older people have as diverse a range of needs and aspirations as any other group. We must respect and celebrate this.

I believe meaningful change will happen if we use our statutory powers. I will continue to promote a positive view of ageing, ensure that services consistently implement best practice and work towards eliminating age discrimination. I will make it clear that policies affecting older people must reflect the United Nations Principles for Older Persons.

The work we are undertaking to create a world-class Commission is absolutely vital to underpin our future success. It has been an exciting, challenging and very positive first year. Our work has just begun.

Ruth Marks

Older People's Commissioner for Wales

What older people have been telling us



The Commission is in a unique position to listen to older people and communicate their key priorities to decision makers. Here are the key challenges that older people tell us they face in Wales today.

Money

UN Principle 1: Older persons should have access to adequate food, water, shelter, clothing and health care through the provision of income, family and community support and self-help.

Many people contacted us about the challenge of living on a fixed income, particularly when we saw fuel bills soar late in 2008. People told us they faced a choice between eating or heating their homes.

People have told us they desperately need an increase in the basic pension to help them have a reasonable quality of life. They also want better information about the services and benefits that they are entitled to.

“I received a letter from my energy supplier to tell me my energy bill was going up by 29%... This is a huge blow to me and it really will be a question of food or heat.”



Care

UN Principle 13: Older persons should be able to utilize appropriate levels of institutional care providing protection, rehabilitation and social and mental stimulation in a humane and secure environment.

Older people have told us they are deeply concerned about access to care, how they will afford to pay for care and the quality of the care services that they receive. People have a range of concerns when they move into care about the services they receive, which include:

- Lack of choice about how and when their care is provided.
- Insufficient independent monitoring of home care provision to ensure that care plans are being adequately carried out.
- Some older people being provided with a poor quality of service and not having access to an independent voice to communicate their concerns.

Many people feel frustrated that they have paid taxes and saved all their lives, but still have to face giving up their homes to pay for care.

Families and carers often contact us, desperate to be certain that their loved ones are receiving the care that they need. People are concerned about the quality and consistency of care.

An underlying theme in much of our correspondence is the need to ensure people are treated with dignity and respect. Their choices and preferences need to be valued in the care planning process and reflected in the care that they then receive.

“I’ve worked hard all my life, I’ve saved hard all my life – it just doesn’t seem fair that I have to pay for care that I thought was entitled to.”

“We want our Mum to be safe and to be well looked after.”

Ruth Marks: “We are, thankfully, all living longer and healthier lives and therefore it is important to ensure that services are created which treat older people with dignity and respect.”

Housing

UN Principle 5: Older persons should be able to live in environments that are safe and adaptable to personal preferences and changing capacities.

People tell us that they want to live in their own homes for as long as possible.

We have had correspondence suggesting that, in some areas, adaptations that allow people to remain in their own homes take a very long time to install. Timely adaptations are crucial to enable people to remain safely at home for as long as possible.

Older people are worried about the cost of maintaining their properties, as bills for repairs can run into tens of thousands of pounds. People can feel forced into remortgaging.

Health

UN Principle 11: Older persons should have access to health care to help them to maintain or regain the optimum level of physical, mental and emotional well-being and to prevent or delay the onset of illness.

Unsurprisingly, older people want good quality health care, in single sex wards, where they are treated with dignity and respect. Older people want health professionals to ask what they would prefer to be called before using their first name or terms of endearment.

Ruth Marks: "Trips and falls are a real concern for older people, their families and carers. Everyone needs to be aware how important it is to ensure good access, both physically and visually, to ensure older people avoid falls and maintain their health, independence and well being".

The Royal Society for the Prevention of Accidents found that 4,200 people in Wales suffer a hip fracture every year. Shockingly 1 in 4 will die within 6 months and half the survivors fail to regain their previous independence.

A particular challenge is foot care, as without regular visits from a podiatrist many older people are unable to get about safely and are at risk from trips and falls.

"I've lived in this house for 50 years, I don't want to move now – it's my home and it's where I want to stay."

"Hospitals and GP surgeries do not always liaise with each other, which leaves people alone and frightened and very frustrated."

"I am concerned about hospital ward staffing – it's no good placing food and drink in front of many patients, they need assistance or become malnourished."

"The Podiatrist has pulled out of our surgery and put me on the home visit waiting list, and because of lack of funding they can't see me often enough to allow me to walk comfortably."

Discrimination

UN Principle 18: Older persons should be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution.

Older people want to see an end to age discrimination. In particular, we have heard about discrimination in further education, employment and the benefits system.

“Why doesn’t anyone realise that learning is not only about skills and exams, it’s also about fun, enjoyment and company.”

Transport

UN Principle 16: Older persons should have access to the educational, cultural, spiritual and recreational resources of society.

Many older people rely on public transport and value free bus travel in Wales. There is a real need for better safe, accessible, affordable and reliable public transport.





Information and Enquiries

The Commission's Information and Enquiries Team has received well over a thousand enquiries on a broad range of subjects. This information has helped shape the Commission's policy priorities and ensures that the work undertaken by the Commission is driven by the views and concerns of older people in Wales today.


We are very aware that we should not duplicate the work of others and will work with other organisations as appropriate, for example, the Public Services Ombudsman. Where we are able to identify an organisation that can offer assistance, we will make a direct referral or provide the contact details of the relevant organisation to help older people gain access to the information and services they require.

When people contact the Commission to tell us about their dissatisfaction with the treatment or a service they have received, we may try to resolve the matter informally. The Commission adopts an unbiased approach to the issue raised. To date this has proved to be useful to many older people and their families.

Here are examples of typical calls received by the Information and Enquiries Team. Details have been changed to guarantee anonymity:

Case Study: The importance of information and support

Mr H is 87 years of age and lives alone in housing association accommodation, where he feels vulnerable. Mr H needed assistance with a problem he was having with a neighbour. For five years Mr H's neighbour had regularly played loud music and persistently revved the engine of his car. On occasion, the neighbour had verbally abused him.

Mr H was intimidated and confused about what would happen to him if he made a complaint. He believed that the housing association might evict him if he protested about what was happening. 

Mr H contacted the Commission, and we in turn contacted the housing association and explained the extreme distress and vulnerability that this situation was causing Mr H to feel. Mr H was reassured that he would not face eviction and the housing association helped him to make a complaint.

Mr H is now receiving ongoing support from the housing association and recently contacted the Commission to say he is pleased his complaint is being taken seriously and he no longer feels so alone in his experience.

The Commission will press for comprehensive information, advice and support services to be available for all older people in Wales.

Case Study: The need for timely clear information

Mrs B acts as a carer for her severely disabled father and was concerned about the long waiting time for a range of necessary adaptive equipment. She felt her father was being treated unfairly by local service providers and they were not meeting his critical needs due to their slow response.

Mrs B requested independent advice and support because she felt she was not making any progress with the local authority.

The Commission contacted the local authority about waiting times for adaptive equipment. The local authority put a support package in place whilst Mrs B was waiting for the necessary equipment. Mrs B was reassured that the process of helping her father had started, which alleviated her anxiety.

It was vital that Mrs B was helped to communicate the needs of her father to the local authority. She also gained a greater degree of understanding of how to access essential services.

Through these types of enquiries, and many others, the Commission is gaining important information about the situations of older people, which will continue to inform our work.

Our work under each of our legal functions

The Commission has four legal functions:

- Promote awareness of the interests of older people in Wales
- Promote the provision of opportunities for, and the elimination of discrimination against, older people in Wales
- Encourage best practice in the treatment of older people in Wales
- Keep under review the adequacy and effectiveness of the law affecting the interests of older people in Wales.

In all our work, we aim to ensure that dignity and respect are underlying principles guiding the treatment and services that older people receive.

Promote awareness of the interests of older people in Wales

Paying for Care

In Autumn 2008, the Commission welcomed the opportunity for people to join the important debate on the Welsh Assembly Government's consultation on "Paying for Care in Wales". The Commission actively encouraged people to get involved.

Ruth Marks: "This is an extremely important debate that will not only affect us but our children and grand-children. I urge you to read the document and respond to it. I believe it is vital that the systems that are put in place are easy to understand, easy to access, and fair for everyone."

The Commission has pro-actively sought the views of older people, the Welsh Assembly Government, the Paying for Care Advisory Group, Local Authority Directors and other organisations and bodies. We have regularly appeared in the press to comment on care issues, basing our comments on the evidence we have received from older people.

The Commission has advocated the importance of ensuring that older people have access to information and care services. This information needs to be transparent and less complicated. This reflects the concerns that are expressed by older people and their families.

Fuel Poverty

The Commission received a great deal of correspondence telling us that older people were worried they could not afford to pay their fuel bills. We spoke out publicly about the impact of fuel poverty on people's lives:

Ruth Marks: "The global rise in fuel prices is no fault of older people in Wales and they should not have to live in fear of the cold."

In November 2008 the Commission organised a Fuel Poverty Summit, bringing together organisations from the public, private and voluntary sectors to focus on what action could be taken to help.

As a result of this Summit, the Commission worked in partnership with Care and Repair Cymru to send out over 13,000 letters informing older people across Wales of the Home Heat Helpline. This service helps people become more energy efficient, resulting in saving money on fuel bills.

The response received from older people throughout the country was overwhelmingly positive.

"The systems all seem so complicated and disjointed. I am a professional person, it's taken me ages to navigate what my father is entitled to, and I'm still not sure I'm doing the best by him, it's exhausting."

Mrs J wrote to the Commission with a thank you letter and feedback about her experience with the Helpline:

"The Home Heat Helpline put me in touch with "HEES" (The Home Energy Efficiency Scheme) to take measurements for loft insulation.

The work was done today and as it came within £500 it was free. I was very impressed that the whole procedure took less than a month. I am very grateful for this opportunity to save on my heating costs.

With many thanks..."

Promote the provision of opportunities for, and the elimination of discrimination against, older people in Wales

Older people want to see an end to age discrimination, particularly in further education, employment and in the way that goods and services are supplied.

Case Study: Age Discrimination

Some details have been changed to guarantee anonymity.

Mr P, a 64 year old man living in Swansea contacted the Commission as he felt he was facing age discrimination in the workplace.

Mr P was approaching default retirement age and had been informed by his employer that he would be expected to retire at the age of 65. Mr P appealed against his employer's demand, but was unsuccessful.

Mr P was fully fit and able to carry out his work duties and believed his employer's position was age discriminatory; especially in light of the fact that Mr P's position would be filled by a new employee.

In addition, Mr P believed that if he was forced to retire it would have a negative impact on his quality of life. He feared that being 65 years of age would adversely affect his chances of finding alternative employment. The Commission will continue to press for effective policies and practices that tackle age discrimination in all its forms.

Equality Bill

Before the Equality Bill was introduced to Parliament in Spring 2009, the Commissioner was invited to be Wales' representative on the UK Government's Single Equality Bill stakeholder group to ensure that the views of older people in Wales were voiced.

As part of this role the Commissioner liaised closely with the Equality and Human Rights Commission in Wales and other interested parties.

An Equality Act could, if it comes into force, outlaw unjustified age discrimination in the provision of goods and services and enable the introduction of a Single Equality Duty for the public sector. It is vital that any development in policy should reflect the need to assess employees on merit rather than chronological age.

Welsh Assembly Government Single Equality Scheme

The Commission's work is guided by the UN Principles for Older Persons, and we believe these are a valuable guide for all organisations whose work affects the lives of older people.

In January 2009 the Commission encouraged the Assembly Government to include the UN Principles in their Single Equality Scheme. As a result of discussions, the final scheme did include the Principles, which means that we can examine how the policies and actions of the Assembly Government reflect this commitment in future.



Encourage best practice in the treatment of older people in Wales

Health

During 2008/09 the Welsh Assembly Government published plans for restructuring the NHS in Wales.

The Commission made the most of this opportunity and emphasised the need for the full involvement and recognition of older people's issues. We made it clear that best practice in the treatment of older people needs to be central to the way the restructured NHS works.

“There must be a meaningful, workable relationship between the NHS and social services”

Ruth Marks: “The redesigned NHS in Wales must meet the needs of older people, both now and in the future, and this should be recognised in both the language of the debate and in the final outcomes.

Older people will be best served by a holistic approach that seamlessly links health, social services and local authorities, ensuring the best possible results whilst avoiding duplication of effort.”

Care Home Closures

The prospect of care home closures has been raised with the Commission as an issue that has a great impact on residents and their families and friends.

The Commissioner took part in the BBC Wales Radio programme “Eye on Wales” to discuss the concerns surrounding the closure of care homes for elderly people and dementia patients in Wales. She stated that the trauma that often occurs as a result of having to move to a different care home. She also emphasised that it is crucial to follow best practice in consultation procedures and to promote the vital role of independent advocates.

Keep under review the adequacy and effectiveness of the law affecting the interests of older people in Wales

Elder Abuse

During the year, the Commission met with the Police, the Law Commission and the Wales Committee for the Community Legal Service.

Ruth Marks at the seminar “Is new legislation the answer to elder abuse?” held at Cardiff Law School: “Older people are at the heart of everything the Commission does and we need to judge the effectiveness or otherwise of the policy, of guidance, of the law by its impact on people and whether or not it benefits them... we should look to the preventative potential of guidance and the law, and the signals we give about what is and is not acceptable.”

Carers’ Legislation

The Commission gave evidence to the Legislative Committee of the National Assembly for Wales as they considered the proposals for new powers to support carers and promote their wellbeing.

The Commission used this opportunity to reflect the views of older people that had been expressed during the Commissioner’s meetings throughout the country.

Ruth Marks’ evidence to the Committee: “One of the main complaints I receive from people across Wales is that the information required to access services is too complex. Any Measure flowing from this [power]... must encourage information intelligible to those who need it and place a duty on those who create information to consult with user groups.”

“Carers need ‘one stop shops’ or one number to ring to find out how to help their ‘cared-for’.”



Milestones – internal activities

April 2008

Ruth Marks takes up position as the first Older People's Commissioner for Wales.

April 2008 onwards

Commissioner meets with individuals and organisations across Wales to find out the views of older people.

October 2008

Move to permanent offices in Cardiff.

November 2008

Sarah Stone begins work as Deputy Older People's Commissioner for Wales.

November 2008

Review the scope of the legal powers of the Commission.

November to January 2009

Development of our interim strategic plan, which sets out our vision.

We want to see a Wales in which respect for the rights and dignity of older people is a reality in all areas of life, where age discrimination is a thing of the past and where a positive view of older people and ageing prevails.

January 2009

Appointment of Audit Committee to provide a support and challenge function.

January 2009

Identification of staffing priorities to make the most of our legal powers and focus on the priorities that older people have told us about.

February 2009 onwards

Commence recruitment of staff team.

Beyond Wales

It has always been important for the Commission to forge links with key stakeholders and organisations outside Wales to enable other countries to learn from Wales' experience and to share and spread best practice. Meetings have been held with members of the UK Government in Westminster, including the previous Secretary of State for Wales, Paul Murphy MP.

We have liaised with the Northern Ireland Older People's Advocate, Dame Joan Harbison, to discuss the wider issues affecting older people. We attended the International Federation on Ageing's 9th Global Conference in Montreal, Canada in September 2008 to address representatives from over 30 countries. There was also an opportunity for a meeting of senior government officials, in recognition of Wales being the first country to appoint an independent advocate for older people.

The International Symposium on the Rights of Older People in London in January 2009 brought together many stakeholders working towards improving the lives of older people around the world. We also attended the *Society Guardian* Conference on Care for Older People where the Commissioner addressed the delegates on the topic of planning for care services.

Opportunities to attend and speak at events are vital to spreading the key messages we hear from older people. It enables us to forge international contacts which are invaluable for the future as we work to improve the lives of older people in Wales and beyond.

Forward look from the Commissioner

“I am very excited about the coming year and will take further action to promote the rights and interests of older people, seek to end age discrimination, promote the sharing of best practice and keep under review the adequacy and effectiveness of the law. To support this I will:

- Prioritise the areas that older people tell me are of greatest concern to them;
- Review the law, particularly focusing on protecting older people in situations in which they are vulnerable;
- Challenge age discrimination, negative stereotypes and poor service;
- Champion the voice and concerns of older people to policy makers;
- Scrutinise new policy and service developments to ensure they are fit for purpose;
- Listen to and meet with older people in as many communities and settings as possible and consult with them about my work plan;
- Spread best practice to promote dignity, health, wellbeing and independence;
- Research the challenges that older people face, both now and in the future, for example around money and support;
- Advocate real choice and clear information;
- Commission an independent evaluation to test the impact of our work;
- Consider the adequacy of current arrangements for complaints, whistleblowing and advocacy;
- Work with others to ensure that I make the best use of my resources and achieve the best results for older people in Wales.

The United Nations Principles for Older Persons will continue to guide our work and be the standard against which we believe all policies should be judged.”

Thanks and acknowledgements

My thanks to all who have provided support, advice and guidance over the past year, in particular all the older people who have been in contact with us and to the representatives of the national pensioner organisations in Wales, who play such a valuable role in developing our strategy and emerging priorities.

I would particularly like to acknowledge the following organisations for their help in progressing our work and priorities:

- Age Concern Cymru and Help the Aged in Wales
- Age Concern Organisations across Wales
- Bevan Foundation
- Care and Repair Cymru
- Children's Commissioner for Wales
- Citizens Advice Cymru
- Joseph Rowntree Foundation
- National Assembly for Wales
- Older People's Commissioner for Wales' Advisors
- Older People's Commissioner for Wales' Audit Committee
- Older People's Commissioner for Wales' staff team
- Older People & Ageing Research & Development Network (OPAN Cymru)
- The Pension Service
- Prime Cymru
- Public Services Ombudsman
- Representatives of National Pensioner Organisations in Wales
- Wales Audit Office
- Wales TUC
- Welsh Assembly Government, in particular the Older People and Long Term Care Policy Directorate
- Welsh Local Government Association, Strategy Coordinators and Older People's Champions across Wales

Annual Report and Accounts 08/09

The Annual Report and Accounts are available on the Older People's Commissioner for Wales' website at www.olderpeoplewales.com or on request by contacting us by emailing ask@olderpeoplewales.com or by telephone on 08442 640670.

Disclaimer

None of the photographs used in this Annual Review (except of Ruth Marks) relate to the case studies and contacts mentioned in the review.

All case studies relate to typical examples of the information that we receive, rather than specific cases, in order to guarantee that people who contact the Commission remain anonymous.