

**SARAH STONE,**

**Deputy Commissioner, Older People's Commission for Wales**

**Dignity for the frail Old, September 2010**

**Conference presentation**

Thank you for your invitation to speak at this important event.

In my presentation I will outline the role and powers of the Older People's Commissioner for Wales, the first role of its kind in the UK, and, as far as we are aware in the world. I will give a sense of how and why this appointment and through the appointment, the organisation the Older People's Commission, came into being. I will talk about our first Review, and some of the issues of concern to us.

### **History**

The Older People's Commissioner is a champion for older people, and is there as an expression of the desire from older people themselves, individuals and organisations to see real progress in tackling discrimination and advancing the rights of, and promoting respect for the dignity of, older people. The importance of dignity in all settings, and especially in situations where people are vulnerable, is one of the major issues older people talk to us about and we have a particular role in relation to it.

The proposal for a Commissioner came from the discussions which created the Strategy for Older People in Wales in 2003. There was a further consultation and an advisory group which considered in more

detail how the role of Commissioner should be created. This was very important, there was a strong consensus about the need for the role and support from all the main political parties in Wales. This continuing support will be very important for our success, we cannot achieve change on our own, although we can increase its pace and effectiveness.

Older people themselves central to all we do. We have a particular focus on older people in situations where they are vulnerable.

We also aim to project a positive view of older people and ageing and to promote recognition of the great contribution of older people to life in Wales.

## **Role and Powers**

We are in place to make a lasting difference.

The role of Older People's Commissioner was established through an Act of Parliament, which bases the office in primary legislation. The Commissioner is a 'Corporation sole, that is it is established through government as an independent body, and the Commissioner was appointed by the First Minister. The Commissioner is Ruth Marks, who took up post in April 2008. The intent is that the Commissioner, while funded and established by the Welsh Assembly Government, is an independent human rights champion for older people, setting an agenda based on what older people in Wales want.

The Commission has four major objectives, which we have based on the functions set out in our Act of Parliament. These are to:

- 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 good 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.

## **UN Principles**

The Commissioner has to have regard to the UN Principles for Older Persons. We would like to see these principles strengthened to become a Convention.

A recent opinion poll carried out for us showed overwhelming support from people of all ages in Wales for a set of rights specific to older people to ensure that they are treated with dignity and respect. 8 out of 10 (79%) of people would **strongly** support the introduction of a set of rights. Overall support is highest amongst those in their 70s and those aged 29 or under<sup>3</sup>.

The kind of activities set out in the Act which the Commissioner can undertake include:

- Making recommendations
- Conducting reviews
- Making reports
- Guidance on best practice to particular bodies
- Research and educational activities

- Assisting older people to make complaints and representations in certain circumstances
- Enter premises and interview older people
- Annual report to the First Minister
- Making representations

That is quite a list, and offers real opportunities to improve services and address issues affecting older people in a new way.

The office is just over two years old and we have needed time to become a fully functioning Commission, geared up to making full and appropriate use of the opportunities given by the powers we have to advance the cause of older people in Wales. We aim to act strategically as well as practically, to be clever with the use of our resources, to design our work so that we enhance and do not duplicate what is already being done.

### **Review into hospital care**

The Commission is able to review most of the public bodies in Wales. The purpose of review is to look at how services are working for older people across Wales and whether their rights and dignity are being respected.

Our first review is underway and is looking at the experience of older people in hospitals, especially in relation to whether they are being treated with dignity and respect. In choosing this area we have given much thought to the information we have received from older people, families, carers and organisations working with and for older people. The Commissioner has appointed a Chair and a Panel of Inquiry, whose

work is now well underway. We have issued a call for evidence which has received widespread publicity. The panel is due to report by the end of March 2011. The review will deliver recommendations for change to Health Boards in Wales, recommendations which we will be able to follow up.

## **Issues**

- In relation to frailty, we have some really good examples in Wales and I know elsewhere of services which for example prevent avoidable admission to hospital. We must get better at making these widely available.
- We need to tackle age discrimination as a linked activity to work relating to frailty. The Equality Act 2010, is important here, it will tackle age discrimination in health and social care in the UK.
- Workforce: we need to place far more value on the social care workforce, address the amount of hours worked and level of pay. These are jobs which, whilst vitally important for vulnerable people, are all too often carried out at the minimum wage.
- Fear of retribution in making complaints
- Attitude of nursing staff to older patients: key that older people are seen as individuals, as people with a history.
- Communication, one of the most frequent issues underlying complaints which do get made.
- We need to ensure that people are able to communicate with care staff in their own language, in Wales for example communication through the medium of Welsh.
- One of the things we see working is small grants which can be a very effective means of supporting people who are trying to promote dignity. This encourages people who have good ideas.

- We need to remember that narrative is very important (ref to patients association case studies) we need to use the power of the media and of individual stories to help drive change.

## **Conclusion**

If we are really serious then there needs to be a high level structure as free as possible from government departments or political parties.

Effective leadership is vital to achieving change, we as a Commission have a role to provide this and we recognise the need to encourage effective leadership at all levels.

This conference has in its title very appropriately 'from dilemmas to solutions'. I have heard it said 'we can't do the impossible but we'll give it our best shot'. I can relate to this feeling where aspiration exceeds any clear expectation and being positive is what you know you can do.

**However...**as a Commission we are about defining change as **possible and absolutely necessary** and playing a part in actually achieving it.