

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 1

[REDACTED]

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[REDACTED]

Sent: 02 November 2009 14:54

To: Older Peoples Legislation Team

Subject: Commissioner

[REDACTED]

I think the appointment of an older peoples' commissioner to be a waste of taxpayers' money.

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 2

Thank you for Consultation document for tomorrow.

My replies are as follows -

1. Yes
  2. Yes
  3. 60 rising to 65 with the retirement age. Feel people below retirement age have different needs and sufficient help from existing departments
  4. No
  5. No - apart from the retirement age as it increases
  6. Yes
  7. Yes
  8. Rights/Needs/Follow-through
  9. Yes
  10. Yes
  11. To prevent discrimination and exploiting due to age, infirm etc.
  12. No - They must be impartial
  13. Yes
  14. Deal with complaints
  15. Yes
  - Yes
  - Yes
  - When all other avenues have been exhausted
  16. Yes
  17. Yes
  18. Powers to prosecute
  19. Compensation in lieu
  20. Feel they should have final say
  21. Yes
  22. Does Environment Health, Building Control, Refuse, etc. be included under Councils?
  23. Feel there is a great need for help in dealing with such departments especially where elderly are concerned
  24. No.
  25. No
  26. Yes
  27. Hopefully the Commissioner will be able to solve whatever issues arise meantime.
  28. Policing and law and order
  29. Yes
  30. The First and Deputy First Ministers
  31. Since both these Ministers are fairly young some older retired people should advise and perhaps sit on the panel - at least be consulted beforehand.
  32. The Welsh example seems fair
  33. Four years
  34. Only if by reason that the first four years cannot be held due to illness, etc.
  35. Yes
  36. Yes
  37. Yes
  38. No.
  39. -
  40. No
  41. -
  42. Yes
  43. Yes
  44. -
  45. Employ an in-house accountant responsible for all expenditure and general running of the department - housekeeping etc.
  46. Yes, where it makes economic sense.
- I will attend tomorrow but perhaps these replies can be noted meantime.

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 3

# A Commissioner for Older People in Northern Ireland

*a strong independent voice for older people*

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## Questionnaire

**1. Do you agree with the need for a Commissioner for Older People?**

(See Chapter 1, Paragraph 1.4 and Chapter 2)

Yes

**2. The United Nations Principles for Older Persons are set out in full at Annex 1 of this document. They are: Independence, Participation, Care, Self-fulfilment, and Dignity. (See Chapter 3, Paragraph 3.2).**

**Do you think the Commissioner should take account of the UN Principles for Older Persons whenever he or she is deciding:**

- a. How to act?
- b. What constitutes the interests of older people?

- a)  
Yes albeit these are now almost two decades old I would also consider that we should also take account of other locations within the UK where Commissioners or such like exist.
- b)  
All of the above but particular emphasis should be placed on Social and Financial Exclusion which particularly affect the Rural Areas of our Province

3. What age range do you think the Commissioner should mainly cover?

Over 60's

4. Do you think that the Commissioner should be able to provide his or her services to people aged 50 years and over in certain circumstances? (see Chapter 6, Paragraph 6.6)

Yes over 50's form a large part of our retired population and also require a voice which would be complementary To the Aged Sector

5. Do you think that the age range of the people that the Commissioner caters for should be able to be changed? (see Chapter 6, Paragraph 6.8)

In drafting the Bill it should be possible to cater for this .....allowing the Commissioner to widen their scope.

6. Do you think that the Commissioner should have a Principal Aim to safeguard and promote the interests of older people? (see Chapter 7, Paragraph 7.1)

Yes

**7. When dealing with the case of a particular older person, do you think that the Commissioner should have as a paramount consideration the interests of that older person? (see Chapter 7, Paragraph 7.1)**

Again yes provided it does not impinge on others or create possible problems in the future.

**8. Do you have any other suggestions about what the Principal Aim and Paramount Consideration should be?**

Currently in the Province we have a considerable section of the aged living in rural areas. This does lead to problems such as Social Exclusion and Financial Deprivation and in my opinion requires to be a Principal Aim of the Commissioner to reduce the direct effect of these problems.

**9. Do you think the Commissioner's role and functions should be based on the interests of older people? (Chapter 7, Paragraph 7.4)**

Provided we can include within the term 'interests' all things pertaining to the Older People be it Social, Financial or indeed Health.

**10. Do you agree that the duties proposed (listed in Chapter 8, Paragraph 8.5) are suitable for a Commissioner for Older People?**

Yes as they encompass most of the current requirements and needs of the older people and make particular reference to 'statutory and voluntary organisations whose skills and knowledge of the problems of the older people will assist the Commissioner greatly.

**11. Are there any other duties not included that you believe it would be essential for the Commissioner to carry out?**

I would suggest the inclusion of a duty such as

- 1) Take reasonable steps to assist those living in rural areas to involve themselves in the Community
- 2) Ensure that Older Carers looking after their Partners or indeed Relatives receive respite

**12. Do you think the Commissioner should have memoranda of understanding or working protocols with other organisations? (see Chapter 9, Paragraph 9.4 – 9.6)**

Yes in order to reduce possible conflict of interests and indeed assist in reducing costs and ease dissension

**13. Do you agree with the general powers proposed for the Commissioner? (see Chapter 10, Paragraph 10.2) If not, please explain.**

Totally agree

**14. Are there any other general powers that you think the Commissioner would need? That is, do you think that there is anything else the Commissioner would need to be able to do?**

Mediation should, in my opinion form part of the Commissioners remit. Their department acting purely as Mediators could reduce greatly the strain currently on Tribunals and indeed it would seem inappropriate that these powers are not part of the Commissioners remit. Whilst understanding the possibility of 'conflict' in Arbitration.

I would suggest Mediation falls within the remit of the Commissioners Office.

**15. Due to the potential for a conflict of interest (see Chapter 10, Paragraph 10.7) we are not currently proposing that the Commissioner should have powers of mediation or arbitration, however we are interested in your views on the following potential options:**

- a) If it is possible, should the Commissioner be able to provide financial assistance towards the cost of mediation in a dispute involving an older person?
- b) Should the Commissioner hold a register of mediation/arbitration services and be able to direct older people to these services?
- c) Do you think the Commissioner should have the power to "make arrangements" with any other person to provide mediation/arbitration services in relation to disputes involving older people?

**Finally, in what circumstances do you think that mediation or arbitration would be appropriate?**

- a) If the Commissioner has no remit to deal directly with these then there must be a method whereby assistance may be given to aggrieved parties in order to achieve settlement.
- b) Yes if we accept Submission a)
- c) NO, such 'arrangement' could be seen to be in the field of Arbitration as a 'conflict of interest'.

#### **CIRCUMSTANCES OF ARBITRATION /MEDIATION**

- 1) Dispute with Management in Retirement Homes
- 2) With Social Services/Government Depts
- 3) Police-safety
- 4) Financial Banks/Insurances
- 5) Employers

**16. Do you agree that the Commissioner should have the specific powers to review in general and individual cases, the advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities? (See Chapter 11, Paragraph 11.5)**

Yes

**17. Do you agree that the Commissioner should be able to provide assistance (e.g. offer support, guidance and/or funds) to an older person with their complaint against a relevant authority? (See Chapter 11, Paragraph 11.8)**

Yes provided after scrutiny there is a basis of fact in their complaint.

**18. In relation to relevant authorities, do you think there are any other formal or specific powers (in addition to those outlined in Chapter 11, Paragraphs 11.5 – 11.14) that the Commissioner would need?**

No

**19. What do you think the Commissioner should be able to do if a relevant authority (see Annex 6) does not follow the Commissioner's recommendations? (See Chapter 11, Paragraphs 11.16 – 11.21)**

Depending on the actual case and with whom it is against there would be the opportunity either by civil action or litigation to obtain satisfaction. Bringing into the Assembly would allow another means to obtain satisfaction particularly against Govt, Departments

**20. In Chapter 11, Paragraph 11.23 we set out the reasons why the Commissioner should not act in any case where an existing organisation already has the power to act. What do you think about this?**

Nonesense !

To expect an older person perhaps a resident in a care home to have knowledge of the procedure regarding his/her way to make a complaint begs the question do we require a Commissioner. Do we expect a child having a complaint to have knowledge of procedure? I think not.

The reason we as old people require a Commissioner is to 'short circuit' such current nonsense . Remember we have not got time on our side and for the OFMDFM to promote a clause such as this beggars belief.

**22. Are there any other organisations that you believe should be included in Annex 6 as relevant authorities?**

In my opinion our first port of call as Older People is the Commissioner. Please do not cloud the issue by 'cul de sac' thinking

**23. If you answer yes to question 22, can you explain why they should be included?**

**24. Of the three potential options, outlined in Chapter 11, Paragraph 11.39, regarding the extent of the Commissioner's powers in relation to relevant authorities, which do you consider to be the most appropriate and why?**

2 and 3  
Because they encompass situations having most significance on Older Persons

**25. Do you have any other suggestions in relation to question 24?**

Re-examine all of this section and bear in mind that we are dealing with older persons the majority of whom may not understand what is proposed. If we are to have a Commissioner give them power to deal with all authorities – Civil –Governmental –or otherwise.

**26. Do you agree that the Commissioner should be able to take or support legal cases?  
(support includes providing financial support) (See Chapter 12, Paragraph 12.1)**

Yes

27. As explained in Chapter 12, Paragraph 12.4, it is very unlikely that the Assembly will be able to give the Commissioner "victim standing" for Human Rights cases. What is your view of the Commissioner having "victim standing", that is being able to take Human Rights cases in his or her own name?

In my opinion we should attempt to bring about a situation where the Commissioner will have a 'victim standing' which would enable the Commissioner to use their own name in Human Rights cases. If however as stated in the Draft this may prove unreasonable then we should revert to the former

28. Regarding Chapter 13, what are the main issues that you think the Commissioner should be able to speak out about?

Taking into consideration non devolved areas it would appear that the Revenue Commissioners would be the department most lightly to deal with in the realm of Taxes therefore the most appropriate..

29. Do you agree that the Commissioner should be a full-time paid post?

Yes I cannot see a situation where he /she could be part time or shared.

30. Who should be responsible for appointing a Commissioner for Older People? (See Chapter 14, Paragraph 14.6)

FMDFM's Realm

**31. Should older people have a role in the recruitment/selection process for a Commissioner?**  
(See Chapter 14, Paragraph 14.7 – 14.8)

NO

**32. If you answered yes to question 31, how should it be done? (see Chapter 14, Paragraph 14.7 – 14.11)**

**33. How long should the term of appointment for the Commissioner be? (See Chapter 14, Paragraph 14.15)**

In my opinion three years

**34. Should the Commissioner be eligible for reappointment? (See Chapter 14, Paragraph 14.15)**

Yes

**35. Do you agree with the proposal that the Older People's Commissioner should be an independent body sponsored (including funded) by OFMDFM? (See Chapter 14, Paragraph 14.16)**

Absoloutely

**36. Do you agree that the Commissioner should be accountable to the Department /body that provides his or her funding (i.e. OFMDFM)? (By accountable we mean report on his or her actions and how the Commissioner's office allocates and spends his or her budget). (See Chapter 14, Paragraph 14.17 – 14.20)**

Yes

**37. To achieve accountability of the Commissioner to older people, do you think that older people should be consulted (and informed) about the priorities of the Commissioner and what the Commissioner does? (See Chapter 14, Paragraph 14.21 – 14.22)**

Yes

38. The Age Sector Report<sup>1</sup> recommended that the, “Commissioner should have an active relationship with, but be demonstrably independent from, stakeholder organisations.” Do you agree with this statement?

Yes

39. If you answered yes to question 38, how do you think this should be achieved?

By allowing The Commissioners Office to promote/form a Board on which older people and Voluntary Organisations dedicated to assisting the older could meet and discuss relevant points which could be presented to OFMDFM'S office

These would not be paid positions but would receive expenses and should be representative geographically of the Province

40. The Age Sector Report<sup>2</sup> recommended that there should be “an infrastructure of champions in government and across the public sector, with visible leadership demonstrated at Ministerial level, to work with” the Commissioner “in promoting and protecting older people”. Do you agree with this recommendation? (Chapter 14, Paragraph 14.23)

Yes See 39 above'

<sup>1</sup> 'A Commissioner for Older People in Northern Ireland -: A Report and Recommendations from the Age Sector', February 2009. Recommendation 9 (page 18).

<sup>2</sup> A Commissioner for Older People in Northern Ireland -: A Report and Recommendations from the Age Sector', February 2009. Recommendation 8(page 18).

41. If you answered yes to question 40 – how do you think they will improve the lives of older people?

It will bring

'A NEW AGE TO THE OLDER AGED'

42. It is good practice for every organisation providing services to the public to have a complaints procedure. Do you think the Commissioner should have one? (See Chapter 14, Paragraph 14.24- 14.26)

Yes without question

43. Do you agree that the Commissioner should be able to recommend the legislation should be changed? (See Chapter, Paragraph 14.27)

Yes under consultation with the Board proposals as set out in Q39 above

44. If you answered yes to Question 40, how often do you think the Commissioner should be required to examine the legislation? (See Chapter 14, Paragraph 14.28)

A. Every 3 years.

B. Every 4 years.

C. Every 5 years.

My opinion would suggest initially 2 years thereafter every 4.

**45. How can the Older People's Commissioner demonstrate value for money? (See Chapter 15, Paragraph 15.6 – 15.7)**

It is obvious that we require a Commissioner and if we, the older people that is, see no improvement in our lot then there will be a sufficient out cry to make the Assembly Roof Rise

**46. Do you agree that, where possible, the Commissioner should share back office services (e.g. administrative costs or accommodation) with other Commissions to help to save public money? (See Chapter 15, Paragraph 15.8 – 15.10)**

NO

### **Impact Assessments**

Finally, further to these proposals a Draft Integrated Impact Assessment has been completed. A summary is attached at Annex 2 and the full assessment is available on request or on our website at:

We would be very grateful for your views on this material.

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 4

Tel. [REDACTED]

E-mail [REDACTED]

14 November 2009

[REDACTED]  
Commissioner for Older People Legislation Team  
Equality Rights & Social Need Division  
Office of the First & Deputy First Minister  
Room E3 18 Castle Buildings  
Stormont  
Belfast BT4 3SR}

rec'd 18/11/09  
OFMDFM A

[REDACTED] ✓  
**I DO NOT AGREE**

*There are too many QUANGOs already. We do not need another: indeed it is important that no more jobs for the boys are created.*

*The terms of reference as drafted in the document you sent me will make your proposed QUANGO an interfering busybody able to poke its nose into people's privacy without invitation.*

*Older people, like me, prefer dignity to condescension. A body of the sort you suggest is condescension embodied. It is likely to strip older people of their dignity.*

*Instead of wasting money on more non-jobs, spend it on providing the old with a pension on which one can live: like almost every other advanced European country. If you cannot do that, then spend it on policing so that a policeman on his beat passes the door of every old person every day -- or at least a couple of times a week.*

Yours truly,

[REDACTED SIGNATURE]

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 5

[REDACTED]  
Dinnawady

Received on  
6/11/09

Derry  
Consultation  
Event

Older People Public Consultation.

Some ideas from an old person.

In my opinion we do not want a quango for old people. We now have far too many of these overpaid interferers in our private lives, and, Cameron if he comes to power is pledged to sweep many of them away.

Old people have two main worries, health and money. As regards health, the main problem is care homes, some are good others are bad. All care homes should be made part of the NHS who would be responsible for the quality of care, and like the NHS be free.

Maybe taxes would have to rise, but it would be worth it. The NHS could probably manage this with its under utilised bureaucracy.

Pensions are the other gripe amongst old people. At present the OAP pension is too low by European standards. If you are a high earner you get a slightly higher state pension. I propose that all pensions be the same and the surplus sum above the basic OAP should be added to the basic pension, it would help by a pound or so a week. It will be argued that because they earned more before retirement they are entitled to a higher rate. But as they are used to a higher life style the reduction of their state pension to the basic is not going to cause too much angst. This does not need a quango, the Government pensions office can easily deal with it.

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 6

~~McDonnell, Julie~~

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From: ~~██~~  
Sent: 08 January 2010 14:30  
To: Older Peoples Legislation Team  
Subject: Re: questionnaire/older peoplescommissioner

From: ~~██~~  
Sent: Wednesday, January 06, 2010 3:50 PM  
To: [olderpeoplescommissioner@ofmdfml.gov.uk](mailto:olderpeoplescommissioner@ofmdfml.gov.uk)  
Subject: questionnaire/older peoplescommissioner

- Q1 I fully agree the need for an Older Peoples Commissioner
- Q2 The Commissioner should take account of all directives Re-older people that come from the U.N. or E.U.
- Q3 The Commissioner should cover the age range 55 up to Infinity
- Q6 The principle aim of the Commissioner should be to Protect the interests and welfare of older people.
- Q7 When dealing with the case of a particular person the interests of that person should have Priority.
- Q12 The Commissioner should liase regularly with other organisations interested in the welfare of older people
- Q13 I agree with the powers vested in the Commissioner
- Q15A The Commissioner should be able to provide financial help towards Legal Costs where needed.

I agree in general with the draft legislation but i do not think he should appointed by the OFM/DFM but by an appointments committee set up by organisations Currently caring for the interests of older people

~~██~~

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

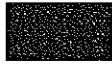
INDIVIDUAL 7

# We agree

4/1/10.

Other

Northern  
People's



## REGISTRATION FORM

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Date of birth \_\_\_\_\_

Please tell us about any organisations you are associated with?

please tell us about any organisations you are associated with	I work for this organisation	I am a member of this organisation
St Brigid's Women's Group		member -
Carraig Shantallow Area Partnership		member -
Coastal Youth		member

If applicable, what is your role in these organisations? Member, Voluntary Worker

Please tell us about your interests? Hope to bring all young adults together through out N Ireland, hopefully to help them to stay in their communities together.

In terms of the issues facing older people today what would you say are your main concerns?  
Older homes being broken into, being up, living alone, afraid to go out. Old People's Homes and Access to be improved, more often.

Website address (if you have one) NONE

e-mail address (if you have one) N/A

I agree that Northern Ireland needs a powerful Older People's Commissioner yes  no

I agree with the age sector policy position recommendations (outlined in this guide) yes  no

I am registering my support for the we agree campaign...  
As an individual  Representing my organisation  (please tick both if this applies)

MOISTEN

MOISTEN

MOISTEN

COMMISSIONER FOR OLDER PEOPLE – CONSULTATION RESPONSE

INDIVIDUAL 8

[REDACTED]

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**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** [REDACTED]

Hi,

Just wanted to say that I am delighted that Older People will finally be given a voice through the Older Peoples Commissioner. I have worked with Older People for over 20 years and there were many times when they and I felt powerless and that no one was listening or had the power to do anything about the issues we faced.

I enjoyed the event on Wednesday night and found it helpful. I will be keeping a close eye on events and will attend any that I can.

Keep up the good work,

[REDACTED]