



Response to A Commissioner for Older People in Northern Ireland

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Women's Centres Regional Partnership (WCRP)
6 Mount Charles
Belfast
BT7 1NZ
Tel: 028 90 23 02 12
Email info@wcrp.org.uk

1.0 Introduction

- 1.1** The Women's Centres' Regional Partnership (WCRP) is a partnership of four lead regional women's organisations linking with fourteen frontline women's organisations across Northern Ireland to provide support and services to women living in disadvantaged areas.
- 1.2** The four key lead partners of the Partnership are the Women's Resource and Development Agency (WRDA), Women's Support Network (WSN), Northern Ireland

Rural Women's Network (NIRWN) and The Women's Centre, Derry. The fourteen Women's Centres are spread across Northern Ireland with seven from the Greater Belfast and Lisburn area, four in the North West and three in Dungannon, Magherafelt and Craigavon. Together the WCRP seeks to develop and strengthen a regional infrastructure which will support community based women's organisations across Northern Ireland.

1.3 The Women's sector has played a key role in building and promoting, social, economic and political change in Northern Ireland. A review carried out in 2001 highlighted that through its infrastructure, comprising regional support organisations, networks, women's centres, and local groups engaged in a diverse range of activities, it has made a valuable contribution to promoting equality, social and economic inclusion, peace-building, and the development of the voluntary sector and volunteering.¹

1.4 The WCRP infrastructure and its partner organisations, has significant membership from older women across Northern Ireland.

1.5 WCRP welcomes the opportunity to comment on 'A Commissioner for Older People Northern Ireland' consultation. Our comments in relation to specific issues are set out below.

2.0 Comments

2.1 Need for a Commissioner for Older People

WCRP strongly support the development of a Commission led by an Older People's Commissioner. Our population is ageing and evidence indicates that older people in Northern Ireland face many barriers that inhibit their quality of life and equitable participation in Northern Irish society. Some of these barriers have been highlighted by OFMDFM and include; health care, poverty, social exclusion, fear of crime, housing and transport².

¹ Where to from Here: A New Paradigm for the Women's Sector in Northern Ireland. NIVT, 2001.

² OFMDFM (2009) A Commissioner for Older People in Northern Ireland: A Strong Independent Voice for Older People p 21

WCRP would argue that often these barriers are further exacerbated by gender and geography and research indicates that a higher percentage of older people in Northern Ireland will be older women³. Research shows that where a person lives has a bearing on exclusion as, for example, older women living in remoter rural areas experience some of the highest rates of exclusion as do older people living in disadvantaged urban housing estates⁴;

2.2 UN Principles for Older Persons

WCRP believes that the Commissioner for Older People in NI should take account of the UN Principles for Older Persons⁵. WCRP wish to highlight however, that whilst these principles can be beneficial and should be utilised, they are not legally binding. WCRP would recommend that the Commissioner also take into account other UN Human Rights instruments that the UK has ratified.

2.3 Age Range

WCRP agrees that the age range that the Commissioner should mainly cover should be 60 and over as this would ensure a consistent approach with other international instruments. However we welcome the proposal that the Commissioner would be able to act on behalf of people aged 50 and over in particular cases. WCRP also welcomes the proposal that following a specified period of time that the age range can be changed by legislation if required.

2.4 Principal Aim

WCRP believes that the principal aim of the Commissioner for Older People set out in the document could be enhanced and should state “to safeguard and promote the *rights and interests* and advance equality for older people”.

2.5 Commissioner’s Role, Functions and Proposed Duties

WCRP believe the Commissioner’s role should be an independent champion for older people whose role is to empower older people and enforce their legal rights. The Commissioner needs to be a visible, single contact point providing; information, advice, support and advocacy for the older people of Northern Ireland. Accessibility to the Commission and Commissioner will be essential to ensuring equity for Northern Ireland’s older people. WCRP agrees that the duties proposed are

³ OFMDFM (2005) Ageing in an Inclusive Society, p 34

⁴ Walker, A. (2003) *Social Exclusion and Growing Older*, Ageing in an Inclusive Society Conference, Europa Hotel, 28th March 2003.

⁵ United Nations Madrid International Plan of Action on Ageing 2002

suitable for a Commissioner for Older People; however we would recommend that a duty to consult older people should be included.

2.6 Memoranda of Understanding

WCRP believes that the Commissioner for Older People should have a power to adopt memorandum of understanding or working protocols with other organisations, enabling collaborative working where appropriate to promote the rights and interests of older people, whilst preventing duplication of work.

2.7 General Powers proposed for the Commissioner

In addition to the general powers proposed for the Commissioner; WCRP believes the Commissioner should seek to ensure that older people's rights, needs and interests are taken into account by others and advocate to public and other bodies the inclusion of older people's voices in policy development, planning and service delivery.

2.8 Potential Commissioner Powers

WCRP believes that the Commissioner for Older People in Northern Ireland should have the power to commission and publish research on older people in Northern Ireland; their rights and needs must be included in the legislation to provide information and stimulate debate on issues and models of good practice.

WCRP recommends that the Commissioner should have specific powers to review the policy making process of relevant authorities.

WCRP believes that the Commissioner for Older People in Northern Ireland should be able to use specific formal powers to assist older persons in nursing homes whether publicly or privately funded. The Regulation Quality and Improvement Authority is responsible for regulating nursing homes regardless; it would therefore seem inconsistent for the Commissioner to be able to use formal powers to assist only older persons whose care is publicly funded.

2.9 Specific Powers to review in general & specific cases the advocacy, complaint and whistle-blowing arrangements of relevant authorities

WCRP agrees that the Commissioner should have specific powers to review in general and individual cases, the advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities. The Commissioner's audit powers

should extend to ensuring that complaint and whistle-blowing procedures are robust and the culture encourages their use by older people and others. This is particularly critical where vulnerable groups are concerned.

2.10 What should a commissioner be able to do if a relevant authority does not follow the Commissioner's recommendations?

WCRP agrees that the Commissioner should be able to publicise cases where an organisation is not following best practice. WCRP recommends that in the cases of organisations who persistently fail to follow good practice that attention could be drawn to the Assembly Committee.

2.11 Reasons for the Commissioner not to act in any case where an existing organisation already has the power to act.

WCRP agrees that the Commissioner should not act in cases where existing organisations already have a power to act, but should ensure that cases are referred to the relevant organisation; thus ensuring efficient use of public funds and preventing duplication of work.

2.12 Relevant Authorities

WCRP recommend that the Office of the Commissioner for Public Appointments NI is added to the list of relevant authorities in Annex 6 of the document.

2.13 Full time Paid Post

WCRP are very clear that the Commissioner for Older People in Northern Ireland should be a full-time paid post. Feedback from our focus groups indicated very strongly that the part-time advocacy role for Older People, while filled very competently by Dame Joan Harbison, has served to highlight that for a Commissioner to be a truly effective change agent for older people; they must be full time, with the powers and resources to effect change.

2.14 Responsibility for appointing a Commissioner for Older People

WCRP believes that Code of Practice for Public Appointments should be adhered to in relation to the appointment of the Commissioner for Older People, thus ensuring a fair, open and transparent process. WCRP believes that it is vital that older people participate in the appointments process thus meeting the objectives of the UN Principles for Older Persons. Setting this out as a legal requirement would guarantee the participation of older people in the appointments process.

2.15 Length of Appointment Term

WCRP believe the length of appointment term for the Commissioner should be commensurate with other Non Departmental Public Body Commissioners. The length of appointment term should be sufficiently long to achieve action on behalf of Northern Ireland's older people and create a public profile for the Commissioner's Office.

2.16 Independent Body sponsored by OFMDFM

The Older People's Commissioner for Northern Ireland should be sponsored by OFMDFM which would provide the Commissioner with proximity to the Executive via the First and Deputy First Minister and the Junior Ministers.

The Commissioner should be invited to the Committee of the Office of The First and Deputy First Minister regularly, and other Assembly Committees when they deal with issues pertaining to older people. The Commissioner should be able to request permission to address the Assembly in exceptional circumstances.

2.17 Consulting and Informing Older People

WCRP believe that it is vital that the Commissioner should have a strong duty to communicate with older people and should be required to seek the views of older people and their advocates and take their opinions into account. To facilitate this, the Commissioner should incorporate mechanisms to build older people's capacity and confidence.

WCRP believe that as the public face for older people of Northern Ireland, the Commissioner should be disseminating information on activities to all of Northern Ireland; to promote age issues.

The legislative provision for an older people's advisory group provides an opportunity for the group to assist the Commissioner to report on annual activities. The Commissioner should provide an outline of priorities and financial plan a year ahead and make available to the public.

2.18 Independent from Stakeholder Organisations

WCRP believe the Older People's Commissioner should have an active relationship with, but be demonstrably independent from, Government and voluntary sector stakeholders.

2.19 Infrastructure of Champions ‘promoting and protecting older people’

WCRP, from our discussions with older people across Northern Ireland, received very strong feedback that older people felt that the office of the Commissioner should have outreach officers who could link with appropriate stakeholder groups, sub regional networks and older people’s organisations to ensure communication and effective flow of information.

The establishment of a stakeholder advisory group such as that instigated by the Children’s Commissioner for Northern Ireland would be a useful starting point to build effective working relationships and partnerships with key stakeholder organisations to promote the voice of older people through participation. This links to our comments on sharing of resources below; we see no reason why services provided by the Commissioner for Older People in Northern Ireland should be any less, or any less visible than any of the other Commissioners’ for Northern Ireland.

2.20 Complaints Procedure

WCRP feel that as with all other commissions in Northern Ireland the Older People’s Commissioner should be added to schedule 2 of the Commissioner for Complaints Order. This would allow the Commissioner for Complaints to deal with any complaints about the Commissioner for Older People.

2.21 Demonstrate Value for Money/Share Offices

WCRP advocate that the budget for the Commissioner for Older People of Northern Ireland must be sufficient to carry out the duties required; investigations and arbitrations, strategic casework, ensuring promotion and visibility of age issues across Northern Ireland.

Cost effectiveness and efficient use of resources is an issue for all government departments, government supported initiatives and Non Departmental Public Bodies. WCRP feel that sharing of support and resources should be explored and utilised where practical; however, it is imperative that this should not reduce the visibility of the Commissioner or Commissioner’s Office. It is vital that older people feel they have a clear, visible, accessible contact point for their Commissioner.

3.0 Conclusion

WCRP strongly support the appointment of a Commissioner for Older People in Northern Ireland to provide a strong and independent voice and to promote and protect the rights, interests and needs of older people in an increasingly ageing society. WCRP have made a number of recommendations which we hope the Department will consider. We would be happy to discuss further if required