



Older People's Commissioner for Wales
Comisiynydd Pobl Hŷn Cymru

Strategic Equality Plan 2016-2020

The Older People's Commissioner for Wales

The Older People's Commissioner for Wales is an independent voice and champion for older people across Wales. The Commissioner and her team work to ensure that older people have a voice that is heard, that they have choice and control, that they don't feel isolated or discriminated against and that they receive the support and services that they need.

The Commissioner and her team work to ensure that Wales is a good place to grow older, not just for some but for everyone.

How to contact the Commissioner:

The Older People's Commissioner for Wales
Cambrian Buildings
Mount Stuart Square
Cardiff
CF10 5FL

Phone: 029 2044 5030

Email: ask@olderpeoplewales.com

Website: www.olderpeoplewales.com

Twitter: [@talkolderpeople](https://twitter.com/talkolderpeople)

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Foreword

As Older People's Commissioner for Wales, I am proud to stand up and speak out on behalf of ALL older people in Wales, working to ensure that they have a voice that is heard, that they do not feel isolated or discriminated against and that they can access the services and support they need.

Older people are not a homogenous group and my work is guided and driven by the voices of older people in all their diversity. This diversity is what makes us the nation we are and is something to be celebrated.

All older people – regardless of whether they are lesbian, gay, bisexual or transgender, or Black Asian and Minority Ethnic, whether they have faith and belief or no belief, or if they have a disability – have an equal right to lead lives that have value, meaning and purpose, and to have choice and control over their lives.

For many older people, Wales is a good place to grow older. But I know, from speaking to older people across Wales and across the full spectrum of diversity, that many face discrimination that undermines their quality of life and their sense of self-worth, as well as limiting their access to services and fair treatment. Sometimes this discrimination comes from individuals, sometimes it is more institutional within services and systems themselves. This is, quite simply, something that needs to end as discrimination is not only illegal, it is morally wrong.

I am required by law to produce a revised Strategic Equality Plan, but my commitment to fighting discrimination goes much deeper and further than this plan – it sits at the heart of my own statutory duties and the published priorities within my Framework for Action 2013-17.

Having continued to actively engage and consult with people to inform the review of my objectives, this Strategic Equality Plan outlines how I will continue to ensure that, as an employer, I put into practice those principles that underpin equality and fairness. The plan also outlines how I will ensure that my team and I, as we go about our work, engage with, understand and include older people in all of their diversity.

I am a human rights based Commissioner and I have been clear that everyone has a right to be treated with fairness, respect, equality and dignity. I will ensure that these principles continue to underpin my work, but more than that I expect them to underpin the way that public services and others represent, care for and support older people in Wales.

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive, flowing style.

Sarah Rochira
Older People's Commissioner for Wales
March 2016

Summary requirements and structure of the report

The Older People's Commissioner for Wales is a listed authority under the Equality Act (Statutory Duties) (Wales) Regulations 2011 and must adhere to the general duty to promote equality laid out in the Equality Act 2010.

Listed authorities were required to publish a Strategic Equality Plan by April 2012 incorporating specific objectives. Authorities must publish annually report their progress against these objectives.

Authorities must then review their equality objectives within four years from they were first published and at least once every four years subsequently.

The duty also includes provisions to ensure that engagement has taken place when reviewing objectives.

As a result, the Older People's Commissioner is publishing a revised Strategic Equality Plan and Equality Objectives to cover the period 2016 to 2010.

This report focuses on the specific Welsh duties and the Commissioner's Strategic Equality Objectives:

- Section 3 sets out the Equality Act and Public Sector Equality Duty
- Section 4 explains the role of the Older People's Commissioner's
- Section 5 sets out the Commissioner's Equality Objectives
- Appendix A – UN Principles for Older Persons
- Appendix B – Strategic Equality Objectives for 2016-20

Copies of prior year Strategic Equality Plan annual reports can be found on the Commissioner's [website](#).

The Equality Act and Public Sector Equality Duty

The Equality Act 2010 brought together and replaced the previous anti-discrimination laws with a single Act. It simplified and strengthened the law, removing inconsistencies and making it easier for people to understand and comply with it.

The Act contains a public sector equality duty which replaces the previously separate duties on race, disability and gender equality.

The aim of the equality duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services and that they are kept under review. This should achieve better outcomes for all.

The 3 aims of the equality duty are to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act;
2. Advance equality of opportunity between people who share a relevant protected characteristic and those who do not;
3. Foster good relations between people who share a protected characteristic and those who do not.

The new general duty covers the following protected characteristics:

- Age
- Sex
- Race – including ethnic or national origin, colour or nationality
- Disability
- Gender reassignment
- Pregnancy and maternity
- Sexual orientation
- Religion or belief – including lack of belief

It applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

For the purposes of the Equality Act 2010, language (including the Welsh language) is not a protected characteristic. However, the Commissioner believes there is a need to address discrimination on the grounds of language need. The Commissioner has a Welsh language scheme that can be seen [here](#) and is also available on request from her office. The same approach applies to older people who live in poverty and those who live in rural areas since these two factors can also contribute to inequality for older people.

Role of the Older People's Commissioner for Wales

The Commissioner is a Corporation Sole created under the Commissioner for Older People (Wales) Act 2006, an independent legal entity in her own right and a listed authority for the purpose of the Equality Act (Statutory Duties) (Wales) Regulations 2011.

The Commissioner for Older People (Wales) Act 2006 sets out a number of statutory duties for the Commissioner.

1. Promote awareness of the interests of older people in Wales and the need to safeguard those interests

The Commissioner uses her status to help set the agenda amongst decision makers at all levels about issues affecting older people and promotes public discussion through the media.

A key role for the Commissioner is to be a powerful champion for older people leading and intervening in a wide and increasing range of debates and decision making across Wales.

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

The Commissioner advocates changes to the law, guidance and practice in order to address inequality. She presents realistic and positive images of older people, recognising older people in all their diversity.

Older people are individuals and, whilst they might share some common concerns, their individual status remains undiminished. There should be no one view of older people and the Commissioner aims to reflect this in her work.

The Commissioner promotes understanding of the nature of discrimination against older people in its most evident and its more hidden – but equally damaging – forms and sees tackling discrimination effectively as key to making progress across all policy areas, not just health and social care.

3. Encourage best practice in the treatment of older people in Wales

The Commissioner aims to achieve this through a variety of methods, including bringing together people and evidence and - where necessary - carrying out research, to demonstrate effective practice.

Most importantly she presses for excellent services to be made widely and consistently available for older people. She encourages change to established practices where alternatives have been shown to work better. She encourages service providers to face the challenge of change so that the needs of older people can be better met, e.g. giving older people early support in order to prevent greater dependency at a later stage.

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

The Commissioner builds the case for change and makes this case to the Welsh Government and the National Assembly. She establishes what the issues and opportunities are through bringing together leading legal and other expertise and the experience and views of older people.

The law is a vital part of empowering and protecting older people and providing redress, and yet it is often complex, confusing, and hard to access and in need of reform. The Commissioner has already played a strong role in recommending changes that will benefit older people and others.

Illustrations of the types of activity that have or may be undertaken by the Commissioner are set out below:

- Providing leadership on the issues that matter to older people
- Raising the profile of older people within Welsh Public Services
- Making representation to Welsh Government
- Reviewing how devolved organisations discharge their functions
- Publishing guidance and standards
- Assisting individuals to make complaints or representations
- Commissioning research or assisting others in doing so
- Carrying out, commissioning or assisting others with educational activities
- Undertaking examinations (investigations)
- Issuing non-statutory guidance
- Advocating for changes to legislation, guidance and practice
- Speaking out publicly about service failures
- Promoting good practice

It is important to note that the Commissioner does not provide frontline services other than through direct advice and support provided to older people through our casework and the work led by the Communications and Engagement team in delivering events and producing publications. The majority of the Commissioner's business involves working with others to effect changes in policies and practices.

The current and future work of the Older People's Commissioner for Wales is set out within her 'Framework for Action 2013-17'.

The Commissioner also has a range of core responsibilities as a public sector organisation which are tailored according to its size and the nature of its business. These functions include:

- The recruitment, engagement, training, and management of staff and volunteers
- The procurement of services including tendering for goods and services such as research
- Reward, recognition, and payment of staff

Understanding who older people are

It is vitally important that we understand that the 767,000 older people in Wales are as diverse as the rest of the population. The older person, like anyone else, will have a complex and nuanced life - a stereotyped, one dimensional representation is not a true reflection of who older people really are. Recognising and properly understanding this will affect the way that public authorities work with and for older people.

It will mean that services take account of individual older people's needs and will be culturally specific and appropriate. Timely and appropriate services can support good quality of life and well-being for older people as well as extend their lives.

The Commissioner's work and objectives are underpinned by the UN Principles for Older Person's, which promote the five themes of independence, participation, care, self-fulfilment and dignity. Further information on these principles is shown in Appendix A.

The Commissioner's Equality Objectives

The Commissioner has continued to actively engage with people across Wales to inform her reviewed objectives for 2016-2020, which are detailed below. Appendix B provides additional information in relation to lead officers, timescales and proposed actions.

1. To ensure that in my employment of staff I am non-discriminatory, promote equality of opportunity for all and foster good relations between staff members

- I will aim to increase the diversity of my workforce
- All staff will have development and advancement opportunities to ensure they maximise their potential
- I will ensure that all staff are rewarded and remunerated on an equal basis regardless of protected characteristic
- I will ensure there is a culture within my organisation in which all staff feel comfortable to be open about their protected characteristics and feel that they are a person of value to me as an employer and across the organisation

2. To ensure that my procurement policies and practices and associated tender documentation take account of the need to meet legal equality requirements

- I will review annually all of my procurement policies, practices and tender documentation to ensure they meet the public sector equality duty
- I will ensure that contractors are made fully aware of my equality duties

3. To ensure that my work is relevant to, and is seen as being relevant to, older people in all their diversity

- I will increase my engagement with older people across the breadth of protected characteristics
- I will ensure that my work is informed by what older people across the breadth of protected characteristics tell me about what matters to them, and that my work draws specific attention to impacts for those with differing combinations of protected characteristics

- I will strengthen the impact assessment that underpin the key deliverables of my work to ensure that they take full account of the impact of protected characteristics upon the outcome sought for older people

4. I will ensure that my work is underpinned increasingly by a rights based approach and that across Wales a rights based agenda is developed

- I will ensure staff integrate a human rights based approach in their work
- I will promote the UN principles and awareness of Ageism
- I will work with government to promote the use of UN principles and a rights based approach in forming legislation

5. To empower and equip older people to challenge the discrimination they face

- I will equip older people with the knowledge and tools to empower them to challenge discrimination

6. To promote an accurate and balanced view of older people in all their diversity, grow understanding about older people and their needs and to challenge stereotypes, both within my organisation and amongst other organisations

- I will increase the depth of understanding amongst my staff about the diversity of older people and the extent to which protected characteristics impact upon their lived experiences and access to services
- I will increase the depth of understanding amongst my staff about the diversity of older people and I will increase the depth of understanding amongst key public services about the diversity of older people and the extent to which protected characteristics impact upon their access to services and their wider lives
- I will on an ongoing basis challenge stereotypes and myths about older people and lay down clear expectations for change
- I will strengthen our partnership working with other equality and human rights based organisations to strengthen the voices of older people and increase the impact of our work

7. To encourage and support other public bodies to comply with their own duties under the Equality Act 2010 as they apply to older people and to challenge significant breaches of legal duties

- I will provide guidance to public bodies undertaking key service changes to assist them in ensuring they comply with their statutory duties in relation to engagement, impact assessment and proportionality
- I will keep under review service delivery and changes that have the potential for significant detriment or disproportionate impact on older people

Appendix A: UN Principles for Older Persons

The United Nations Principles for Older Persons were adopted by the UN General Assembly (Resolution 46/91) on 16 December 1991. Governments were encouraged to incorporate them into their national programmes whenever possible. There are 18 principles, which can be grouped under five themes: independence, participation, care, self-fulfilment and dignity.

Independence

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.
2. Older persons should have the opportunity to work or to have access to other income-generating opportunities.
3. Older persons should be able to participate in determining when and at what pace withdrawal from the labour force takes place.
4. Older persons should have access to appropriate educational and training programmes.
5. Older persons should be able to live in environments that are safe and adaptable to personal preferences and changing capacities.
6. Older persons should be able to reside at home for as long as possible.

Participation

7. Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their wellbeing and share their knowledge and skills with younger generations.
8. Older persons should be able to seek and develop opportunities for service to the community and to serve as volunteers in positions appropriate to their interests and capabilities.
9. Older persons should be able to form movements or associations of older persons.

Care

10. Older persons should benefit from family and community care and protection in accordance with each society's system of cultural values.
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.
12. Older persons should have access to social and legal services to enhance their autonomy, protection and care.
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.
14. Older persons should be able to enjoy human rights and fundamental freedoms when residing in any shelter, care or treatment facility, including full respect for their dignity, beliefs, needs and privacy and for the right to make decisions about their care and the quality of their lives.

Self-Fulfilment

15. Older persons should be able to pursue opportunities for the full development of their potential.
16. Older persons should have access to the educational, cultural, spiritual and recreational resources of society.

Dignity

17. Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse.
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.

Further information on United Nations Principles for Older Persons can be found here: www.un.org/ageing/un_principles.html

Appendix B: Strategic Equality Objectives 2016-2020

Objective	Lead	Timescale	Action / Means of Measurement
1. To ensure that in my employment of staff I am non-discriminatory, promote equality of opportunity for all and foster good relations between staff members.			
I will aim to increase the diversity of my workforce	Director of Corporate Affairs	By December 2016 and then annually	Review recruitment practices to understand potential barriers and ensure that when recruiting, practices are inclusive and endeavour to attract candidates with a broader spectrum of protected characteristics.
		As above	Review contract types and working patterns to understand and deal with potential barriers with a view to attracting and retaining candidates with a broader spectrum of protected characteristics.
		As above	Monitor, measure and review employment application and success at all stages with a view to ensuring equity of opportunity for all candidates.
		Annually	Collect, monitor and publish equality data in respect of employment.

All staff will have development and advancement opportunities to ensure they maximise their potential	Director of Corporate Affairs	Every six months	Continued six monthly performance management reviews to identify and put in place appropriate plans to meet learning and development objectives.
I will ensure that all staff are rewarded and remunerated on an equal basis regardless of protected characteristic	Director of Corporate Affairs	By December 2016 and as new posts are created	Review of all posts to ensure they are objectively and fairly evaluated and remunerated regardless of the protected characteristic of any post holder.

<p>I will ensure there is a culture within my organisation in which all staff feel comfortable to be open about their protected characteristics and feel that they are a person of value to me as an employer and across the organisation</p>	<p>Director of Corporate Affairs</p>	<p>By September 2016</p> <p>Two formal session per year</p> <p>Annually and in line with each scheme</p>	<p>Undertake an annual confidential staff survey to actively seek views and to consider and reflect these views in the organisation's policies, procedures and working environment.</p> <p>Continued awareness raising through informal and formal sessions and training, distribution of information and use of positive imagery to actively promote an understanding of protected characteristics.</p> <p>Ensure the continued review and application of good practice to promote an inclusive working environment which promotes learning, development and overall wellbeing.</p>
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Objective	Lead	Timescale	Action / Means of Measurement
2. To ensure that my procurement policies and practices and associated tender documentation take account of the need to meet legal equality requirements			
I will review annually all of my procurement policies, practices and tender documentation to ensure they meet the public sector equality duty	Director of Corporate Affairs	As specified or annually	Ensure appropriate and periodic review of all relevant policies to reflect statutory duties, good practice and learning.
I will ensure that contractors are made fully aware of my equality duties	Director of Corporate Affairs	Ongoing March 2017 and ongoing	Ensure all tender documents include requirements which will be reviewed and as part of any tender evaluation. Contractors for lower value contracts to be made aware of equality duties and my expectations when work is being undertaken on my behalf.

Objective	Lead	Timescale	Action / Means of Measurement
3. To ensure that my work is relevant to, and is seen as being relevant to, older people in all their diversity			
I will increase my engagement with older people across the breadth of protected characteristics	Director of Corporate Affairs	Ongoing Ongoing	Ensure engagement continues which seek to be representative of the wider diversity of older people and that I have sought out and visited groups that are seldom heard or less visible. Ensure the continued awareness raising of my work amongst groups with protected characteristics to encourage wider and more representative engagement.

<p>I will strengthen the impact assessments that underpin the key deliverables of my work to ensure they take full account of the impact of protected characteristics upon the outcomes sought for older people</p>	<p>Director of Wellbeing & Empowerment</p>	<p>By December 2016 and ongoing</p>	<p>Utilisation and embedding of new equality and human rights impact assessment tool by all relevant staff which will seek to improve the quality of the work I do for older people.</p>
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Objective	Lead	Timescale	Action / Means of Measurement
4. I will ensure that my work is underpinned increasingly by a rights based approach and that across Wales a rights based agenda is developed			
I will ensure staff integrate a human rights based approach in their work.	Both Directors	By September 2016 and ongoing	Ensure core training is undertaken by all staff on Ageism and the UN Principles for Older People and ensure that staff are supported to integrate these into their work.
I will promote the UN Principles and awareness of Ageism	Director of Wellbeing & Empowerment	By March 2017 and ongoing	<p>Deliver training and awareness raising across public services in Wales on Ageism and the UN Principles for Older People.</p> <p>Facilitation of training workshops with Local Authorities on Impact Assessments and Scrutiny Guidance which will include the UN Principles for Older People.</p>

<p>I will work with government to promote the use of UN principles and a rights based approach in forming legislation</p>	<p>Director of Wellbeing & Empowerment</p>	<p>December 2016</p>	<p>Produce a report which will call on the National Assembly for Wales (2016 – 2021) and the new Welsh Government to introduce legislation that will protect and promote the rights of older people so they can live free of abuse, neglect, ageism and discrimination, participate fully in their communities and thrive in older age. Work with experts by experience, older people as well as legislative and academic specialists to determine what could be included within the proposed legislation and how it would work in practice.</p>
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Objective	Lead	Timescale	Action / Means of Measurement
5. To empower and equip older people to challenge the discrimination they face.			
I will equip older people with the knowledge and tools to empower them to challenge discrimination	Director of Wellbeing & Empowerment	Ongoing Ongoing	Older people will be made more aware of discrimination through the delivery of training and awareness raising across Wales. My website will continue to provide templates, helpful information and toolkits that can be used by older people to challenge discrimination.

Objective	Lead	Timescale	Action / Means of Measurement
6. To promote an accurate and balanced view of older people in all their diversity, grow understanding about older people and their needs and to challenge stereotypes, both within my organisation and amongst other organisations.			
I will increase the depth of understanding amongst my staff about the diversity of older people and the extent to which protected characteristics impact upon their lived experiences and access to services	Both Directors	By December 2016 and ongoing	Continued delivery of suite of training and awareness raising specifically including Ageism and UN Principles for Older People which will be imbedded into my staff's approach to work.
	Both Directors	Every six months	Ensure that six monthly performance management reviews reflect on achievement in imbedding equality issues in staff's work and seek for continual improvement.

<p>I will increase the depth of understanding amongst key public services about the diversity of older people and the extent to which protected characteristics impact upon their access to services and their wider lives</p>	<p>Both Directors</p>	<p>Ongoing</p>	<p>Sharing of knowledge and expectations relating to older people with public bodies and outside agencies through every day business, provision of training and awareness raising, my publications and on my website.</p>
<p>I will on an ongoing basis challenge stereotypes and myths about older people and lay down clear expectations for change</p>	<p>Both Directors</p>	<p>Ongoing Ongoing</p>	<p>Training, awareness raising and promotion of 'Say No to Ageism' Campaign and Everyday Heroes.</p> <p>Raising awareness with other public services, through day to day business, which seek to talk less about older people as a homogenous group and more about the needs and aspirations of the diversity of older individuals and how these will be met.</p>

I will strengthen our partnership working with other equality and human rights based organisations to strengthen the voices of older people and increase the impact of our work	Director of Wellbeing & Empowerment	Ongoing	Continued and widened engagement with other equality and human rights based organisations.
		Ongoing	Ensure that responses to any relevant consultations and inquiries seek to build upon their positions.
		Ongoing	Major reviews of public service provision will seek to actively involve equality and human rights based organisations as advisors and expert contributors.

Objective	Lead	Timescale	Action / Means of Measurement
7. To encourage and support other public bodies to comply with their own duties under the Equality Act 2010 as they apply to older people and to challenge significant breaches of legal duties.			
I will provide guidance to public bodies undertaking key service changes to assist them in ensuring they comply with their statutory duties in relation to engagement, impact assessment and proportionality	Director of Wellbeing & Empowerment	Ongoing	Ensure the active review, feedback and provision of consultation responses to other public bodies.

<p>I will keep under review service delivery and changes that have the potential for significant detriment or disproportionate impact on older people</p>	<p>Director of Wellbeing & Empowerment</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>The continued review of public services and provision of robust recommendations to encourage and promote positive change.</p> <p>I will hold to account, using legal powers where necessary, those public bodies that refuse, without good reason, to implement my recommendations.</p>
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