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Cabinet Secretary for Local Government and Public Services  
Welsh Government  
Cathays Park  
Cardiff  
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25 May 2018

Dear Cabinet Secretary,

**Green Paper Consultation Document – Strengthening Local Government – Delivering for People**

Thank you for the opportunity to comment on the ‘Strengthening Local Government – Delivering for People - Green Paper Consultation Document. In previous responses to Welsh Government consultations on local government reform, I referred to three areas of particular importance for older people:

- a commitment that the quality of service provided to older people would not be diminished with any restructuring of local government;
- enabling the voices of older people to be heard by their Local Authorities, through effective consultation and strong community councils; and
- ensuring that the make-up of local representatives better reflects their constituents by encouraging older women and older people with protected characteristics to engage with Local Authorities and run for elected office.

## **Fewer, larger Local Authorities with the powers and flexibility to make a real difference in their communities**

Whilst the case for change is widely accepted and is clearly supported by the report of the Commission on Public Service Governance and Delivery (the Williams Commission), there remains a concern amongst older people that their voices will be lost as the size of their Local Authority is increased. The proposal identifies the need for local government to connect with communities, and effective consultation with older people and other groups is foundational to allay these concerns.

It is imperative that effective and meaningful engagement and consultation is undertaken with older people and others so that they feel heard and included in the process of change. Older people tell me that consultations often feel tokenistic, a tick box exercise, with the conclusion already pre-determined.

“In 2014, I published best practice guidance for engagement and consultation with older people,<sup>1</sup> which sets out how to make these processes more meaningful and how to ensure that older people can be fully involved in decision-making that affects their lives.”

It is crucial that the future local government landscape addresses the key findings in the Wales Audit Office report on ‘Supporting the Independence of Older People: Are Councils Doing Enough?’<sup>2</sup> and aligns with key legislative drivers, such as the Well-being of Future Generations (Wales) Act 2015, to develop a preventative and outcomes-focussed approach and recognise older people as economic and societal assets.

Furthermore, I expect Local Authorities’ commitment to the Dublin Declaration to continue; their support to develop Age Friendly

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<sup>1</sup> <http://www.olderpeoplewales.com/en/Publications/pub-story/14-07-01>

<sup>2</sup> <http://www.audit.wales/system/files/publications/Independence-Older-People-2015-English.pdf>

Communities, a key feature in the Ageing Well in Wales programme, is crucial.

Local Authorities must also ensure that the realigned Public Services Boards are positioned at the centre of service delivery to ensure that services are fully integrated and working together for the best results for local people with minimal disruption.

I expect Local Authority infrastructure to support older people to be reinforced and made sustainable in the reform agenda, i.e. in line with the Welsh Government Strategy for Older People 2013-23. This means a re-investment in the Strategy for Older People coordinators posts, alongside recognising the role of Older People's Champions and the value of 50+ Forums.

### **Strengthening local government and support through the process of change: Valuing councillors & diversity**

I welcome the call for council membership to be fully representative of the local community and have a membership which is relevant to everyone. It is important that local government in Wales is reflective of, and responsive to, the diverse populations that they represent. There is a need for more diversity amongst council members: there is currently a lack of women and ethnic minority councillors in local government in Wales.

A large proportion of constituents are older people, nearly one third of the Welsh population, and it is vital that their views are represented. Older people have a key role to play in the decision-making process of Local Authorities, whether through elected office, local consultations or having their voices represented through 50+ Forums.

Older people must be viewed as an asset to their communities. They have a wealth of knowledge, skills and experience that should be utilised to ensure that the delivery of public services is the best it can be. Older people can help to drive change in our society and improve the wellbeing of people in Wales. Through the reform agenda for local

government, we have an opportunity to ensure that the voices of older people are properly embedded into the decision-making processes of Local Authorities in Wales.

The Local Government (Wales) Bill should include measures to place a duty on Council Leaders, Group Leaders and Chief Executives to ensure that diversity is respected. Older women and older people with protected characteristics should be encouraged to put themselves forward as candidates for local elections and should form a greater role in the leadership of Local Authorities.

### **Community and Town Councils**

I welcome the value placed on Community and Town Councils and councillors within the proposal and the recognition of the crucial role they play. They are quite rightly identified as the level of government considered to be closest to the community, and quite often the most approachable by older people.

I also welcome the independent cross-party review<sup>3</sup> to identify “how community councils can be strengthened so they are best able to support their communities and care for their areas, shaping everyday lives”.

### **Transforming services and involving people**

Community services will remain a key issue and for many will be the litmus test for how smoothly the transition arrangements are being managed. Ultimately, older people will be focused on how these services are improved (or not) under any new regime. Many older people tell me that they are concerned about how decisions are reached about these community services. As regular users of public services – and often ‘experts by experience’ – older people are well-placed to gauge the effectiveness of public services and therefore need to play a proper and

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<sup>3</sup> <https://gov.wales/topics/localgovernment/communitytowncouncils/review-of-community-town-council-sector/?lang=en>

meaningful part in the debate over local services. It is essential that any move towards having fewer, larger Local Authorities does not dilute older people's opportunities to contribute to local decision-making on the services that matter to them.

Whilst expanding the use of digital technology across all public services is to be welcomed, it is crucial that offline services continue to be available. In 2016/17, over a third of people aged 50+ in Wales were digitally excluded and did not use online services<sup>4</sup> and older people must therefore be able to engage through both digital and non-digital means.

## **Population**

Whilst I support the attempt to achieve demographic clarity for the proposed new areas, I would wish to re-iterate the need to recognise that older people are not a homogenous group that can be captured under the simple classification of 'people aged 65+'.

For example, many older people will continue to be active within the workforce much later in life, others will find themselves in the role of unpaid carers. It is also important to recognise that we have a significant number of 'older' older people (those over the age of 85), whose needs could be very different from those in their 60s, and that this demographic is projected to continue to grow significantly in the years ahead.

It is essential that the narrative that older people are a burden on public services and the cause of the many challenges that public services currently face is challenged in the strongest possible terms. We therefore need a far more granular approach to data collection under the proposed footprint.

It is also important to remember that older people are the fastest growing group of unpaid carers<sup>5</sup>. Local Authorities will therefore need to work

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<sup>4</sup> <http://gov.wales/docs/dsjlg/publications/comm/160316-digital-inclusion-strategic-framework-en.pdf>

<sup>5</sup> [https://www.carersuk.org/images/Facts\\_about\\_Carers\\_2015.pdf](https://www.carersuk.org/images/Facts_about_Carers_2015.pdf)

with partners to ensure that services will help to sustain the wellbeing of carers and support positive, caring relationships.

## **Equality and Impact Assessment**

There is a duty placed upon Local Authorities, under the Equality Act 2010, to consult with those people who have protected characteristics as defined in the Act.

Whilst I agree with the comments made in the Equalities and Impact Assessment which accompanies the Green Paper that 'The proposed reforms *could* have a positive impact on people of all ages', I expected to have seen reference to the **UN Principles for Older Persons** in the assessment in a similar way to the separate Children's Rights Impact Assessment, which refers to 'due regard' under the **UNCRC**.

For example, a positive use of the Principles could have been referenced under Principle 7 in the evidence column. It says that 'Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being and share their knowledge and skills with younger generations'. This would have reinforced and added rigour to the conclusion that the proposal could 'have a positive impact on older people'.

I published formal Guidance, under Section 12 of the Commissioner for Older People (Wales) Act 2006, on Equality and Human Rights Impact Assessments<sup>6</sup>, which public bodies must have regard to in discharging their duties under the Equality Act in 2016. This would be a useful reference for the Welsh Government to utilise in strengthening the delivery of Local Government services for older people.

My successor will work with the Welsh Government and local government in order to ensure that the reform agenda fully considers the needs and circumstances of older people, supports the development of

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<sup>6</sup> [http://www.olderpeoplewales.com/en/news/news/16-02-16/Section\\_12\\_Guidance\\_Equality\\_and\\_Human\\_Rights\\_Impact\\_Assessments\\_Scrutiny.aspx#.WvLoAuSG\\_xM](http://www.olderpeoplewales.com/en/news/news/16-02-16/Section_12_Guidance_Equality_and_Human_Rights_Impact_Assessments_Scrutiny.aspx#.WvLoAuSG_xM)

age-friendly communities and that Local Authorities play a significant role in ensuring that Wales is a good place to grow older - not just for some but for everyone.

Yours sincerely,

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Sarah Rochira

**Older People's Commissioner for Wales**

CC: Equalities, Local Government and Communities Committee,  
National Assembly for Wales