

Proposed Commissioner for Older People (Scotland) Bill

Introduction

A draft proposal for a Bill to establish an independent Commissioner to promote and safeguard the rights and interests of older people.

The consultation runs from 13 June to 23 October 2023 (previously 12 September 2023)

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Professional with experience in a relevant subject

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I would like this response to be published anonymously

If you have requested anonymity or asked for your response not to be published, please give a reason (Note: your reason will not be published):

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).
(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill? Please note that this question is compulsory.

Fully supportive

Please explain the reasons for your response.

The cohort of 'older people' is increasing exponentially, with growing numbers grow concerns eg. service

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provision, safety nets, accessibility to services/information, etc. by people who may have difficulty doing so.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

I don't know.. But whatever positive outcome may be, there must be powers to implement not just an advisory function.

Q3. Which of the following best expresses your view on whether there is a need for a specific, dedicated Commissioner focusing solely on older people's rights and interests?

Fully supportive

Please explain the reasons for your response, including your views on the list of proposed functions set out between pages 29 and 32 of the consultation document, and any additional functions you think the Commissioner should have.

I agree with the functions you've outlined, especially in the light of the collaborative approach you indicate, eg. with other statutory bodies such as the ombudsperson's office, the equalities commission, etc.

Q4. Which of the following best expresses your view on the age range of the proposed Commissioner's remit covering all those in Scotland aged 60 and over?

Partially supportive

Please explain the reasons for your response

It's a conundrum. Some 60 year olds need the kind of voice a commissioner could provide. Many would not. And as health research advances, 60 may become more like a new 70..

Q5. Which of the following best expresses your view on whether the proposed Commissioner should hold powers of investigation?

Fully supportive

Please explain the reasons for your response including how the powers of investigation would work in practice.

I believe it's essential to have powers of investigation.. truth to power and incompetence!

Q6. Given a number of other bodies have similar functions to some of those proposed for the Commissioner, which of the following best expresses your view on whether the proposed Commissioner's work can avoid duplication with existing officeholders?

Tend to agree

Q6. Given a number of other bodies have similar functions to some of those proposed for the Commissioner, which of the following best expresses your view on whether the proposed Commissioner's work can avoid duplication with existing officeholders?

Please explain the reasons for your response, including any views on how the Commissioner and existing officeholders can operate to ensure they do not replicate each other's work.

It would be wonderful if duplication could be consciously avoided, not least because it implies collaboration between offices and officers. Training may be required for that to be the case. There is a bit of a history of departments/public officers avoiding collaboration...

Q7. Which of the following best expresses your view on whether the proposed Commissioner should be independent of Government?

Fully supportive

Please explain the reasons for your response, including any views on what the accountability and governance arrangements should be for the Commissioner

The office would have to be independent in order to function, have an effective voice, be able to scrutinise policy proposals, bring truth to power.

Financial Implications

Q8. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

Please explain the reasons for your response, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.

There isn't a 'don't know' response! I feel there could be savings and costs.. Obviously one increase would be the cost of running the office.. Some savings might be entailed by sharing offices/resources and - more significantly - more older people being able to remain in their own homes when they have proper access to benefits/services to which they are entitled, but which are unclaimed now.

Equalities

Q9. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your response and if there are any ways you think the proposal could avoid negative impacts on particular people.

The proposal could have an enormously positive impact on people at risk of discrimination, especially if the office has investigative powers.

Sustainability

Q10. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your response, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

Of course there would be a positive impact.. more justice, fairness, equality not only of opportunity but also of outcome.

General

Q11. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

I'm delighted at the proposal. I hope it comes off!