

## Consultation Response

### Equality and Human Rights Commission: Draft Strategic Plan 2019-2022

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Emily.McCarron@ageuk.org.uk

Age UK  
Tavis House  
1-6 Tavistock Square  
London WC1H 9NA  
T 0800 169 80 80 F 020 3033 1000  
E [policy@ageuk.org.uk](mailto:policy@ageuk.org.uk)  
[www.ageuk.org.uk](http://www.ageuk.org.uk)

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## About this consultation

1. The Equality and Human Rights Commission (EHRC) have published its new Strategic Plan for the period 2019 to 2022. The Plan sets out the EHRC's strategic goals, its priority aims and planned activities. It is seeking views from stakeholders about the plan.

## Age UK

2. Age UK is a national charity that works with a network of partners, including Age Scotland, Age Cymru, Age NI and local Age UKs across England, to help everyone make the most of later life, whatever their circumstances. In the UK, the Charity helps more than seven million older people each year by providing advice and support. It also researches and campaigns on the issues that matter most to older people. Its work focuses on ensuring that older people: have enough money; enjoy life and feel well; receive high quality health and care; are comfortable, safe and secure at home; and feel valued and able to participate.
3. There are 11.8 million people aged 65 or over in the UK. The number of people aged 65+ is projected to rise by over 40 per cent (40.77%) in the next 17 years to over 16 million and by 2040, nearly one in four people in the UK (24.2%) will be aged 65 or over. The number of people over 85 in the UK is predicated to more than double in the next 23 years to over 3.4 million.<sup>1</sup>

## Ageism

4. Negative attitudes towards older people and ageing are pervasive in our society. A recent report by the Royal Society for Public Health found that ageist attitudes exist across generations, affecting our health and wellbeing.<sup>2</sup> The notion of the older population as a threat is also a component of the prejudice they face. We saw this in the aftermath of the Brexit referendum as older people were blamed for the leave vote and there were even calls from some corners of the media to stop older people from voting once they hit 65. The effect of ageism is that older people frequently experience discriminatory and abusive treatment that contravenes their human rights.
5. Age UK believes that such expressions of prejudice and hostility foster an environment in which discriminatory treatment against older people becomes more permissible and contributes to the 'dehumanising' of older citizens in some circumstances. As a result, ageism and discrimination prevent many older people from accessing health, financial services, housing and employment.
6. It is imperative for the EHRC to understand the impact of our ageing society and that people who have been disadvantaged for example as a result of their gender, race, ethnicity, disability during their working lives are likely to face double

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<sup>1</sup> National population projections for the UK, 2014-based, Office for National Statistics, 2015

<sup>2</sup> Royal Society of Public Health, *That Age Old Question*, London, 2018.

disadvantage as they age and enter retirement. This intersectionality of disadvantage is exemplified for example in female and BAME pensioner poverty.

**Priority Aim 6: People in Britain have equal access to the labour market and are treated fairly at work**

7. In employment, unjustified age discrimination is still rife, in spite of it being illegal under the Equality Act 2010. Polling by YouGov commissioned by Age UK in 2017 found that 36 per cent of over 55s felt they had been disadvantaged at work because of their age. We urge that age be specifically considered under Priority Aim 6.

**Priority Aim 5: Access to essential public services is improved for particularly disadvantaged groups**

8. In health and social care, there is compelling evidence of the harmful effects of age discrimination. Research demonstrates that older people have poorer access to treatments for common health conditions. For example, treatment rates drop disproportionately for people over 70-75 years in areas such as surgery<sup>3</sup>; chemotherapy<sup>4</sup>; and talking therapies<sup>5</sup>. There is a risk that health rationing based on age rather than clinical evidence could increase as funding pressures on the NHS grow.

Significant cuts to social care funding mean that fewer older people, proportionately, are eligible for social care support. Those that are getting it are often receiving a cut-down service that does not give full regard to the wellbeing principles laid out in legislation or even basics of dignity and respect. Support visits can be very short and perfunctory and the quality of care homes (which as a sector is under great financial pressure) can be highly questionable.<sup>6</sup> This has a disproportionate impact on older people who form the biggest percentage of social care users and those in their 80's and older rely most on social care.

9. Age UK urges that Priority Aim 5 be expanded to include access to public services for disadvantaged groups and other protected characteristics including age. Access to health and social care for older people should be specifically addressed under this aim.

**Priority Aim 4: Public transport and the built environment are accessible to disabled and older people so as to support their economic and social inclusion.**

10. We welcome Priority Aim 4 which should increase the independence and inclusion of older people. Lack of public transport, somewhere to sit down, or access to clean public toilets limits how far older people are able to get around, while poor quality

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<sup>3</sup> Age UK/Royal College of Surgeons, [Access all ages - Assessing the impact of age on access to surgical treatment](#), 2012

<sup>4</sup> NHS England, [Are older people receiving cancer drugs? An analysis of patterns in cancer drug delivery according to the age of patient](#), 2013.

<sup>5</sup> Age UK, [Hidden in plain sight - the unmet mental health needs of older people](#), 2016

<sup>6</sup> Care Quality Commission, [The state of health care and adult social care in England 2016/17](#), October 2017.

pavements, reduced street lighting or fear of crime can stop people feeling confident enough to go out at all. This limits people's ability to participate in family, social, cultural, community and political life. The characteristics of rural areas, with low population densities and large distances between residential and/or commercial centres, can exacerbate the challenges older people face.<sup>7</sup>

11. We urge the EHRC to include housing under Priority Aim 4 as accessible housing is essential to the health and wellbeing of older people and people with disabilities. Many older people have physical disabilities yet only 3.6 per cent of homes have the four essential features that would make them accessible to a person with mobility problems (level access to main entrance, flush threshold to main entrance, WC at entry level and circulation space).<sup>8</sup> This severely limits people's ability to have control over their living arrangements. Although there are determined efforts to resolve these issues from several bodies including Parliamentary subcommittees, the All-Party Parliamentary Group for Ageing and Older People, and organisations within the voluntary and campaigning sector, there is also an impetus from the private and commercial sector to protect its profit margins and build rapidly. This is undermining efforts to build decent housing with appropriate adaptations and security of tenure. Concerted intervention is now needed to improve the accessibility standards of new build housing. The EHRC has made a very strong contribution in its report on housing for disabled people, its work with the planning inspectorate, and its toolkits for local authorities and for campaigning groups, but there is still a long way to go to make the regulatory system fit for purpose.

### **Priority Aim 3: New technologies and digital services promote equality and human rights**

12. Age UK welcomes Priority Aim 3 which is relevant to the experience of older people. Age UK has long been aspirational and positive about the benefits that digital inclusion can bring, including practical help (e.g. online shopping and finding information), improving the ability to stay connected (e.g. using social media and video calls), and following hobbies and interests. However, many older people are not online. The latest figures show that 56 per cent of people aged 75+ and 20 per cent of those aged 65-74 in the UK have not used the internet in the last three months, whereas virtually all (99 per cent) younger people aged 16-34 use the internet.<sup>9</sup>
13. Although many older people are not currently online, public and commercial organisations are increasingly providing services digitally. Service providers, including local authorities, are also under pressure to find savings and increase efficiency. However, moves to digital access, without providing off-line alternatives can make it harder for those who are not online. In 2018 Age UK contacted 100 local councils via telephone about claiming Housing Benefit and Council Tax Reduction, finding that about 40 per cent said this had to be done online, with some

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<sup>7</sup> Holley-Moore, G. & Creighton, H., *The Future of Transport in an Ageing Society*, Age UK and ILC, 2015.

<sup>8</sup> Oto, S., *Housing an Ageing Population (England)*, The House of Commons, 2015.

<sup>9</sup> Internet Users ONS, May 2018 <https://www.ons.gov.uk/releases/internetusersintheuk2018>

only offering limited help to do this.<sup>10</sup> There is a real risk of people who are already digitally excluded becoming excluded from other services if they are only easily available online. The ongoing closure of high street banks, alternatives to using cash in shops and on transport similarly threatens to make life harder and more isolating for older people who are less used to using new technologies such as smart phones and online banking.

### **The development of a UN Convention on the rights of older persons**

14. Despite existing domestic human rights and equalities legislation, older people in the UK continue to face human rights abuses in their daily lives. Increased scrutiny is necessary to call attention to the fact that human rights abuses against older people exist but are largely absent from the UK government's reporting to the UN human rights treaty bodies. In addition, existing international conventions do not adequately protect the human rights of older people. Age UK and Age International firmly believe that a UN Convention on the rights of older persons would provide a framework and focus to guide policy responses to ageing based on rights, equity and social justice. It also has the potential to create a shift from older people being considered as passive recipients of welfare, to older people as active rights holders and to reduce the level of abuse, neglect and discrimination experienced by many older people.
15. The EHRC should urge the Government to support the creation of an international convention on the rights of older people whilst preserving and enhancing these rights through domestic legislation.

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<sup>10</sup> [https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/activecommunities/rb\\_may18\\_everything\\_is\\_online\\_nowadays.pdf](https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/activecommunities/rb_may18_everything_is_online_nowadays.pdf)