



Llywodraeth Cymru
Welsh Government

PUBLICATION, DOCUMENT

Older People's Commissioner for Wales: equality impact assessment

We are planning to amend existing Regulations for the appointment of the Older People's Commissioner for Wales.

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Protected characteristic or group

Age (think about different age groups)

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

Extending the OPCW's term of office to seven years will enable future commissioners to reach a broader range of older people and improve their ability to positively influence government and statutory services. This stability could bring greater benefits to older people and their communities than the uncertainty of a four year term followed by a further two years permissible only following a public consultation and the agreement of the First Minister.

How will you mitigate impacts

The performance of any future commissioners will be monitored by Welsh Ministers and senior officials in order to address any issues at the earliest opportunity.

Disability

Consider the social model of disability [^{footnote1}] and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the barriers that disable people with different types of impairments)

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What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

‘The Commissioner’s role and statutory powers are defined by the Commissioner for Older People (Wales) Act 2006 and accompanying Regulations.

The Act outlines the action that the Commissioner is able to take to ensure that the interests of older people are safeguarded and promoted when public bodies discharge their functions and the assistance the Commissioner may provide directly to older people in certain situations.’

Role and legal powers - Older People’s Commissioner for Wales. As higher proportion of older people live with a disability or life limiting condition, it is anticipated that providing a longer term of office for future commissioners could help to remove barriers that disable people with different types of impairments.

How will you mitigate impacts

The performance of any future commissioners will be monitored by Welsh Ministers and senior officials in order to address any issues at the earliest opportunity.

Gender reassignment

Reasons for your decision (including evidence)

One of the OPCW's statutory functions is to 'promote the rights and interests of older people in Wales'.

Role and legal powers - Older People's Commissioner for Wales.

Therefore it would be expected that future commissioners will engage with and promote the interests of older transgender people. The ability to do this over the extended term of seven years without interruption or uncertainty, should bring benefits for this group.

How will you mitigate impacts

The performance of any future commissioners will be monitored by Welsh Ministers and senior officials in order to address any issues at the earliest opportunity.

Pregnancy and maternity

What are the positive or negative impacts of the proposal?

No positive or negative impacts identified.

Race (include different ethnic minorities, Gypsies and

Travellers and Migrants, Asylum seekers and Refugees)

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

The OPCW's statutory functions include the following:

- promote awareness of the rights and interests of older people in Wales
- challenge discrimination against older people in Wales
- encourage best practice in the treatment of older people in Wales
- review the law affecting the interests of older people in Wales'

Role and legal powers - Older People's Commissioner for Wales

An extended term of office will increase the ability of future commissioners to listen to the experiences of different minorities and develop innovative and long-term solutions.

How will you mitigate impacts

The performance of any future commissioners will be monitored by Welsh Ministers and senior officials in order to address any issues at the earliest opportunity.

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Religion, belief and non-belief

What are the positive or negative impacts of the proposal?

No positive or negative impacts identified.

Sex / Gender

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

One the OPCW's statutory functions is to 'promote the rights and interests of older people in Wales.'

Role and legal powers - Older People's Commissioner for Wales

Therefore, it would be expected that future commissioners will engage with and promote the interests of people of different sex/gender. The ability to do this over the extended term of seven years without interruption or uncertainty, should bring greater benefits for this group.

Sexual orientation (Lesbian, Gay and Bisexual)

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

One of the OPCW's statutory functions is to 'promote the rights and interests of older people in Wales.'

Role and legal powers - Older People's Commissioner for Wales

Therefore it would be expected that future commissioners will engage with and promote the interests of older lesbian, gay and bisexual people. The ability to do this over the extended term of seven years without interruption or uncertainty, should bring benefits for this group.

Marriage and civil partnership

What are the positive or negative impacts of the proposal?

No negative or positive impacts identified.

Children and young people up to the age of 18

What are the positive or negative impacts of the proposal?

No negative or positive impacts identified.

Low-income households

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

Positive impact for older low income households could occur if future commissioners opt to continue the current OPCW's campaign to increase pension credit take up in Wales. An increased take up of pension credit will also provide older people with more money to spend in their local communities, thereby benefitting the local economy. A longer term of office of seven with no interruptions, such as the need to apply for a two year extension would create continuity and strengthen any campaigns relating to the economic well-being of older people.

How will you mitigate impacts

The performance of any future commissioners will be monitored by Welsh Ministers and senior officials in order to address any issues at the earliest

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opportunity.

Human Rights

Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights? (Please refer to point 1.4 of the EIA Guidance for further information about Human Rights and the UN Conventions).

What are the positive or negative impacts of the proposal?

Positive

Reasons for your decision (including evidence)

The OPCW's statutory functions include the following:

- promote awareness of the rights and interests of older people in Wales
- challenge discrimination against older people in Wales
- encourage best practice in the treatment of older people in Wales
- review the law affecting the interests of older people in Wales

Role and legal powers - Older People's Commissioner for Wales

An extended term of office will increase the ability of future commissioners to work in partnership with both older people and the professionals who work with them to raise awareness of human rights and embed a rights based approach across the Welsh public service.

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Footnote

[1] Welsh Government uses the social model of disability. We understand that disabled people are not disabled by their impairments but by barriers that they encounter in society. Ensuring that your proposal removes barriers, rather than creating them, is the best way to improve equality for disabled people. For more information, go to the intranet and search 'social model'.

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