

Cross-Party Group on Older People, Age & Ageing

Wednesday 4th December 2024 1-2.30pm

Minutes

Present

MSPs

Jeremy Balfour MSP – Convenor
Colin Smyth MSP – (Presenter)

Non-MSP Group Members

Beth Allen – Age Scotland
Liz Baikie – Lothian Older People's Psychology Service
Moir Bayne – Housing Options Scotland
Sam Blackley – British Geriatric Society
Bernadine Blair – Scottish Fire & Rescue
Eileen Cawley – Scottish Pensioners Forum
David Cavanagh – Salvation Army
Alison Clyde – Generations Working Together
Diana Findley – Borders Older Peoples Forum
Lynn Flannigan – Care Inspectorate (Presenter)
Joan Fraser
Alan Gow – Heriot-Watt University
Jen Grant – The Food Train
Prof Trish Hafford-Letchfield – Health Care Futures, University of Strathclyde
Rose Jackson – Scottish Pensioners Forum
Aidan McCrory – Care Inspectorate (Presenter)
Mark McDonald – Scottish Autism
Leeanne McGurk – Dundee University
Jean Monaghan – LGBT Health
Dr Gareth Mulvenna – Hourglass
Denis O'Keefe – Voice of Experience Forum
Cathy Quinn – British Geriatric Society
Jules Robinson – RoSPA
Arvind Salwan – Care Inspectorate
Malcolm Sayers – Independent Age
Colin Scott – Hourglass
Kshitija Singh – Generations Working Together
Prof. Judith Sixsmith – University of Dundee (Presenter)
Margaret Stewart – LifeCare Edinburgh
Kim Stringer – Vegetarian for Life
Pat Scrutton – Intergenerational Network

In attendance

Julia Shillito – Senior Caseworker Jeremy Balfour MSP
Alan Frith – Citizen Advice Edinburgh (Observer)
Ben Hall – Cyrenians (Observer)
Kirsty Henderson – OSCR
Andrea Ma – Age Scotland (Secretariat)
Hazel McFarlane (Observer)
Katy MacLeod – Horizon Housing Association (Observer)
Emma Sedgwick – OSCR
Adam Stachura – Age Scotland (Chair)
Charles Willis – OSCR (Presenter)
AI Media Captioners (x2)

Apologies

Sophie Bridger – Chest Heart and Stroke Scotland
Dave Budd – Partners in Advocacy
Michelle Candlish – Linking Lives
Ian Clement
Michael Driscoll – Horizon Housing Association
Dr Chloe Fawns-Ritchie – University of Dundee
Jennifer Forsyth – Obesity Action Scotland
Beth Friel – Carers Trust Scotland
Anne Gallacher – Luminare
Dr Anne Hendry – IFIC Scotland
Rebecca Hoffman – LGBT Health and Wellbeing
Debbie Horne – Independent Age
Susan Hunter – Befriending Networks
Robert McGeachy – Food Standards Scotland
Sarah Murray – Royal Voluntary Service
Michelle Riddock – Simeon Care
Christine Ryder – Outside the Box
Donna Scott
Meher Shagufta – Playlists for Life
Trishna Singh – Sikh Sanjog
Iain Templeton – Partners in Advocacy

Agenda

Agenda item 1

Welcome

Jeremy Balfour MSP welcomed and thanked everyone for their attendance. The convenor stated that he is only able to attend partially due to other commitments and that Adam Stachura at Age Scotland will chair the remainder of the CPG.

Agenda item 2

Minutes of 11th September 2024 Meeting

The Minutes were accepted by the membership as accurate.

Agenda item 3

Matters Arising

No matters arising were noted.

Agenda item 4

New Member Requests

The convenor shared Cyrenians and the Horizon Housing Association were requesting membership. The members approved both additions.

Agenda item 5

Treasury Funds

There is a remaining £200 in the treasury funds. CPG members are asked to send in nominations of charities who could benefit from these funds to the secretariat by the end of December, after which a survey of the nominees would be sent out for voting.

Action: CPG members to send through charity nominees to the secretariat by the end of December.

Agenda item 6

Presentations

Update on the Commissioner for Older People (Scotland) Bill and Proposal – Colin Smyth MSP

Colin thanked the CPG for the opportunity to provide an update on the members Bill proposal for a Commissioner for Older People in Scotland which secured the necessary support to progress to the next stage.

The non-governmental Bills team of the Scottish Parliament are drafting a bill, using a detailed outline of what the Bill should contain, and the Disability; and Children and Young People's Commissioner Bills as a template. The Bill will cover powers envisioned for an Older People's Commissioner, based on similar powers in place for the Older People's Commissioner in Northern Ireland and Wales.

The Bill will consider comments from the consultation, which received support from 96.7% of respondents which aligned with Age Scotland and Independent Age polls. The intention is that the Bill will be published in Spring 2025, with a view to introduce the Bill in the Scottish Parliament before the Summer recess.

The Finance and Public Administration Committee (F&PAC) is working on the Commissioner Landscape in Scotland and has published a report of recommendations which include establishing a Parliamentary Committee to consider these proposals with a report to be produced by June 2025. This work does not prevent the right of MSPs to bring forward a member's Bill on devolved issues, but the report may impact on the future strategic approach of Commissioners.

Discussion and Questions:

- Poll results: The opinion polls were independently conducted by Age Scotland and Independent Age and showed overwhelming support. The consultation responses are openly published on the Scottish Parliament website, and contain organisations', and individuals' responses who attended various public meetings. In total over 1000 people took part across Scotland.
- Scottish Pensioners Forum (SPF) shared feedback from community groups on concerns with funding. The context of engagement with older people organisations from the Scottish Government was mentioned with the Older People Strategic Action Forum (OPSAF) being the main driver. In summary SPF want direct access routes to Scottish Government strengthened and improved to have community groups and grassroots organisations needs and voices heard. SPF want a stronger older people's movement in the Scottish Parliament, than to have a Commissioner and had opposed the bill.
- Colin shared that one of the motives of having a Commissioner is because OPSAF is not independent. Scottish Ministers decide the agenda, attendees and if the group convenes. The Commissioner would however be an independent Champion, providing a strong voice for older people. This would be underpinned by a legal requirement to work with older people and be an addition, than in place of those already working in support of older people in areas such as poverty, human rights, and social care issues.
- There was a question on how the Commissioner would be appointed and funded, and if third sector organisations would be on the selection panel. The member added that they think that the Commissioner should be an older person aged 50 and over, who can provide an impartial view and be independent such as the Older Person's Commissioner in Wales.
- Colin agreed and stated that the Commissioner in Wales has been worthwhile and carries out a lot of very good work as has the Children and Young People's Commissioner in Scotland. The independence of the Commissioner is something that has come through in consultation responses. In addition, the role is different from an Older People's Minister who would not be independent but that a Minister was something that he and many

organisations also support. The role would be appointed independently by the Scottish Parliament, and the criteria and process for that including the selection panel, will be determined by them. The Commissioner will be accountable to the Parliament. There will be a legal clause within the Bill that would make clear that the Commissioner has a statutory duty to consult with those who represent older people, older people themselves and various groups and organisations moving forward.

The convenor thanked Colin for his presentation and responses to questions. Colin stated that he would be happy to take questions outwith the meeting.

Action: All CPG members with questions are to contact Colin Smyth MSP directly.

How the [new measures](#) to charity law in the Charities (Regulation and Administration) (Scotland) Act 2023, due to come into force in 2025 will impact upon charities in Scotland, Charles Willis, Senior Manager - Policy and Sector Improvement, OSCR (Scottish Charity Regulator)

The Convenor welcomed OSCR and handed chairing to Adam Stachura.

Charles Willis provided a presentation covering the impact of changes to come in 2025 from the implementation of the Charities Act 2023. The legislation was updated and the regulatory framework strengthened. The changes were described as follows:

- **Publication of Trustees:** A database of trustees will be needed from charities with 3 pieces of personal information for internal use by OSCR to easily identify individuals they may need to contact. The intention is to use legal name, date of birth and personal address to provide a balance of data protection and correct identification of individuals.

A register of trustee names only, would however be published online by OSCR on their website which will be publicly accessible.

There will be a dispensation scheme for charities and individuals to apply for exemption if there is potential risk of physical harm, to personal safety or security or harm to a premises.

- **Publication of Annual accounts:** As was previously the case every charity will need to publish its annual accounts online which should be signed off by an independent examiner or an auditor. The format and submission deadline remains the same. What has changed is that it will be accessible to the public, and OSCR will have rolling five-year accounts against each charity name.

The onus is on the charity to ensure that content is appropriate for the public. However, charities can contact OSCR for support to change the content should something go wrong post-submission.

- **Trustees:** A series of auto-disqualification criteria for trustees was mentioned such as conviction under bribery legislation, proceeds of crime legislation, convicted of perverting the course of justice, terrorism, or association with proscribed terrorist group, misconduct or negligence as a public official, disobedience with an order of Court, sexual offences subject to notification for example.

The same criteria also apply to staff in a senior management function. There is discussion about what constitutes a senior management function, but what is clear is that anyone with these criteria cannot be a trustee, or in a senior management role within a year's time.

Charities need to be aware of these criteria and whether any existing trustees or senior management member will be disqualified from standing as a result and to have conversations in advance if this applies only for the period that they hold the criteria, or whether it is a permanent disqualification.

If a person is on the sexual offences register, then they will need to have a conversation about their future within the charity. These conversations need to be started as soon as possible within charities. Charities should reach out to OSCR to discuss the full facts and details of this.

OSCR are seeking views from all charities, but particularly the 52% smaller charities that earn less than £25,000 in Scotland and will likely be most affected by the changes. OSCR are trying all routes and channels to engage with these charities.

OSCR summarised by providing 5 key takeaways for action:

1. Ensure that you know who your trustees are.
2. Ensure your annual accounts are prepared to a style and standard that you will be content with.
3. If there are any trustees or people undertaking a senior management function who may be affected by the new disqualification rules, to start those conversations early with people affected.
4. Update charity governance materials including induction packs, trust declarations, to have due diligence with 'just on trust' appointments, and contracts for new staff, and consider adding a clause on disqualification criteria from the 2023 Charities Act.
5. Keep updated on OSCR guidance and news via social media and website.

OSCR are running lots of events and will be engaging with about 700 charities from October to Christmas and welcomed CPG members to join the events. OSCR invited third sector organisations to get in touch with them and stated that conversations will need to occur within charities in advance of the changes, to ensure charities comply with the law by Summer and end of 2025. OSCR added they were happy to update CPG via email if helpful. No questions were received.

Care Home Improvement Programme and Dementia Improvement Projects - Care Inspectorate, Quality Improvement Managers: Aidan McCrory from Care Home Improvement Project (CHIP) and Lynn Flannigan from Practical Dementia Resources Improvement Project

Aidan thanked the CPG for inviting him and Lynn to speak about their work. The CHIP began in June 2023 and aims to support older people and adult care homes in Scotland (which is approx. 1,000 care homes), to make improvements in services to improve outcomes for people.

A Scottish approach to service design is used, with crucial aspects identified:

- relationships with services were built into all aspects of programme delivery.
- dedicated support for every service throughout the programme to ensure continued engagement and progress.
- peer support, so that services are enabled to work collaboratively and learn from each other within their area.

The programme sent 'call to action' invitations to the local authorities within NHS Greater Glasgow and Clyde and NHS Forth Valley, which had the highest prevalence of grade 3 ratings of 'adequate' in their most recent inspection reports.

The programme used self-selected services with the capacity and capability to participate, where a 30 were chosen for the first cohort which ran from April – August 2025. The services were grouped as clusters of 6 by geography to ensure that local assets could collaborate and share learning. Each cluster had a dedicated improvement advisor to support them, which included in-person sessions on:

- Learning self-evaluation: to review a service, scrutinise activities and performance, learn from approaches and put improvement plans in place.
- Discussions about equalities and participation, and how services can include people within their service on decisions around peoples' care.
- Quality improvement: the model for improvement and PDSA (Plan Do Study Act) testing which is a proven approach to support improvement.
- Discussions and support to provide leadership.

The topics were sector identified needs in inspection reports. Each of the 30 services were to focus on an area from their inspection report to look to improve.

A total of 28 services completed the programme, impacting a potential 1,600 individuals. Outcomes and better quality of life was used as a measure of success however grades were also inspected within 18 services. 86% had an improvement in at least one key theme, and 57% achieved a better grade from participation.

A case study was shared of a service that wanted to reduce a new resident, Nico's periods of stress and distress by 90% by July 2024. Nico was very, very distressed and lives with Dementia and had behaviour such as pulling radiators off walls, punching holes in doors, causing stress for both him and other residents.

The medications were gradually reduced to 0 from June onwards, reducing Nico's stress and distress, which had a residual effect on other residents.

Nico's wife shared: "I thought I was losing my husband, but because of the work of the staff in this service I now have them back"

Phase 2 has begun in NHS Tayside and Forth Valley and due to conclude in March 2025. The programme is unfunded, but the Care Inspectorate intends to request funding from the Scottish Government in Summer 2025.

Lynn introduced herself to the CPG and informed that the dementia programme is led by David Marshall, a pharmacist and Maureen Closer, a mental health nurse. The programme reports into the Scottish Government's dementia policy and strategy workstreams and is aligned to the recommendations of SIGN dementia guidelines.

The programme is legacy work between the Care Inspectorate and a large care provider group on a project improving dementia care by reducing inappropriate use of psychoactive medicines by empowering staff to "find the why" as to why people are experiencing stress and distress in care homes across the UK. The initial programme identified a lack of real practical tools to support frontline staff to understand the causes of stress and distress to implement non-pharmacological approaches to care.

This programme aims to co-design these resources. A Scottish approach to service design was used working with frontline staff to design the resources. A survey was conducted with over 150 frontline staff to influence the design and co-design workshops with staff were held. The aim is for resources to be piloted by March 2025 with rollout of implementation across Scotland using a phased approach of 3 cohorts of 10 small care home providers from April 2025 - March 2026.

Social Media and the Dementia Hub links were shared for information. The hub contains podcasts of completed work including projects on reducing psychoactive medication, and work on stress and distress in care homes and hospital sites.

Discussion and Questions:

- A peer programme model was described which used retired volunteers, with past health service experience to provide peer support in services which was adapted from prison services and for sheltered housing. Older people were more engaged and were more honest and open with volunteers. There was comfort in expressing and providing honest views with people that are of a similar age, due to potential understanding and empathy. There was a question as to whether the model could be taken up in care homes by the Care Inspectorate.
- Aidan stated peer support is crucial in supporting sustainability in improvement work and was happy to follow up with colleagues.
- The importance of connecting with people working on the ground was highlighted to understand the unique challenges such as community assets, and unfamiliar settings being very distressing for people living with dementia.
- A bottom-up approach is taken with the dementia programme with frontline staff, and people with lived experience working collaboratively and providing valuable data, information and insights. The programme is informed by external and internal clinical experts including National Clinical Leads from Healthcare Improvement Scotland; psychologists; and the Royal College of Psychiatry, backed with robust clinical evidence and guidelines.
- There was discussion of tracking of patterns or trends of issues in care homes as early indicators of risk of closure including geographical challenges. In Dumfries & Galloway 14 care homes have closed in the last decade with the loss of 200 beds, often due to inability to meet care standards, and staffing.
- It is complex, but trends for services failure are tracked. Aidan suggested offline discussion of the details of the digital transformation work.
- A question was asked on Care Inspectorate's role in relation to care homes.
- It was clarified that screening and assurance is a significant part of the Care Inspectorate's work with 400 of 600 staff working as inspectors. They assess the quality of a service based on quality frameworks derived from the health and social care standards by making observations, reviewing paperwork, and asking questions. A determination is made on a service's performance,

concerns are raised with the manager, and a professional judgement is made to report on areas for improvement or requirements with a follow up timescale.

- Aidan added that he and Lynn are in a team of 30 which supports services to consider improvements as identified in inspection reports, which are not limited to older people and adults but include end-of-life care settings; nursing agencies, foster services, residential care for children and young people, etc.

A presentation on [IncludeAge Project](#), a research project on the challenges and solutions to community inclusion of mid-older aged people who are Learning Disabled or are LGBT+, Prof. Judith Sixsmith, University of Dundee

Judith thanked CPG for the opportunity to share her research that is supported by the Economic and Social Research Council. The project looks at age, diversity and identities, across the UK, specifically within Scotland, England and Wales. The aim is to understand the challenges of community inclusion in both physical places and online spaces, for LGBT+ people, and people with learning disabilities aged 40 and over, and the intersectionality of people being in both groups.

Lived Experience Study

A life course perspective was taken, with lived experiences of people and how they inhabit spaces presently and their past experiences both positive and negative. Both groups experienced quite a lot of past discrimination, harassment, and institutionalisation. The similarities and differences of experiences of inclusion and exclusion across the two groups and how it could apply to other marginalised old people were considered.

1-1.5-hour life course interviews were conducted with 72 LGBT+ people and 42 people with learning disabilities. The participants were invited to participate in a play study, where an electronic tablet was provided to allow photographing or recording of their feelings, thinking, and anything that connects with them of instances of inclusion and exclusion as they live their life, providing real time data. Afterwards they were asked about their social networks, social and peer supports; the social context of their lives and what helps them fit in or not and feel included or excluded.

Organisational Study

The perspectives of community organisations on the challenges, initiatives, interventions and support to facilitate inclusion were explored. Two community based Advisory groups were set up, for LGBT+ and for learning disabilities.

Barriers for LGBT+ people include:

- A great pressure towards being heteronormative, one person shared “everything's wrong unless you're married, with two kids living in suburbia, with a dog, and a job that everybody recognises in a profession. There is a cultural expectation of where your life should be and if your life doesn't match this expectation, you feel excluded.”
- Self-censorship and shame from potential past experiences of violence, or from fear of exposure.
- Experiences of online abuse, trolling and discrimination on social media, but also in service spaces such as for welfare support etc.
- Gay bars or similar spaces being very claustrophobic and often not intergenerational. They don't want to go to specific places but for all spaces to just be inclusive.
- The constraints of family or friends passing or moving away impacting on fear of going out, due to not fitting in.

Facilitators for LGBT+ people include:

- Targeted online platforms for peer support and reciprocal interactions to be included in their communities, for safety, and to feel safe. It was noted that feeling comfortable is important but feeling safe is a precondition of this.
- Privacy and confidentiality to allow fluidity of choice to be open about identity.
- Policies being specific to identity such as trans, bi or gay policies.
- Cultural messaging and how LGBT+ people are represented in that diversity on TV, the internet and in public places e.g. cafes, restaurants, supermarkets.

Barriers for people with Learning Disabilities

- Authorities ‘talk to them’ as if they are incapable than ‘with them’, framing them as ‘eternal children’ who need to be gatekept especially on the internet, and told to not visit certain websites.
- Risks of bullying, prevalent on street, particularly from children with many people with learning disabilities keeping indoors and self-withdrawing increasing isolation due to psychological fear of bullying.
- Some are unaware they are being victimised and take it in humour, which can be uncomfortable for those who are with them at the time.

Facilitators for people with learning disabilities include:

- Peer approval and support.
- Convenient access to digital tools and platforms, and being allowed to use them, and education around what's appropriate or inappropriate.

- Adaptations to individual needs such as easy read (eg supermarkets, museums, cinemas) to enable accessibility.
- Available social networks such as purposeful and shared interest groups.
- Needing a level of belonging, familiarity and trust to be able to feel included, to feel secure using services the same way as everybody else. They need to know what's happening, who's there and to know they can trust people.
- Showcasing their skills, and being able to learn new skills, and the micro interactions of being asked "Hi, how are you doing?" "How's life, what's happening?" were hugely important to them and their wellbeing, to feel included as normal people like everybody else.

The data is being continually analysed. They hope to recruit more transmen, BAME people with learning disabilities, and people aged 85 and older to the project.

Discussion and Questions:

- The nuances of 'feeling included' and 'being included'; 'feeling safe' and 'being safe' was discussed, and there is a big distinction and difference in the data. 'Being included' is an absolute requirement to 'feeling included' and was something many marginalised older people identified with. However, people's experiences and perspectives are very different.
- A general observation was shared that the 'facilitators' were consistent across learning disability and LGBT+ people, and that they could apply to older people in general and many other groups in society for inclusion. LGBT+ people and people with learning disabilities have different needs, wants and desires and should be considered holistically.

The chair thanked all presenters for their presentations and responses to questions.

Agenda item 7

AOCB

Pension Age Winter Heating Payment (PAWHP): The chair raised a question in relation to how people feel about the reintroduction of the PAWHP.

A member shared that it is welcomed news however felt that it should not have been taken and made to be means tested with Pension Credit in the first place. They added that the £100 is a welcome start however is not enough, especially with standing charges increasing from energy suppliers. Those who are ineligible for pension credit due to being two or three pounds a week are losing out on a lot of money.

Treasury Funds: The treasurer asked about the £200 treasury funds and provided a nomination to 'Step to Hope' which is a charity that helps homeless people and people with addictions, within the Edinburgh area. She added that she had not heard about any other nominations

The chair reiterated the intention for the Treasury Funds as noted in Agenda Item 5, and added that it would be helpful if charities support older people in some way.

Next meeting: The next meeting is an AGM of the CPG on Older People, Age and Ageing and will be held on Wednesday 12 March 2025 (1-2.30pm) at the Scottish Parliament in person and online via MS Teams.