

Queen's Speech 2022

Age UK briefing

Introduction

At Age UK, we are increasingly concerned by the rising cost of living for older people on low and modest incomes. Older people contact us every day to say they are taking as many steps as they can to cut back on spending, but they simply do not know how they will find the money to live a decent life in the current climate. Reforms to renting, mental health and cash are welcome in the Queen's Speech, however, this will do little to help people struggling to ends meet right now.

Many of the Bills announced today will affect older people's lives and we very much look forward to working with parliamentarians to achieve positive legislative change.

In response to the Queen's Speech, Caroline Abrahams, Charity Director at Age UK said:

"We were pleased that the Government committed to bringing forward legislation on mental health, rental reform and the energy price cap, but disappointed that a Bill to enact the Government's promise to give unpaid carers the right to five days unpaid leave each year was absent.

"We are also worried that an unintended consequence of the Government's proposed Bill of Rights will be a weakening of the protections available to older people when their human rights are breached, for example, in a care home. The pandemic demonstrated a pressing need to extend and strengthen older people's rights, especially if they are in vulnerable situations, so we will be urging Ministers to take this fully into account as they develop their reforms.

"We would have liked the Government to have said more in the Speech about how they intend to help older people on low fixed incomes cope with soaring prices. This, together with long NHS waiting lists and problems accessing their GP, is the topic that older people tell us is worrying them the most.

That said, confirmation that the energy price cap will be extended beyond 2023 and a new law will be introduced to protect access to cash – both measures that we've been calling for – are very welcome."

Newly announced proposals

Energy Security Bill

Proposals for the Energy Security Bill represent a missed opportunity to rein in the spiralling rise in household energy costs between now and October 2022. With older people on the lowest incomes increasingly unable to heat and power their homes, foregoing meals, and reducing visits from friends and family the Bill should offer them a crucial lifeline. Instead, the Energy Security Bill primarily focuses on bolstering investment in longer term power generation. While the inclusion of regulations to extend the energy price cap beyond 2023 represents a major step forward in securing longer-term winter price certainty this announcement is not sufficient on its own.

The Government must understand that for older people on low fixed incomes, relying solely on their State Pension and benefits, there are simply no more cuts they can make to their spending to cover the cost of their energy bills and other essentials. Without intervention, they face hardship on a truly frightening scale. Age UK analysis shows that 2 million older households will be unable to cover their essential spending this year. The Government needs to add short and medium term consumer support to the Energy Security Bill.

What Age UK would like to see from the Bill:

- Targeted payments of £500 to those on the lowest incomes to help mitigate the impact of energy price increases.
- Provide further targeted support to improve household energy efficiency for those on the lowest incomes, ensuring a sustainable long-term solution to spiralling bills
- Establish a price cap or alternative protection for households off the gas grid who are reliant on solid and liquid fuels which are not protected by Ofgem's price cap (e.g. oil, smokeless fuel and bottled gas).
- Introduce improved social tariffs into the energy market.

Renters' Reform

The proportion of households headed by older renters has doubled in the last fifteen years. Furthermore with the proportion of households headed by middle-aged renters trebling, more and more people will be growing old in the private rented sector. The Renters' Reform Bill is a once-in-a-generation opportunity to make changes that will protect their rights, ensure they have the power to use them and give them long-term security in their home. Age UK has joined forces with housing organisations to call for an end to Section 21 evictions and for renters' rights to be strengthened so that everyone who rents has a safe place to call home – now and in the future.

What Age UK would like to see from the Bill:

- New or extended grounds for possession do not create a backdoor for the continuation of 'no-fault evictions', such as landlords only having to provide a very low standard of proof for selling their property.
- Reforms are designed to make it easier for private tenants and private landlords to make home adaptations.
- Any measures to speed up the courts do not undermine the ability of tenants to challenge possession proceedings through the courts. Any changes are simple and easy for tenants to understand.

Bill of Rights

Age UK is very concerned that this Bill will significantly weaken the rights framework that protects all of our rights, including those of older people, especially when they have interactions with health and care services. Older people already face numerous barriers to accessing justice due to physical or mental ill health, cost and difficulties in navigating a complex system at a time they may be at their

most vulnerable. The responsibility to prove a significant disadvantage to make a human rights claim will make it even harder for older people to take a human rights case to court.

We are also concerned that proposals to limit recourse to damages based on an individual's previous conduct will undermine the principle of universality of human rights and have a disproportionate impact on older migrants, older people from communities with high levels of police intervention, older prisoners, and older people affected by certain medical conditions, including dementia, where an individual's behaviour may not meet a perception of 'standard conduct' due to medical reasons. Plans to limit the obligations that public bodies must put into practice to respect human rights will also affect the mechanisms by which older people can challenge poor treatment and hold public bodies to account.

What Age UK would like to see from the Bill:

- The Government reconsider proposals to limit positive obligations and ensure that older people do not face increased barriers to seeking justice as a result of these proposals.
- Older people have faced serious breaches of their human rights during the Covid-19 pandemic. The Bill of Rights must ensure that older people's rights are protected and they are not excluded from plans for pandemic recovery.
- Older people living in residential care homes do not have recourse to the Human Rights Act if they fund their care, whilst those funded by a public authority enjoy better protections. The Bill of Rights should seek to address this anomaly, protecting older people who fund their residential care.

Draft Mental Health Act Reform Bill

In undertaking necessary improvements to the Mental Health Act (MHA) it is vital to ensure reforms appropriately consider the needs of older people. Older people make up 20% of the total of people who are detained under the MHA in hospitals, mental health units or other specialised secure services. Age UK welcomes the Government's commitment to improve the experiences of people impacted by the MHA through legislative change, as well as through policy, practice, and service delivery.

In particular, we welcome the emphasis on ensuring older people, and their significant others, have a greater say in their treatment options, more involvement in care planning and have the opportunity to be better supported by an advocate, as well as seeking to address race inequalities.

What Age UK would like to see from the Bill:

- The involvement of the person and their significant others in treatment options before, during and after detention placing the individual affected and their carer at the heart of this process.
- Ensuring facilities that admit older people are equipped to meet wider health and care needs, including specific training to understand the needs of older people.

- A review of the current funding streams for older people who have been detained to ensure they receive the best care possible following detention.
- A clear framework for tackling race inequality in policy and practice.

Online Safety Bill

Age UK welcomes the introduction of the Online Safety Bill, which has the potential to transform online behaviour. We are pleased the Government intends to include paid-for advertising in the scope of the Bill, which will help combat scams and boost the confidence of digitally excluded older people to go online. To make the legislation work, there must be proper resources dedicated to monitoring and enforcing it – online scams and fraud are a scourge of our digital society, often targeting older people for exploitation, and no stone must be left unturned to combat the criminals who perpetrate it.

What Age UK would like to see from the Bill:

- A comprehensive package to tackle online scams, including paid for advertising
- Ofcom to be given sufficient powers and resources to take meaningful action to prevent, stop and prosecute online scams and their perpetrators.
- Proper enforcement from the authorities, including greater intervention from the police in tackling scams and fraud
- Investment in support to help digitally excluded older people go online

Financial Services and Markets Bill

Age UK is pleased that the Government will bring forward legislation to protect cash. About 10 million people would struggle to cope in a cashless society (RSA, 2022), including many older people, and it is vital that free access to cash is protected for now and in the future. We also believe that the legislation should go further and safeguard essential physical banking services, which provide a lifeline to many older people, in particular those who are digitally excluded or rely on making transactions in person for other reasons.

We look forward to working with the Government to ensure the legislation meets the needs of older consumers. The Bill will also give the regulator the power to force banks to reimburse victims of push payment fraud, which given the failure of the voluntary code is a welcome and much needed statutory power.

What Age UK would like to see from the Bill:

- Free access to cash protected for all consumers, including when they are unable to leave their own homes.
- The future of physical banking services must be safeguarded, so all older people can carry out basic banking transactions within a reasonable distance from their homes, including for people living in rural locations.

- Once the regulators have the power to force banks to reimburse victims of push payment fraud, they should put it into force as soon as possible.

Employment Bill

We are extremely disappointed that the Government has failed to act on its promise to improve employment outcomes for many older workers and carers. The promise to introduce a statutory right to five days of unpaid leave for caring responsibilities rings hollow, and although it is not the ideal solution to help many carers it was a definite step in the right direction. We urge the Government to introduce this as soon as possible, via another legislative route if possible. Similarly, given the substantial change the pandemic has had on working environments, it is time to improve the Right to Request flexible working to ensure the system is 'flexible by default'.

What Age UK would like to see from the Bill:

- Legislation to create a statutory right to Carers' Leave brought forward at the earliest opportunity
- A system of 'flexible by default' was created so all workers have the best opportunity to access flexible working, starting with making the Right to Request a 'day one' right
- An improvement to sick pay, so low paid workers do not lose out when they are off sick

Elective Recovery

No one in need of treatment should be waiting years to receive it. In clearing the backlog, the NHS must prioritise people based on need, including those that have been waiting the longest. The NHS must protect against any risk that the system simply prioritises less complex patients at the expense of those older people living with multiple conditions and chronic pain. We are equally concerned about the huge numbers of people that have as yet unidentified need living in the community and the many older people who are not able to expect the preventative and supportive care that can reduce their need for treatment in the first place.

We welcome the Government's commitment to deliver 17 million more diagnostic tests over the next three years. This must be part of wider efforts to better support older people in the community and to accelerate commitments made in the NHS Long Term Plan to prevent deteriorating health. The elective care recovery will not be achieved unless the number of new patients is reduced through prevention and if avoidable hospital admissions continue to limit overall bed capacity.

What Age UK would like to see in the Elective Recovery plans:

- Focus on primary and community care, alongside elective recovery, so that older people's health needs are met post-pandemic.
- Commitments to provide the required health and care following diagnostic testing.
- Prioritisation of elective procedures based on clinical need, which does not disadvantage older people.

Delivering Healthcare Priorities

Age UK welcomes the Government's commitment to boost the GP workforce, by new recruitment, addressing the reasons that GPs leave, and encouraging GPs to return to the profession. GPs are central to the management of many older people's healthcare. Age UK's latest research found that access to GPs was both a major concern for older people and regarded as the solution that would help them the most.

We were pleased to see a specific reference to GP services as core local infrastructure in the Government's briefing

What Age UK would like to see in Delivering Healthcare priorities:

- The Levelling Up and Regeneration Bill provides the necessary mechanisms through which local areas and systems can access funding to improve Primary Care estates so that they are better equipped to meet the needs of older people.
- Equitable access to GP services for older people, regardless of geographical location.

Women's Health Strategy

Age UK welcomes the development of a new Women's Health Strategy, particularly as it will seek to address inequalities in health care provision. We look forward to working with the Government to develop plans that achieve meaningful change in relation to healthy ageing, long term conditions and menopause.

What Age UK would like to see in the Women's Health Strategy:

- Recognition of older women's complex health and care needs, to address sex-based health disparities.
- Improved training for health and care professionals regarding menopause, to improve healthcare and support healthy ageing.
- Commitment to improving care and support for older women living with multiple long term conditions.

Please get in touch

If you have any questions or would like to meet to discuss how we can work together please contact Roshni Mistry, Senior Public Affairs Officer, at roshni.mistry@ageuk.org.uk