



Royal College
of Nursing
Scotland

**RCN Scotland's response to the
Scottish Parliament's consultation on the**

Proposed Commissioner for Older People (Scotland) Bill

**This response was originally submitted
using a Scottish Parliament online form**

11 September 2023

Background

Colin Smyth MSP for South Scotland, Scottish Labour, has launched a consultation on a draft proposal for a bill to establish an independent commissioner to promote and safeguard the rights and interests of older people.

Consultation questions and RCN Scotland responses

Question 1 - Which of the following best expresses your view of the proposed Bill? Please note that this question is compulsory.

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed

Please explain the reasons for your response.

RCN Scotland response:

Fully supportive.

Day in, day out, nurses and nursing support workers are working together with their medical and other health and social care colleagues across Scotland, providing high quality care to our older people. With an ageing population, and increasingly complex clinical needs being met in social care and community settings, it has never been more important for Scotland to have the right numbers of nursing staff, with the right skills in the right place. Unfortunately, Scotland's nursing workforce crisis is resulting in severe staffing shortages, with almost one in 10 posts vacant in community nursing teams and 60% of care services that employ nurses reporting vacancies.

At RCN Congress in May 2023, RCN members passed a resolution supporting the appointment of a Commissioner for Older People in England and Scotland, as there are already in Wales and Northern Ireland. The resolution discussed the changing needs of our ageing population and argued that parity across the UK would mean better working across the four nations and therefore better service provision for all older people in the UK. Members highlighted the inequity of the current situation and felt that appointing a Commissioner for Older People in Scotland is long overdue and needed to champion the rights of older people to ensure policy makers consider the needs of Scotland's ageing population.

Question 2 - Do you think legislation is required, or are there are other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

RCN Scotland response:

It is our understanding that establishing an independent Commissioner, with governance arrangements consistent with other independent officeholders currently operating in Scotland, requires legislation.

Question 3 - 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
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed

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.

RCN Scotland response:

Fully supportive.

The resolution passed at RCN Congress makes clear that a dedicated, independent voice is needed for older people to champion their rights and ensure that policy makers consider the needs of the ageing population. It was felt that an ageing population requires collaboration and joined up thinking to deliver innovative policy solutions that will meet the needs now and in the future. A dedicated commissioner will facilitate the long-term planning that is required to ensure our economy and public service are adapting to demographic shifts, while also enabling people to age well.

Members believe a Commissioner is needed to champion equality and human rights and oppose structural discrimination against older people.

Question 4 - Which of the following best expresses your view on whether the proposed Commissioner should be independent of Government?

- Fully supportive
- Partially supportive
- Neutral (neither support nor oppose)
- Partially opposed
- Fully opposed

RCN Scotland response:

Fully supportive

RCN members expressed their views that the proposed Commissioner is needed to be a champion for older people who safeguards and promotes their interests. We believe that this role should therefore be independent of the Scottish Government to ensure that policy and practice across government considers the long-term needs of people in later life and the implications of our ageing population on society.



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