



**Comisiynydd Pobl Hŷn Cymru  
Older People's Commissioner for Wales**

# **Annual Report and Financial Statements**

**2019-20**

**An independent voice and champion  
for older people**

# The Older People's Commissioner for Wales

The Older People's Commissioner for Wales protects and promotes the rights of older people throughout Wales, scrutinising and influencing a wide range of policy and practice to improve their lives. She provides help and support directly to older people through her casework team and works to empower older people and ensure that their voices are heard and acted upon. The Commissioner's role is underpinned by a set of unique legal powers to support her in reviewing the work of public bodies and holding them to account when necessary.

The Commissioner is taking action to end ageism and age discrimination, stop the abuse of older people and enable everyone to age well.

The Commissioner wants Wales to be the best place in the world to grow older.

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# Performance Report

Within the Performance Report, I have outlined my strategic priorities and main achievements over the past year, taking into account the key issues and risks that I have faced.

## Foreword

At the time of writing this we are all experiencing the challenges posed by the Covid-19 pandemic, the restrictions on our lives, and the sorrow at the loss of life.

Inevitably this review of the year is coloured by our experiences of the last few months and the impact on older people. As Older People's Commissioner for Wales I have felt this acutely, and my heart goes out to all who have lost loved ones, and to those who are facing many everyday struggles and difficulties.

But this dreadful pandemic has also shown some of the best of who we are, and I am inspired and encouraged by the commitment, creativity and solidarity that so many have shown. We will need all of this, and more, as we navigate the coming months together.

In presenting this annual report I want to thank all the older people who have engaged with me and my team, for their ideas, wisdom, challenge and support. In particular I want to pay tribute to Phyllis Preece, who sadly died this year. Phyllis was Chair of the National Pensioners Convention and much more besides. She was a good friend to me and my predecessors and our teams, and she is much missed.

I would also like to thank all the individuals and organisations we are working with who demonstrate why Wales can be the best place in the world to grow older, despite the extreme challenges we currently face.



I have been well supported by my Audit and Risk Assurance Committee who provide objective and clear counsel, assessment and assurance on risk, something that is particularly important in this time of fast change and flux.

And, finally, a warm and heartfelt thank you to my team. The impact I make as Commissioner, which you will read about in this report, would not be possible without their hard work and invaluable support.

**Helena Herklots CBE**  
**Older People's Commissioner for Wales**

# My Role as Commissioner

These accounts have been prepared in accordance with the Direction given by Welsh Ministers, in accordance with the Commissioner for Older People (Wales) Act 2006, (the Act), Schedule 1 Paragraph 10 (1) (b).

The role of the Older People's Commissioner for Wales is to protect and promote the rights of older people and is underpinned by legal powers to review and scrutinise public bodies and support older people.

As set out in the Commissioner for Older People (Wales) Act 2006, which established the role, the Commissioner's remit is to:

- promote awareness of the interests of older people in Wales and of the need to safeguard those interests;
- promote the provision of opportunities for, and the elimination of discrimination against, older people in Wales;
- encourage best practice in the treatment of older people in Wales; and
- keep under review the adequacy and effectiveness of law affecting the interests of older people in Wales.

Supported by a small team, I scrutinise and influence a wide range of policy, legislation, guidance and regulations, to help to ensure that policy and decision makers, at both a national and a local level, understand older people's needs and the importance of upholding their rights. Alongside this, I engage with and monitor the work of public bodies, holding them to account where necessary, and highlight and promote good practice that is making a positive difference to older people's lives.

I also provide a casework service, providing help, advice and support on a wide range of

matters to hundreds of older people every year, helping them to understand and exercise their legal rights, and challenge poor practice and decision making. The support provided by my casework team provides useful insights into the challenges being faced by older people, helping to guide and shape my work and identify the issues that I need to work on or raise with others.

Engagement with older people is another key part of my work, and my team and I regularly meet and speak with older people throughout Wales to hear directly from them about their experiences and concerns, and see the wide range of projects and initiatives that are providing essential services and support within our communities. Throughout my term as Commissioner, I will continue to engage and have day-to-day contact with a diverse range of older people and ensure that their voices, experiences and ideas inform and guide my work.

# My Vision and Values

I want Wales to be the best place in the world to grow older.

This means celebrating the fact that we are an ageing society and ensuring that we are all able to enjoy the opportunities it brings. It means being equipped to meet the challenges we may face as we grow older and ensuring that older people, particularly those who are most vulnerable, can access the support and services they need.

It means welcoming and promoting innovation and good practice to inspire action, whilst holding people to account when necessary.

And it means empowering older people by ensuring they understand their legal rights and how they can exercise them to make their voices heard and challenge poor practice.

## Internal Organisational Values and Behaviours

During 2019-20, I collaborated with staff on the design of our organisational values and behaviours. These values drive the culture of the organisation and underpin our personal performance objectives.



### One Team

Shared goals above individual agendas  
Proactive in offering support to others



### Respectful

Actively seek the views of others  
Demonstrate that we value different views and perspective



### Inclusive and Friendly

Pay attention to each other's wellbeing  
Be kind, welcoming and supportive to everyone  
Consider the impact on others of what we say and do



### Open

Challenge constructively and be open to challenge  
Seek to learn from others  
Always look for better ways of doing things



### Ambitious

Show passion for our vision  
Strive for excellence  
Be bold and ready to take considered risks to achieve impact



### Integrity

Strive to do the right things and take responsibility for our work  
Do what we say we will do

# My Strategy and Priorities

## Making Wales the Best Place in the World to Grow Older

In April 2019, I published my three-year strategy – Making Wales the Best Place in the World to Grow older – which sets out my priorities, the outcomes I want to see for older people, and the action I will take as Commissioner to help to make Wales the best place in the world to grow older.

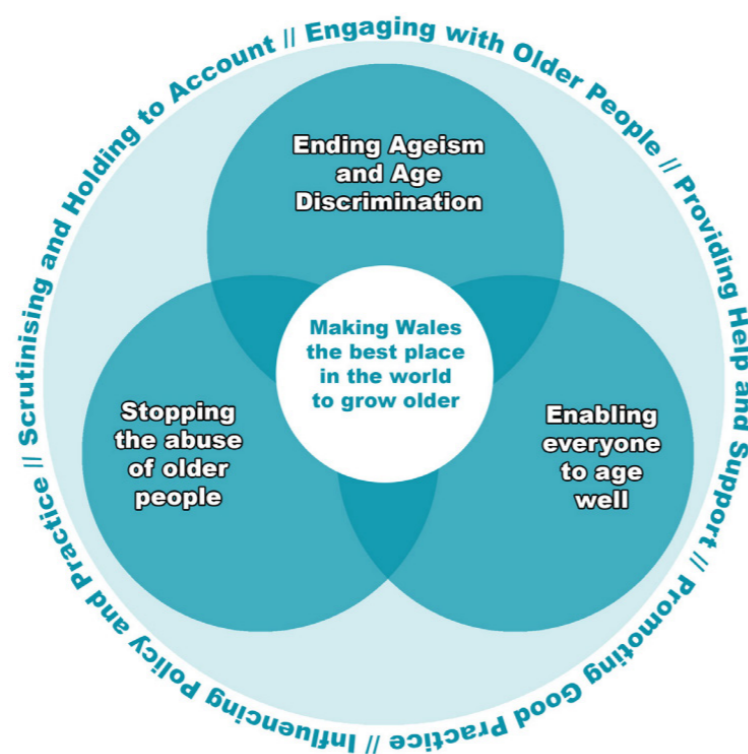
My strategy was developed following extensive engagement and consultation with older people and stakeholders throughout Wales, and is focused on three key priorities:

- Ending ageism and age discrimination
- Stopping the abuse of older people
- Enabling everyone to age well

Alongside delivering a wide range of work against these priorities, which is set out below, I have been working with partners to influence policy and practice at both a national and local level, as well as scrutinising public bodies and holding them to account when necessary.

In addition, I have been encouraging action from other bodies to deliver change, through promoting good practice and sharing information and evidence gathered from my ongoing engagement with older people throughout Wales.

I have also continued to provide help and support directly to older people through my casework service, which saw a significant increase in enquiries during 2019-20 (see below).



# My Response to Covid-19

As Wales went into lockdown, the focus of my work shifted significantly. Much of the work planned from April 2020 onwards was put on hold so that I could focus on protecting older people's rights and ensuring they could access help and support.

A summary of the action taken to respond to the issues and challenges presented by the pandemic is set out below.

## Learning the Lessons and preparing for the next phase

I am working to ensure that the needs of older people, and their experiences during the Covid-19 pandemic, shape the decisions and action that is taken as Wales moves into the recovery phases.

In August, I published 'Leave No-one Behind: Action for an age-friendly recovery', that sets out the action that is needed across a number of key areas to ensure that older people can get the support they need, are not excluded from society and can continue to make a significant contribution to our communities and economy.

The report is based on the experiences of older people, including those that I have engaged with directly, and also draws upon wider evidence to examine the impact of Covid-19 on older people and determine where changes and improvements are needed.

My calls for action set out what must happen immediately, as well as the crucial structural changes needed longer-term to tackle the long-standing issues faced by older people that have been exacerbated by Covid-19.

Alongside this, I will also continue to meet and engage with Welsh Government Ministers and officials, as well as working with other public bodies, to ensure that action to tackle the issues and challenges faced by older people is included in plans and decisions as Wales moves forward.

## Protecting older people's rights

Following concerns that I raised that older people's rights may not have been sufficiently protected during the Covid-19 pandemic, I am working with the Equality and Human Rights Commission to examine the most effective levers, including the use of legal powers, to scrutinise the decisions that have been made by the Welsh Government and other public bodies in order to identify improvements that can be made to ensure that older people's rights are protected.

I raised a number of concerns relating to older people's rights, and the impact of ageism and age discrimination on older people during the pandemic, when I gave evidence to Senedd Cymru's Equality, Local Government and Communities Committee, and strongly welcomed their calls for action to reinstate, protect and promote people's rights.

I will also continue to work with the network of leaders that I established in March of key organisations that support older people throughout the UK, which includes the Older People's Commissioner for Northern Ireland, Age UK, Independent Age, Age Cymru, Age Scotland, Age NI and Scottish Care. The network is scrutinising the action being taken in response to Covid-19 by governments and public bodies across the UK to ensure that older people's rights are protected and will raise any concerns they may have with a powerful, collective voice.

Using this voice, the group has issued proactive statements on older people's rights to treatment and blanket decisions relating to Do Not Attempt CPR notices, which received extensive media coverage across Welsh and UK media outlets and have led to changes in approach in Wales and the other UK nations.

## Protecting and supporting older people living in care homes in Wales

From the beginning of the pandemic, I called on the Welsh Government to take more action to protect and support older people living in care homes in Wales, in particular the need for testing to be made available to residents and staff in all care homes, something that was initially precluded by the government's testing policy.

I called for a published action plan for care homes – covering key issues including access to testing, the supply of personal protective equipment, hospital discharge and financial security – to provide assurance to older people, their families and care home workers that the right action would be taken, at the right time, to protect and support them. This action plan is due to be published in September, and I will be closely monitoring its implementation throughout Wales.

In June, I also published my 'Care Home Voices' report, as I was concerned that the voices of older people, their families and friends and those working in care homes – 'experts by experience' – were not being sufficiently heard.

The report gives a voice to people living and working in care homes and provides a snapshot of their experiences during the pandemic. Its findings are based on over 120 responses (received during May and June) to a series of questions about people's experiences in care homes during lockdown, the issues and challenges they have faced

and the changes and improvements they would like to see.

The report not only highlights issues and challenges, but also some of the good practice that has been making a positive difference to the lives of older people living in care homes in the most difficult circumstances.

The report includes a number of calls for action – based on what older people, their families and friends, and care home staff have shared – which set out what needs to happen, both immediately and in the longer-term, to ensure that older people living in care homes are kept safe and protected, and have the best possible quality of life.

## Ensuring older people can access health and care services

I have been working to influence wider policy and decisions relating to health and social care, through ongoing engagement with and scrutiny of the Welsh Government and other key public bodies, and as a member of several key advisory groups and networks, such as the Covid-19 Moral and Ethical Advisory Group Wales, which published the ethical values and principles framework for healthcare delivery.

I am also working to ensure that the provisions in the Coronavirus Act 2020 – which removes the duties for local authorities to assess and provide social care services to those who are eligible, as set out in the Social Services and Well-being (Wales) Act 2014 – are repealed as soon as possible to ensure that older people's rights under the 2014 legislation are fully restored.

## Supporting older people experiencing, or at risk of, abuse

I established an Action Group of over 30 organisations who are working together to ensure that older people can get the support they need to keep them safe and protected from abuse and crime.

The group has been raising awareness of the things that older people can do to keep themselves safe and protected, and the role the wider public can play in protecting older people. Alongside this, the group has been promoting the services and support available that can help older people, as well as encouraging people to report any concerns they may have about an older person's safety or well-being.

To support this, the group has produced an information pack, which provides useful information and resources about how older people can stay safe and protect themselves from abuse, scams and crime. The group has also issued several proactive statements – relating to identifying abuse and reporting concerns, crimes and scams that have emerged during the pandemic, and staying safe online, and has used social media to quickly and widely distribute key information, messages and resources.

Members of the action group have formed a Steering Group, to ensure a strategic approach to tackle issues that have arisen as a result of the pandemic and a number of long-standing issues relating to safeguarding and protection. They have developed a strategy that will be taken forward by the Action Group, which includes:

- Mapping the wider services and support available for older people who are experiencing or at risk of abuse, identifying gaps and good practice, and use this as a basis for putting in place

the services and support required.

- Ensuring that data and evidence on abuse includes older people including by removing the age limit of 74 on England and Wales crime data.
- Enabling and empowering older people to feel confident to share their experiences of abuse encouraging others to speak out.

I have called on the Welsh Government to draw upon on the work of the action group to develop and publish an all-Wales action plan to stop the abuse of older people and ensure appropriate resources are available to support its delivery.

## Providing help and support to older people and their families

I have provided help and support to older people and their families on a range of issues relating to Covid-19 through my casework team. To manage the increased demand, I redeployed some staff resources and put arrangements in place to ensure that older people contacting the office by phone or letter experienced no disruption in the casework service.

Alongside this direct support to individuals, I developed a coronavirus information hub and accessible 'Q&A' section on my website to provide older people and their families with up-to-date information and guidance, as well as details about local services and support. To date, the Hub and FAQs section have been visited by over 3,000 individuals, with some visiting multiple times. This will continue to be updated as new information and guidance becomes available.

I also used my social media channels to share the latest information and guidance from the Welsh Government and other key

bodies and organisations, and set up a new Facebook group – Together We Are Stronger – which provides a space for older people, their families and professionals to connect and chat, ask questions, post information and find out about help and support available to them.

## Engaging with older people

Given the crucial role that engaging with older people plays in helping to guide and shape my work and priorities, I have arranged online engagement sessions throughout the pandemic to hear directly from older people across Wales about their experiences and the changes and improvements they would like to see, to ensure that their voices guide the action and decisions taken by the Welsh Government and other public bodies in both the short- and longer-term.

I have also met regularly with the leaders of the key national older people's organisations in Wales (Active Wales, Cymru Older People's Alliance (COPA), National Pensioners Convention Wales and the Welsh Senate of Older People) to hear from them about the experiences of their members, and any issues and challenges they have faced, and to provide information and updates that can be cascaded to older people, particularly those who are not online.

The evidence captured during these engagement sessions has helped to shape my 'Care Home Voices' report and 'Leave No-one Behind' report, as well as supporting wider scrutiny and work to influence policy and practice, both nationally and locally.

## Engaging with the Welsh Government and other public bodies

I have worked constructively with the Welsh Government and other public bodies throughout the pandemic, but have not hesitated to hold them to account where I have felt that action has been insufficient to protect and support older people, raising concerns publicly where necessary to drive change and action.

I have been meeting weekly with the Deputy Minister for Health and Social Services and the Deputy Director General to raise issues of concern to older people; to highlight where older people's rights are threatened; to propose and follow up on areas for action; and to work to ensure that the latest information and guidance for older people is communicated effectively.

I am meeting regularly with the Welsh Local Government Association (WLGA), which is providing support to local authorities as they begin to move towards the recovery phase. This will help to ensure that the action being taken at a local level meets older people's needs and does not exclude them from re-engaging with their communities and participating in the recovery.

Alongside this, my team and I will also be monitoring and scrutinising the work of health boards and other public bodies, examining whether the plans they have in place and the action that is taken will ensure that older people can access the services and support they need.

## Impact of Covid-19 on wider work

The significant impact the pandemic has had on many aspects of society has meant that I have had to revisit plans relating to a number of key pieces of work due to be delivered in 2020-21.

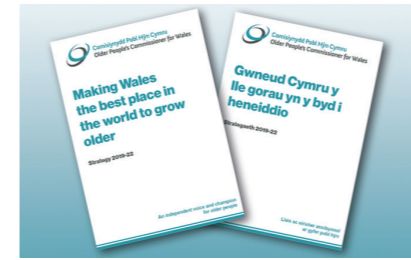
For example, the focus of my #EverydayAgeism campaign, which was due to move into its second phase in April 2020, is being reconsidered, in light of the shocking examples of ageism and age discrimination witnessed during the pandemic.

Similarly, my work examining transport to health services in Wales is being reviewed due to the significant changes we are seeing to the way that health services and transport services are being delivered and what this might mean for older people in both the short- and longer-term.

I am developing an updated business plan, which will be published in October, which will set out the priorities and the action that I will deliver during the second half of 2020-21, and into the following year, which will be shaped by the circumstances we find ourselves in as we approach the winter. Underpinning these plans will be extensive engagement with older people, a focus on protecting and promoting their rights, and robust scrutiny of the decisions and action being taken by the Welsh Government and other public bodies.

# Work Delivered During 2019-20

## Snapshot of the year 2019-20



### April 2019

The Commissioner publishes her 2019-22 strategy - Making Wales the best place in the world to grow older.

Issues a joint statement with the Children's Commissioner for Wales and Future Generations Commissioner for Wales to promote solidarity between generations.



### May

Provides evidence to the Senedd's Equality, Local Government and Communities committee inquiry on financial entitlements in Wales.

Raises concerns about the impact of changes to Pension Credit and Housing Benefit on older people.



### June

Begins research looking at decision-making by the police and CPS to improve access to justice for older people.

Holds the first in a series of round table sessions with expert stakeholders to explore ways to identify and prevent the abuse of older people.



### July

Launches questionnaire and begins focus group sessions across Wales to capture older people's experiences of transport to health services.

Welcomes announcement that older people will be able to access funding for life-long learning, having raised concerns that exemptions were incompatible with older people's rights



### August

Delivers tackling domestic abuse training sessions to over 100 Hywel Dda Health Board staff as part of a series of training seminars held throughout Wales.

Launches a new Facebook page to reach out to engage with even more older people via social media.



### September

Delivers the first in a series of conference and workshop events held across Wales to support communities become more age-friendly.

Hosts the UK Network of Age-friendly Communities to share learning, ideas and good practice with colleagues from across the UK.





### October

Publishes 'State of the Nation', which draws upon a wide range of available evidence and data to provide a snapshot of people's experience of growing older in Wales and call for a range of action.

Launches her Everyday Ageism campaign, to highlight and challenge ageism and discrimination.



### November

Distributes over half a million flyers to older people across Wales (sent with renewed bus passes) to encourage older people to claim Pension Credit.

Launches a new information guide in partnership with Aneurin Bevan Health Board to support older people with Advance Care Planning



### December

Welcomes announcement that qualifying age for bus pass will not be increased, having raised serious concerns about the impact of proposals.

Publishes a new version of her guide to the law (updated to reflect new legislation) to support practitioners in their day-to-day work.



### January

Meets with members of the EYST All Wales BAME forum to ensure that their voices and experiences guide and shape her work.

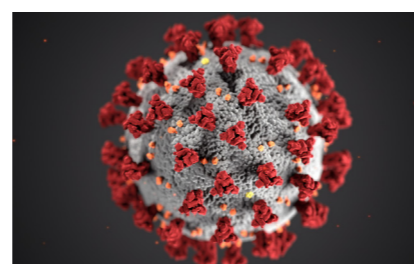
Hosts the 'Future of My Home Life' roundtable to explore ways to support care homes to improve older people's quality of life.



### February

Delivers the first in a series of training courses for older people and stakeholders to empower them to take action against ageism.

Publishes 'Taking Action Against Ageism', a new information booklet to empower older people unable to participate in the training to challenge ageism and discrimination.



### March 2020

Publishes an infographic on International Women's Day to highlight and celebrate the contribution of older women in Wales, which often goes unrecognised.

Rehapes her work plans to provide older people with information and support relating to Covid-19 and scrutinise the action and decisions of public bodies.

## 2019-20 in Numbers

# 3,300

Number of older people the Commissioner and her team met and spoke with during 2019-20



# 681

Number of older people who received support via the Commissioner's casework team (in increase of 71% compared with 2018-19)



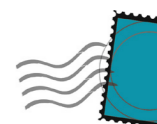
# 1,000

Approximate number of people who took part in training or learning sessions delivered by the Commissioner



# 500,000

Number of leaflets distributed to older people throughout Wales to encourage them to claim Pension Credit



# 258

Number of news items across TV, Radio and Print highlighting the Commissioner's work and role (that's one every working day)



# £6m

Approximate advertising value equivalent of news items relating to the Commissioner's work



# 100,000

Approximate number of people reached via the Commissioner's new Facebook page since its launch in August 2019



# 900,000

Approximated number of Twitter impressions earned during 2019-20



# Engaging with and supporting older people throughout Wales

## Engaging with older people throughout Wales

My team and I met and spoke with over 3,300 older people during 2019-20, visiting 98 groups throughout Wales to hear directly about their experiences of growing older, the challenges and barriers they face, and the changes they would like to see that would improve their lives.

In determining the groups to engage with, particular focus was given to reaching older people in all of their diversity, to ensure that older people with protected characteristics had an opportunity to share their experiences and make their voices heard. This included working with Stonewall Cymru to engage with LGBTQ+ older people, alongside increased engagement with BAME older people through groups and organisations including Windrush Elders Cymru, the EYST All Wales BAME forum and Diverse Cymru. This engagement provided a great deal of useful evidence about the specific experiences of these groups, and the particular barriers they may face when engaging with services or accessing advice and support.

These engagement sessions and events also allowed my team and I to share useful resources with older people – such as information guides and leaflets – and highlight my role and work, including the support that I provide to older people through my casework team.

Any concerns raised by older people at engagement events were taken forward by my casework team, where an older person needed advice or support, or were used to inform my work and priorities and identify areas in which improvements are needed.

I also engaged regularly with the Chairs of national older people's groups and forums throughout Wales – including Cymru Older People's Alliance, Welsh Senate of Older People, Active Wales, and National Pensioners Convention – to hear from them about the views and experiences of their members and to identify potential solutions to the problems they face.

In addition, I have continued to publish a quarterly newsletter, which is distributed to around 1,700 older people and stakeholders throughout Wales in hard copy and by email. The newsletter provides information about my work and the action that I am taking to drive change for older people, as well as connecting older people to useful resources and support.

## Engagement with Stakeholder Organisations

In addition to extensive engagement with older people throughout Wales, my team and I also engaged with organisations working across the public and third sectors, meeting with key individuals, visiting frontline services and running information stands at stakeholder events.

This engagement provided opportunities to share information and intelligence, highlight and promote good practice, identify opportunities for partnership working and, where necessary, discuss concerns and areas where improvements are needed.

I also delivered keynote speeches at a variety of stakeholder conferences and events, which provided opportunities to grow knowledge and understanding about the issues that affect older people, and drive discussion and debate

about how to deliver the changes that will improve older people's quality of life.

This included highlighting work underway in Wales to improve older people's lives, and the role of the Commissioner in driving forward change, at international events such as the International Longevity Centre annual conference and the UK-Canada Colloquium.

I also gave keynote speeches at a number of other key events during 2019-20, which were focused on various aspects of growing older in Wales and the action needed to make Wales the best place in the world to grow older, for example:

- Connecting Generations - Celebrating and Learning Intergenerational Conference, Bangor University
- National Safeguarding Week Professionals Conference
- Mens Sheds National Conference
- National Pensioners Convention and Active Wales Annual Conferences

## Working with the media

I maintained a strong media presence throughout 2019-20, to highlight my work, call for action and improvements, and to offer insight and comment on a wide range of issues that affect older people's lives. This included giving interviews to news programmes across radio and television, as well as providing longer, more detailed contributions to current affairs programmes, including an interview on financial scams for ITV's Tonight programme, which was broadcast across the UK.

My work was also featured in national and local newspapers, as well as in more specialised publications, such as the Bevan Foundation's Exchange magazine, Welsh Housing Quarterly, which is produced by the Chartered Institute of Housing and Care Home

Management Magazine, which reaches a UK-wide audience.

During 2019-20, my work was covered in 258 news items across print media, radio and TV, an increase compared with 127 news items in 2018-19. This coverage resulted in 792,993,343 'opportunities to see', with an advertising value equivalent of £5,982,380.

I also used social media to increase my engagement with older people and stakeholders, and during 2019-20, tweets relating to my work earned 860,900 impressions (opportunities to see a tweet and its contents), an increase of 64% compared with 2018-19, 2890 link clicks, 2,710 retweets and 2,940 likes. The engagement rate for my tweets was 1.2% (an engagement rate of 0.3%-1% is considered to be very high).

I also launched a Facebook page in August 2019 to provide opportunities to reach out to more older people via social media (62% of internet users aged 65 and older use Facebook), with Facebook posts reaching 98,318 people up until the end of March 2020.

# Providing support to older people through casework

During 2019-20, I provided assistance to 681 older people, either directly or through family members, who contacted my casework team on their behalf. Of the 681 cases, 563 were new cases, while 118 were cases that were re-opened to provide further support, often in light of new evidence or information.

This represents an increase of 71% compared with the previous year, in which my casework team provided support to 397 older people.

This is likely to reflect a growing awareness of my role and the ways that I can support older people, as indicated by polling undertaken in previous years. Some of the issues specific to this year were:

- Changes to the Concessionary Bus Pass scheme and issues with bus pass renewal
- Claiming Pension Credit (following the distribution of an information leaflet that I produced that was included within the Concessionary Bus Pass mail out – more information below).
- Changes to the Free Swim Initiative in Wales
- Decisions by a high street pharmacy chain to charge customers £5 for delivering some prescriptions

The majority of enquiries that fell outside of these areas related to financial, health and care matters, and examples of the kinds of enquiries received are set out below:

## Financial

In addition to enquiries relating to Pension Credit, I was also contacted about Lasting Powers of Attorney and the arrangements for making an application. I was also contacted by a number of older people who were struggling financially and in many cases unable to afford basic necessities, often due to living on a fixed and limited income or as a result of a loss of employment or change in circumstances.

## Health

I received a number of enquiries from older people relating to potential age discrimination, raising concerns that they were unable to access certain treatments and services due to their age, such as bowel cancer screening, and that a move towards online services would exclude them, with examples of online only GP appointment booking systems that older people were unable to access.

Concerns were also raised relating to hospital discharge, where older people had been deemed 'medically fit' and discharged when this was not appropriate.

During the final weeks of 2019-20, I also received a number of calls relating to the outbreak of the coronavirus, with many older people seeking advice or clarification on guidance from the Welsh Government and other public bodies.

## Care

I was contacted by several individuals who were concerned that their loved ones were being kept in hospital unnecessarily due to a lack of appropriate domiciliary care being available. Similarly, concerns were raised

about older people being discharged from hospital without an adequate domiciliary care package being in place.

I also provided support to older people living in care homes, helping to resolve disputes with care providers or issues relating to additional fees, and ensuring that their rights were upheld in cases where a care home was due to close.

The information, assistance and guidance provided by the casework team aims to empower older people and their families and help them to understand and claim their rights. The team also provides support so that older people and their families can challenge the decision-making and practice of public bodies, helping them to navigate complex systems, policies and processes, often in the most difficult and distressing of circumstances.

As the circumstances of everyone who contacts my office are different, the assistance and support provided by the casework team is tailored to reflect people's individual needs, and in some cases, particularly the most complex, the team will intervene on behalf of an older person (subject to their consent).

The experiences and information shared by older people and their families provide me with a great deal of evidence relating to the ways that policy is translated into practice, and help me to identify potential issues and examples where older people's rights are not being upheld. This allows me to raise concerns with public bodies and call for action, alongside helping to guide and shape my work and priorities.

**The evidence captured through my casework team also allows me to identify opportunities to distribute information and resources on key issues to empower and support older people.**

**Making Wales the best place in the world to grow older:**

**Delivering against the Commissioner's strategy and outcomes**

## **Ending Ageism and Age Discrimination**

Ageism is still very prevalent within society and underpins many of the issues faced by older people. It results in negative stereotypes, unfair treatment and older people's rights not being respected and upheld.

In addition to the impact that ageism has upon individuals, affecting their health and well-being in multiple ways, it can also negatively influence decisions made by society, which means that the services, facilities and opportunities that people need to help them to age well can be inadequate and discriminate against older people.

Tackling ageism and age discrimination is therefore essential to support older people and make sustainable improvements in many key areas of their lives.

### **Strategic Focus 2019-20:**

- Increasing the recognition and understanding of the impact of ageism upon older people and society
- Empowering people to challenge ageism and age discrimination
- Making sure that older people's voices are listened to and acted upon, and that their legal rights are upheld

## #EverydayAgeism Campaign

I launched my #EverydayAgeism Campaign in October, to highlight and robustly challenge the ageism faced by many older people throughout Wales every day.

The campaign aims to raise awareness of the negative impact that ageism has – on individuals, the economy and wider society – and change attitudes to that ageism and age discrimination are no longer seen as being acceptable.

The campaign encouraged older people and the wider public to share examples of the ageism they have seen or encountered, so that I could challenge and hold to account those who use ageist language, perpetuate ageist stereotypes, or discriminate against older people. This included:

- Raising concerns with the BBC about its use of ‘greyed up’ actors and ageist stereotypes as part of a promotional campaign.
- Calling on the UK Labour Party to take any necessary steps to ensure that ageism does not prevent candidates from standing as candidates, following concerns raised by a former MP.
- Challenging ageist articles published by the Guardian and Times newspapers.

People could also get involved in the campaign by making an #EverydayAgeism pledge – publicly stating the action they will take, however big or small, to play their part in tackling ageism.

Pledges have been made by members of the Welsh Government - Minister for Health and Social Services, Vaughan Gething MS; the Deputy Minister for Social Services, Julie Morgan MS; and Minister for Economy, Transport and North Wales, Ken Skates MS

- as well as by public bodies and third sector organisations, including Social Care Wales, the Wales Ambulance Services Trust, Digital Communities Wales, Alzheimer’s Society, Care and Repair and the Stroke Association.

At a community level, pledges have also been made by Blaenavon Town Council and Pennard Community Council, as well as by 50+ forums and older people’s groups throughout Wales.

A selection of the pledges that have been made, setting out some of the action inspired by the campaign, are included below:

**“We pledge to tackle #EverydayAgeism by providing opportunities to older people to have their voices heard through our engagement work. We will ensure they are engaged in service developments and promote inclusion equality and value of older people.”**

**Wales Ambulance Services Trust**

**“I pledge to call out patronising and demeaning language.”**

**Lisa Trigg, Social Care Wales**

**“I will challenge ageism wherever I see it.”**

**Vaughan Gething MS, Minister for Health and Social Services**

To support the campaign, I also developed a range of campaign materials and resources, which challenge myths and misconceptions about older people and growing older, and highlight the benefits of ending ageism, both to individuals and to society. These were widely shared across social media, as well as organisations and individuals supporting the campaign.

Campaign messages and resources were also shared through a number of other channels – including keynote speeches at conferences, engagement events with older people and stakeholders, and blog posts and articles – to raise awareness and inspire action to end ageism and age discrimination.

## Case Study: Old Vicarage Care Home Bowling Team – Striking out ageism

A care home in Llangollen set up its own bowling team to challenge stereotypes about older people and support the Commissioner’s #EverydayAgeism campaign.

They held a bowling tournament in Wrexham with 10 of their residents, many of whom had never bowled before, which was won by their oldest resident who is 99 years old.

Bethan Mascarenhas, owner of The Old Vicarage Care Home told us:

“After Heléna came to visit the Old Vicarage Care home and we found out about the campaign she’s running against everyday ageism, it really resonated with the residents and the staff.

“We at the home try not to see age as anything but a number, so we discussed lots of ways we could support the campaign, and eventually came up with Ten Pin Bowling!

“We thought, why not try it out? Get a team together and ask people to challenge us and today has been a massive success!”

## Taking Action Against Ageism Training

I developed a training course to empower older people to take action against ageism, following research that I undertook that found a significant number of older people in Wales – around 1 in 5 – would not be confident in identifying or challenging ageism if they encountered it.

The training sessions examined the ways that ageism and age discrimination may manifest themselves in a number of settings - including the workplace, in health, care and other services, and within the media – and helped participants to understand the ways that ageism can be challenged.

The sessions also gave participants a better understanding of the legislation that can be used to challenge ageism, as well as the organisations that can provide information, advice and support if someone sees or experiences ageism.

Nine sessions were delivered in total – held in Cardiff, Wrexham, Monmouth and Bangor, where a Welsh language version of the course was delivered – which were attended by over

100 participants, a mixture of older people and those working with and for them. Feedback from the sessions was very positive, with participants telling us that the training would help them to recognise ageism, particularly in its more subtle forms, and that they felt more empowered to challenge ageism and discrimination.

## Taking Action Against Ageism info booklet

To ensure that the messages and information from the Taking Action Against Ageism training could reach and empower a much larger number of older people throughout Wales, the course content was adapted into an information booklet, to provide older people with the information they need to recognise and challenge ageism, together with details of the help and support available if needed.

The booklet has been distributed directly to older people at events and engagement sessions, while copies have also been widely distributed to organisations and older people’s groups so they can be shared with older people throughout Wales.

# Stopping the abuse of older people

Thousands of older people in Wales experience abuse – a single or repeated act, or lack of appropriate action, that causes harm or distress – which may include physical abuse; domestic violence; sexual abuse; psychological or emotional abuse; financial or material abuse; organisational or institutional abuse; neglect or acts of omission; and coercive control.

Crimes committed against older people are also under-reported, and barriers within the criminal justice system can prevent them from accessing justice.

Whilst there is a growing understanding of the scale and nature of abuse and crimes against older people, there is still a lack of meaningful data about the levels of abuse in Wales, and awareness of these issues is still far too low across our public services and society in general.

Raising awareness of abuse and its impact upon older people is therefore crucial, to improve the help and support available for older people who are experiencing or at risk of abuse and the preventative actions being delivered by public bodies. Alongside this, ensuring that older people can access the full support of our criminal justice system is also crucial to protect older people.

## Strategic Focus 2019-20

- Increasing the awareness of the abuse of older people amongst professionals and across wider society
- Improving the access to support services for older people at risk of or experiencing abuse
- Enabling more older people who experience abuse to access legal justice
- Preventing incidences of abuse of older people

## Mapping services and support for older people experiencing or at risk of abuse

I began work to map the support available for older people who are experiencing or at risk of abuse, identifying the services being delivered in different areas of Wales.

Identifying areas where provision appears to be lacking, meaning that older people may find it difficult to access the help and support they need, will allow me to demonstrate where investment for additional services is needed, in particular services that provide tailored support for older people.

## Stopping abuse roundtable sessions

I brought together key organisations – including the Welsh Government, the Police, Association of Directors of Social Services (ADSS) Cymru, and other key public bodies, as well as older people and organisations working with and for them – for a series of roundtable sessions held to identify action to protect and safeguard older people, and opportunities for joint working to influence change and deliver improvements.

The first session was held in June 2019, exploring the action and good practice underway and the ways this could be rolled out more widely to ensure that older people experiencing, or at risk of, abuse and neglect are protected and safeguarded.

Further sessions, held in October 2019, examined specific types of abuse – financial abuse, domestic abuse and neglect and ill treatment – in more detail, with a particular focus on identifying the motivating factors that could lead to someone abusing an older

person and the ways that these could be tackled to prevent abuse.

A number of actions to take forward were agreed during the sessions and I am using the findings to inform the action that I will take to help to stop the abuse of older people throughout Wales, which will be set out in my 2020-21 business plan.

## Research into police and Crown Prosecution Service decision-making in safeguarding cases

Research began to examine the ways in which decision-making by the police and Crown Prosecution Service (CPS) may impact upon investigations relating to safeguarding and subsequent access to justice for older people, particularly important given the relatively low prosecution and conviction rates for crimes against older people.

With support from the police and CPS, the research team is reviewing data and outcomes relating to over 400 safeguarding cases across the four Welsh police forces. The research aims to identify the challenges and barriers that may lead to low levels of prosecution, and potential ways in which safeguarding investigations could be enhanced.

The research will also consider whether there is consistency in decision-making throughout Wales and identify potential training requirements, as well as limitations in existing legislation. The findings of the research, as well as any recommendations for the police and CPS, will be published in 2021.

## Training seminars for health and social services professionals

During 2019-20, my office delivered training on abuse to 853 frontline professionals working in health boards and local authorities at 27 sessions held throughout Wales.

The seminars help professionals to better understand the scale and impact of the abuse of older people, and the particular ways that abuse may affect them, including the barriers that may prevent older people who are experiencing or at risk of abuse from seeking or accessing help and support.

Alongside this, the seminars also provide practical information so that professionals can recognise potential signs of abuse and ensure that older people can get the help and support they may need.

To ensure that the training could reach even more professionals throughout Wales, I worked with South Wales Police to develop a training module that could be delivered in-house to officers and staff. Work has also been ongoing with Dyfed Powys Police, Gwent Police and North Wales Police to explore how similar training could be developed and delivered to police in these areas.

## Enabling Everyone to Age Well

Ageing well – ‘adding life to years, not just years to life’ – is important for each of us, and for Wales as a whole. Older people should be seen as a vital part of society and must have opportunities to participate in and contribute to our communities and our economy.

But many people find themselves unable to do the things that matter to them as they get older, and face barriers that make it more difficult to ‘age well’.

Making Wales a nation of age-friendly communities – communities where older people can get out and about, afford to do things they want to do, lead healthy and active lives, stay informed and have their voices heard – is essential to enable everyone to age well and to ensure that older people in Wales feel valued, included and respected.

### Strategic Focus 2019-20

- Encouraging and supporting age-friendly communities to be established throughout Wales
- Enabling more older people to get where they want to go and do the things that matter to them
- Improving older people’s access to the health services they need to age well
- Enabling more older people to be empowered to effect change

## Age-friendly communities: World Health Organisation recognition

I worked with local authorities to drive forward action to make communities in Wales more age-friendly, with the aim of achieving age-friendly recognition from the World Health Organisation (WHO).

To achieve this recognition, local authorities must be actively working towards making their communities more age-friendly, across eight key areas (or domains) identified by the WHO:

- Outdoor spaces and buildings
- Transport
- Housing
- Social participation
- Respect and social inclusion
- Civic participation and employment
- Communication and information
- Community support and health services

By working towards being age-friendly, town, community and county councils can also join WHO Global Network of Age-Friendly Cities & Communities, to connect with expertise and good practice from around the world.

I held a series of meetings with local authority chief executives throughout Wales to identify the action needed to make their communities more age-friendly and the ways that existing good practice could be adapted to support older people in their area.

Additional support was provided to a number of local authorities, which has helped them to work with wider community partners, such as Public Services Boards, to develop local plans that will be crucial in supporting the WHO application process.

To further support the development and delivery of age-friendly initiatives throughout Wales, I have established regional ageing well networks that bring together key community

partners, including older people, to share information and ideas, and identify action that can be taken locally to drive forward the age-friendly agenda.

I also worked with the Welsh Government to ensure that the eight domains were reflected across the government's Strategy for an Ageing Society, to ensure a joined-up approach between national and local action to deliver change for older people.

## Ageing Well Card

I distributed around 7,000 Ageing Well cards throughout Wales during 2019-20. The cards include simple messages that older people can use in a variety of situations and places to let people know they might need a little help or support.

To ensure that the Ageing Well Card is widely recognised and older people can access the help they need, I have also been working with businesses and community partners throughout Wales to promote the scheme, distributing information and resources packs to support them. The packs include leaflets, posters and window stickers to promote the scheme, as well as additional resources to support them to become more age-friendly.

The scheme has also been promoted by Business Wales, which encouraged businesses in Wales to get involved and demonstrate their commitment to supporting older people.

## Age-friendly transport guidelines

I worked with older people's groups, including Cymru Older People's Alliance and the Welsh Senate of Older People, as well as with transport organisations and providers to develop guidelines to improve older people's experiences of bus travel and make bus services more age-friendly.

The guidelines set out the action and good practice transport providers need to be delivering to ensure that older people can easily and safely use their services to get where they need to go and remove the challenges and barriers that may prevent older people from using public transport. They are grouped together under four key themes which reflect different aspects of an older person's journey – waiting for the bus, getting support, travelling on the bus and having a say.

The guidelines have been endorsed by Bus Users Cymru, the Confederation of Passenger Transport UK and Newport Bus and are due to be rolled out in 2020-21.

Work also began to explore the ways in which the guidelines could be used to develop accredited age-friendly training packages for drivers that would be undertaken as part of their continuing professional training.

I have also drafted similar guidelines for train travel and active travel, which will be finalised with further input from older people and key stakeholders during 2020-21.

## Information and resources to support people to age well

I worked with older people to develop a guide to empower older people and support them to make change happen in their communities.

The guide provides information on a range of topics, including getting your voice heard, developing local partnerships, setting goals and planning, engaging with politicians and public bodies, and working with the media.

The guides are being tested with older people before being finalised and are due to be rolled out in 2020-21.

I also produced updated versions of a number of ageing well publications, to provide the most

up to date information and guidance to support people to age well:

- Advance Care Planning (developed in partnership with Aneurin Bevan University Health Board)
- Making Wales a nation of age-friendly communities: A practical guide to creating change in your community
- A guide to being an age friendly business

These resources were widely distributed throughout Wales – directly to older people at events and engagement sessions, and via community partners and stakeholders.

## Ageing Well Community Events

My office organised and delivered a series of large-scale events throughout Wales, to support individuals and organisations working to improve the lives of older people to create change in their communities.

The events – which were held in Welshpool, Merthyr, Caernarfon, Letterston (Pemb) and Swansea – were attended by over 250 older people and professionals working across the public and third sectors.

A mixture of speakers and workshop sessions provided those who attended with practical information and advice about taking community action to support people to age well and how to maximise the impact of their work. The events also allowed delegates to highlight and promote examples of good practice, make new connections and explore opportunities for partnership working.



## Encouraging take up of Pension Credit

I launched a campaign to encourage older people to claim Pension Credit, after figures revealed that over 40% of eligible households do not claim, meaning that around £214 million of Pension Credit went unclaimed in Wales during 2018-19.

I developed an information leaflet, which provided older people with information about Pension Credit and how to make a claim, and worked with Transport for Wales, with support from the Welsh Government, to distribute over half a million leaflets directly to older people throughout Wales, posted out with renewed bus passes.

Alongside distributing the leaflet, I also called upon the Welsh and UK Governments to take action to ensure that older people understand what they may be entitled to and can access the support they need to check their eligibility and make a claim.

I am monitoring DWP data on Pension Credit take-up to determine the impact of my campaign, and to demonstrate the positive difference that could be made by a larger, government-led campaign.

## Researching and reviewing: building the evidence and making the case for change

### State of the Nation report

I published my State of the Nation report on October 1, the International Day of Older Persons, which brings together a wide range of evidence, research and data to provide a comprehensive overview of people's experiences of growing older in Wales.

The report examined a wide range of issues relating to my strategic priorities – ending ageism, stopping abuse and enabling everyone to age well – and also considered how wider factors, such as poverty and housing, and access to services and support, can impact upon people as they get older and affect their quality of life.

Whilst the report shows that there are some strong foundations on which to build, with many older people feeling in control of their lives and able to do the things that matter to them, its findings also demonstrate the stark inequalities that exist within the older population in Wales, which lead to significant differences in people's health and life expectancy between the least and most deprived areas of Wales.

Furthermore, the report highlighted that significant numbers of older people in Wales are unable to access the services and support they need to age well and do not know about their rights.

The report also identified serious and concerning gaps in the data collected relating to older people, particularly in relation to abuse, which can lead to assumptions that they are not affected by an issue despite the

opposite being the case. The report warned that these data gaps presented a risk that older people would be rendered 'invisible' to policy- and decision-makers in Wales as they are not currently able to fully understand older people's needs and where services and resources need to be targeted.

The report sets out the change and action required in a number of areas to improve older people's lives and continue to make progress against the priority areas that I identified as being crucial to transform the experience of growing older in Wales.

I have taken forward action relating to a number of issues identified in the report:

- Increasing awareness of ageism, its impact and how to challenge it, through delivering training sessions and publishing a new information guide.
- Improving the public's awareness and understanding of the abuse of older people, how to report it and where to support it, working in partnership with a range of key organisations.
- Launching a campaign to increase the take-up of financial entitlements by older people in Wales.
- Developing age-friendly communities across Wales, working with local authorities to support them to become part of the WHO network.

I also called on public bodies and organisations working with and for older people to work together and ensure that Wales

leads the way in tackling the issues identified within the report and delivering change.

To support this partnership approach, I brought together older people, politicians and stakeholders working across the public and third sectors to consider the report's findings and explore the most effective ways to take forward my calls for action.

As part of this event, a cross-party panel of Members of the Senedd – Dai Lloyd MS, Chair of the Health, Social Care and Sport Committee; Janet Finch-Saunders MS, [former] Shadow Minister for Social Care, Children, Young People, and Older People and Julie Morgan MS, Deputy Minister for Health and Social Services – set out the action they would take to tackle the issues identified, and how this could be taken forward at both a national and local level.

I have used the report and its findings to help to shape my work and priorities for 2020-21, in areas where I am best placed to drive change and take forward action, and will continue to monitor its metrics to track progress and the improvements being delivered for older people. Stakeholders are also using the report as a key reference for their work, and the report has been cited in a number of publications and reports.

## Transport to health services

I have been examining the potential barriers and challenges that older people can face when using different transport options to access health services, following concerns raised by many older people during engagement sessions and through casework.

To capture the experiences of older people and ensure their voices were at the heart of this work, I gathered evidence over a six-month period, initially through a questionnaire (available online and in hard copy), that

was shared via older people's groups and forums throughout Wales, with a total of 632 responses received in total.

Alongside the questionnaire, I also ran a series of engagement events and focus group sessions with older people throughout Wales, which provided opportunities for more detailed conversations and discussions about their experiences of accessing health services.

In addition, I also held meetings and engaged with stakeholders so they could share their experiences of the policies and practices in place, and feed in the experiences of the older people they work with and support.

The report based on my findings will set out the challenges faced by older people when using different types of transport to access health services, as well as highlighting good practice that is making a positive difference to the lives of older people in some parts of Wales.

The report will also include calls for a number of public bodies and organisations to take action to ensure that the issues identified are tackled and older people can easily access appropriate transport options to get them to their health appointments.

## Research into the portrayal of older people in news media

I undertook research to examine the ways that older people are portrayed within the news media, given the crucial role this plays in influencing public opinion and attitudes.

Older people often tell me that they feel that the way that growing older are portrayed in the news often does not reflect their experiences and often presents a very narrow view of what it means to be an older person, something that I was keen to explore in more detail to support my work to end ageism.

The research examined whether reporting on older people and the issues that affect their lives tends to be positive, negative or neutral, as well as the kind of language commonly used when reporting on older people and the impact this may have on older people and wider society. The research also considered how entrenched views on older people within society, and the pervasive nature of myths and stereotypes, might influence the ways in which older people are portrayed in the news.

The findings were based on a review of over 200 articles relating to older people drawn from Wales-based and UK-wide news outlets and publications, which were examined in detail to identify language, themes and imagery that were commonly used, the impact these may have on older people.

The research found that over two-thirds of the articles examined portrayed older people negatively, reinforcing stereotypes about older people as being in ill-health and needing care, as victims and a burden to society, and that older people's voices were often lacking in these stories, with comments and quotes provided by other stakeholders speaking on their behalf.

I am determining how I will tackle the issues highlighted by the report, in particular the ways that I can work with the media and trainee journalists, across Wales and the UK, to ensure that the portrayal of older people better reflects their experiences of growing older and does not reinforce negative stereotypes about older people.

# Influencing policy, legislation and practice

## Engaging with politicians and officials

I met and engaged regularly with Welsh Government Ministers and officials, which provided important opportunities to influence policy and practice, highlight any concerns and set out where improvements are needed. I also worked with Members of the Senedd, providing information and briefings ahead of debates relating to issues that affect older people.

In addition, I worked with Senedd Cymru committees, in particular the Health, Social Care and Sport Committee, sharing information and evidence, and highlighted potential areas for scrutiny and investigation.

During 2019-20, I provided evidence to the following committee inquiries:

- Benefits in Wales: options for better delivery – Equality, Local Government and Communities Committee), April 2019
- Access to Banking – Economy, Infrastructure and Skills Committee, May 2019
- Provision of Health and Social Care in the adult prison estate – Health, Social Care and Sport Committee, May 2019
- Inquiry into Hospital Care – Cross-Party Group on Dementia, June 2019
- Health and Social Care (Quality and Engagement) (Wales) Bill – Health, Social Care and Sport Committee, August 2019

- Fuel Poverty – Climate Change, Environment and Rural Affairs Committee, September 2019

To ensure that older people's needs are understood and reflected in the work of public bodies and services, my team and I also influenced policy, legislation and practice by working with a wide range of expert groups, advisory boards and panels.

## Consultation responses

I responded to consultations covering a broad range of topics and issues that were undertaken by the Welsh Government and other public bodies, to set out how policy and practice should be shaped to reflect older people's needs, uphold their rights and deliver positive outcomes for them.

These responses were shaped by the experiences of older people, captured at engagement events and via my casework team, in addition to broader evidence captured through my wider ongoing work.

The responses are published on my website so that stakeholders can draw upon the information and evidence they include to support their work and campaigns.

**An account of my risk management in 2019-20, alongside a description of the principal risks and uncertainties I face, is provided in the Governance Statement section of this Report.**

## Case Study: Reversal of decision to increase qualifying age for concessionary bus pass

Under proposals set out by the Welsh Government, the eligibility age for the bus pass was set to increase from 60 to State Pension Age, a change that would have affected up to 300,000 older people.

I have consistently voiced my opposition to the proposals, highlighting the particular impact they would have on older people living in poverty, women and carers, and raising concerns with Ministers and through the media.

I had particular concerns about the Welsh Government's Regulatory Impact Assessment relating to this decision, which appeared to make a number of incorrect assumptions about the impact that the proposals would have on older people, and the ways in which the proposals seemed incompatible with wider policy aims relating to health and well-being and the environment.

I wrote to the Minister for Economy and Transport, Ken Skates MS, to raise concerns about the Regulatory Impact Assessment and the Minister announced in December 2019 that the decision would be reversed, an announcement that I strongly welcomed.

# Review of the 2019-20 Reserves Balance

I am funded by, but operate independently of, Welsh Ministers and Welsh Government and am accountable to the Senedd Cymru for the use of public resources made available to me.

In 2019-20, I received funding of £1,608,000; in 2018-19, I received funding of £1,543,000. The 2019-20 funding included a non-recurrent allocation of £20,000 towards the work to raise awareness of the availability of pension credit and £43,000 towards the additional Civil Service Employer's pension contributions that were due in year.

The Statement of Comprehensive Net Expenditure shows for 2019-20 net expenditure of £1,540,000 (2018-19: £1,518,000).

Statutory reserves at the year-end were £300,000 (2018-19: £232,000). Being able to retain and manage my reserves is key to my independence.

Reserves have an important role to play within my overall financial management approach and are integral to the successful delivery of my 2019-22 Strategic Plan. They also enable me to manage risk effectively, ensure business continuity and continuation of my ability to deliver against my statutory duties when faced with unforeseen and unforeseeable issues, either of a financial or service nature.

Within my reserves strategy I have identified four specific reasons for which I hold reserves:

- To act upon any unplanned, urgent and important issues that affect the lives of older people, which may include the undertaking of a Section 10 Examination. Such additional costs are likely to be associated with legal proceedings and additional staff resources but are very difficult to quantify.
- To support strategic financial planning, allowing me to accrue funds for significant planned expenditure in the longer term – such as reviewing office accommodation - as well as being able to manage concurrent work streams where associated expenditure may be greater than my main Welsh Government allocation.
- To ensure the general day to day financial and business stability of the organisation (the General Reserve), in particular the need to be able to respond to unforeseeable operating costs that would otherwise impact on the organisation's financial stability
- To mitigate specific risks identified within the Strategic Risk Register and provide financial security against those risks. These are included within my medium-term financial plan as there is a certainty, or high degree of certainty, of them crystallising.

Statutory reserves at the year-end were £300,000 (2018-19: £232,000). However, these amounts include elements of cash, prepayments (trade and other receivables), amounts due to creditors (trade and other payables) and provisions. To understand the true value of the reserve the following transactions should be considered to establish the effective reserve available:

	£000	Payments to creditors £000	Depreciation and prepayments £000	Balance remaining £000
Non-currents assets	33	-	(33)	0
Trade and other receivables	53	-	(53)	0
Cash	363	(149)	-	214
Trade and other payables	(70)	70	-	0
Provisions and deferred creditor	(79)	79	-	0
<b>Reserves</b>	<b>300</b>	<b>0</b>	<b>(86)</b>	<b>214</b>

Therefore, the underlying level of available reserves at 31 March 2020 was £214,000.

It is vital to consider the underlying level of reserves as opposed to the statutory reserves because this is the true amount that is available to me to respond to unplanned and urgent issues, manage risks and ensure business continuity.

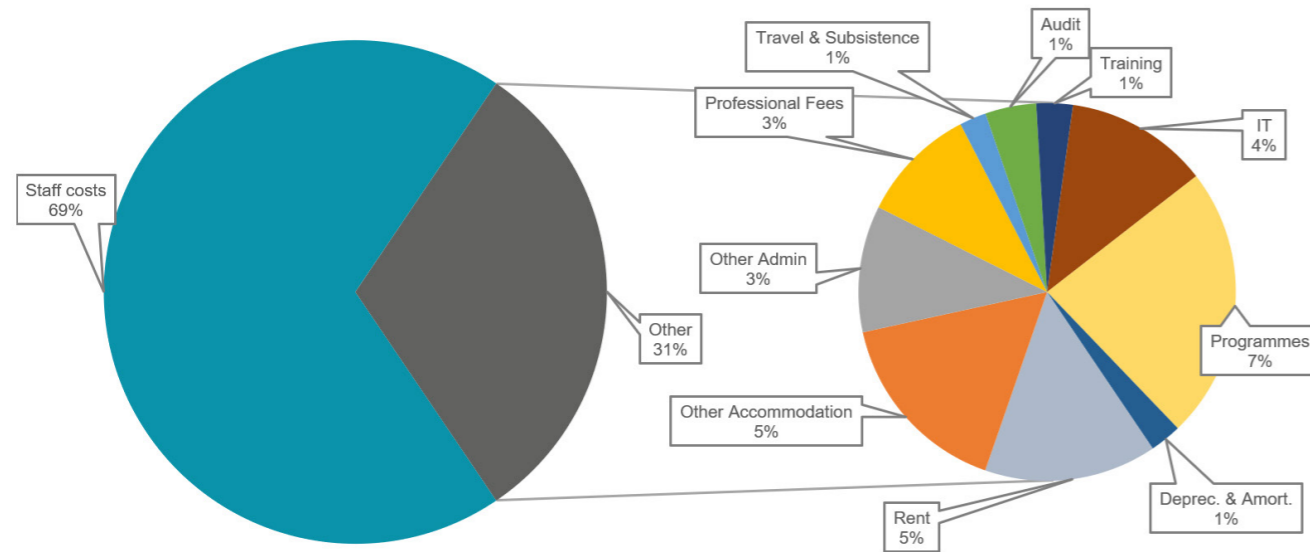
My 2020-21 reserves strategy was outlined within the Estimate to Ministers that I submitted in October 2019, which is available on my website.

[Website Link: Commissioner's Estimate](#)

**Heléna Herklots CBE**  
**Older People's Commissioner for Wales**  
**22 October 2020**

# Review of the 2019-20 Reserves Balance

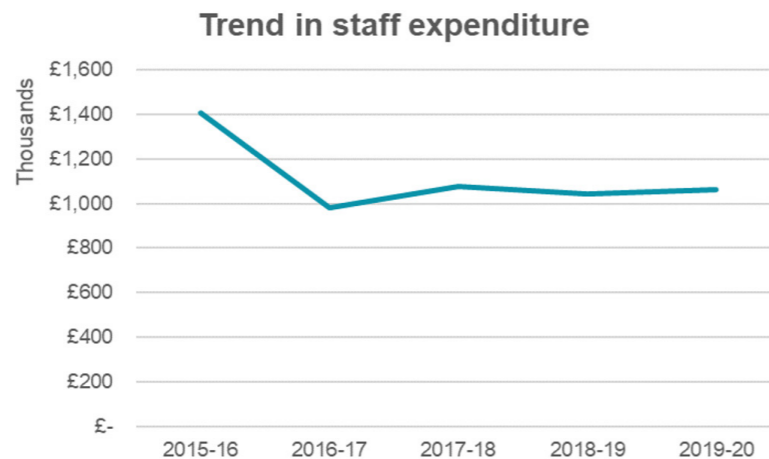
This section provides further detail of how expenditure has varied between 2017 to 2020 and provides an overview of trends.



Due to the nature of my work, a substantial part of my allocation is spent on staff costs. Further detail is provided below on the varying parts of my resource expenditure.

## Staff Costs

During 2019-20, the Civil Service Pension Scheme increased employer's pension contributions by an average of 28%. This resulted in a 25% increase in my organisation's pension costs from 2018-19 to 2019-20. However, these increases were managed via a formal organisational restructure that was not only designed to increase our impact and achieve sustainable improvements for older people, but also to minimise the effect that the increase in pension costs had on my overall budget.



The graph demonstrates that my overall year on year staff expenditure is relatively stable.

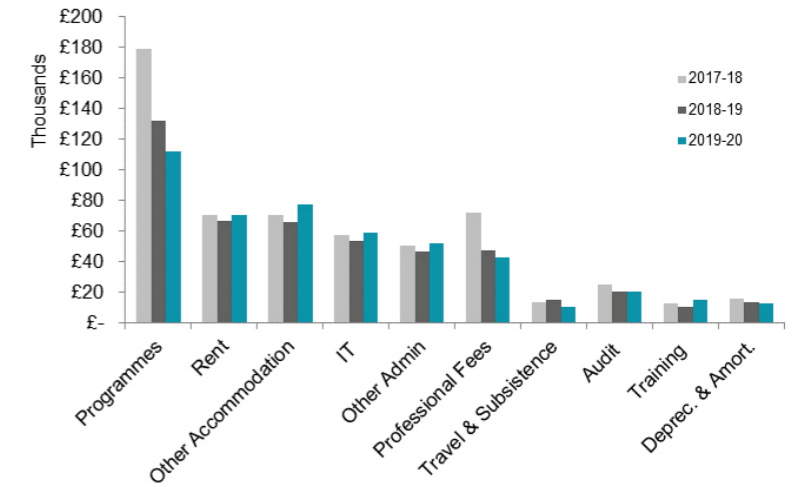
This expenditure will, however, continue to be a considerable pressure on my resources due to employees' incremental salary rises and cost of living increases.

## Other Operating Costs

### Programme work

My strategic priorities determine the project work that is undertaken. The expenditure will therefore vary from year to year and the Business Plan will also cross over multiple financial years.

Being able to retain reserves is crucial to allowing me to deliver my strategic plan effectively and be able to carry out reviews in line with my statutory functions.



### Rent

As a result of the rent review in August 2016, the former Commissioner agreed a lease term for a period of five years from 5 August 2018. The rent payable was set for the initial three years of the term, with years four and five to be agreed during 2021-22. Rent is currently set at an extremely competitive rate.

### Other Accommodation

Accommodation costs are overheads that are directly linked to my office in Cambrian Buildings and include charges such as service charge, rates and general running costs. These costs generally increase in line with inflation.

### Information Technology (IT)

My continued investment in technology was critical in business continuity during the Covid-19 outbreak, as this enabled all staff to be able to work safely and effectively from home.

### Other Administration Expenses

To find cost efficiencies within my overall operating expenditure, I have made use of the National Procurement Framework, have undertaken joint tenders with other Commissioners and have renegotiated contracts with existing suppliers. It is unlikely that any further substantial savings could be achieved within this expenditure area.

### Professional Fees

Professional fees will continue to fluctuate in the future as I may be required to act upon any unplanned, urgent, and important matters brought to my attention. Given the small size of the organisation this heading also includes expenditure on professionals who have specialist knowledge and skills that I do not retain in-house. The peak on the graph above during 2017-

18 was due to a particular focus in preparing for the introduction of the General Data Protection Regulations in May 2018, which caused my legal fees to peak in year.

### Training

I continue to provide staff with the opportunity to improve and develop their skills and competencies and therefore, maximise their performance in the delivery of my statutory functions and my Strategic Plan. Therefore, I ensure that there is the availability of a training budget that can be utilised by all staff.

## Sustainability Report

I am committed to good environmental practices. Examples of how I pursue good environmental stewardship are set out below:

### Energy usage

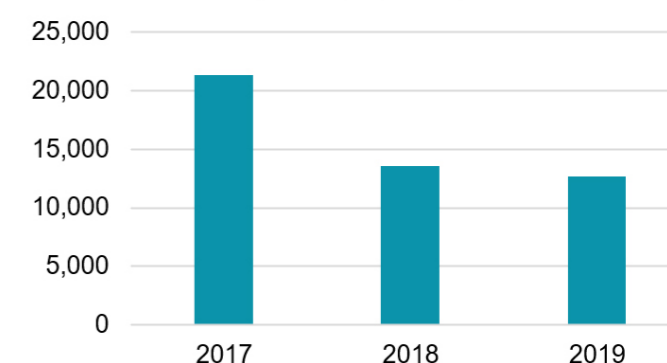
As one of a number of tenants within a small office block it is not possible to have full control over the water and heat facilities. However, within my office there are thermostatically controlled valves on all the radiators, LED light bulbs, and movement sensitive lighting in some areas within the office environment. Staff and visitors are also encouraged to turn off lights and equipment when not in use.

In 2019, all lights in the office were replaced with energy efficient LED lighting. This will reduce future energy bills and emissions.

The graph shows electricity usage over the past three years, demonstrating a year on year decrease, with a 41% reduction from 2017 to 2019.

In 2018, I changed the office's electricity supply to secure a green energy tariff. The contract with British Gas is for electricity that is 56% renewables, compared to the UK Average of 33%.

Electricity usage (Kwh)



### Carbon emissions

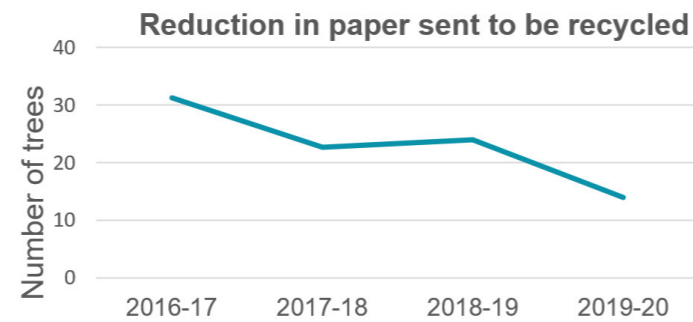
My office has a certificate that acknowledges we offset 7 tonnes of carbon dioxide emissions for 2019-20; the money is used to support projects around the world that reduce carbon emissions through avoidance measures and clean/renewable energy generation.

### Vehicle usage

I have a Travel Plan, that is aimed at reducing the impact of travel at the workplace. In 2018, I conducted a survey in which the main findings were that the majority of my staff either walk or use public transport to travel to work or attend meetings and other events.

## Waste Disposal

All desk bins have been removed to encourage staff to recycle as much as possible, there are recycling points throughout the office. Where possible all paper is disposed of using waste recycling facilities. My office has a certificate of environmental accomplishment that certifies our shredding and recycling programme saved 14 trees from destruction in 2019-20 (24 in 2018-19). I continue to encourage staff to limit the amount of paper that they use, which is evidenced by a steady decrease in the volume of paper that is sent to be recycled.



## Products

I use environmentally sound paper products such as re-cycled paper and envelopes. The cleaning of the office is carried out using environmentally friendly cleaning products.

## Education

I am committed to running educational training sessions for members of staff on issues relating to sustainability and biodiversity. This includes how employees can contribute both during work hours and through their lives outside of the workplace. During 2019-20, I offered staff a dedicated session focussing on resource efficiency and the circular economy to create a society where resources are valued and nothing is wasted.

The continuous improvement of our sustainability performance has been certified by the retention of the Gold level Small Workplace Health Award.

## Procurement

My procurement policy includes purchasing principles that state when ordering goods and services, individuals must consider Value for Money as the optimum combination of whole-of-life costs in terms of not only generating efficiency savings and good quality outcomes for the organisation, but also a benefit.

## Environment (Wales) Act 2016 Biodiversity and Resilience of Ecosystems Duty

The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (the section 6 duty) for public authorities in the exercise of functions in relation to Wales.

The section 6 duty requires that public authorities 'seek to maintain and enhance biodiversity so far as consistent with the proper exercise of their functions and in so doing promote the resilience of ecosystems'.

To comply with the duty public authorities should embed the consideration of biodiversity and ecosystems into their early thinking and business planning, including any policies, plans, programmes and projects, as well as their day to day activities.

My office falls within the definition of public authority under the terms of the Act and I am required to publish a report on how I complied with the section 6 duty.

[Website link: Biodiversity Duty](#)

**Heléna Herklots CBE**  
**Older People's Commissioner for Wales**  
**22 October 2020**

# Accountability Report

My Accountability Report outlines the key features of how I manage the organisation.

This section contains:

My Corporate Governance report which contains details of my Business Management Team and Audit and Risk Assurance Committee and how I demonstrate compliance with good corporate governance.

My Remuneration and Staff Report provides information on senior management remuneration, my fair pay disclosure and information relating to other employment matters.

The Audit Report contains the final audit opinion on the financial statements from our auditor.

## Director's Report

### Working within the Commissioner's Office

During 2019-20, I employed an average of 20.60 full time equivalent staff (19.92 in 2018-19). The Business Management Team working with me during 2019-20 comprised:

**Kelly Davies - Chief Operating Officer and Deputy Commissioner**

**Katie Holliday - Head of Finance and Resources**

In order to be able to align the organisation with my new priorities for 2019-2022, as well as to increase the impact of the organisation's work and to ensure that there is an effective operation with a decreasing budget in real terms, I proposed and consulted on an organisational restructure during January 2019. This restructure was designed to increase our impact and achieve sustainable improvements for older people. As a result of this restructure, which went live in April 2019, there were no job losses and no associated severance costs.

### Audit and Risk Assurance Committee

I have an Audit and Risk Assurance Committee to support me as Accounting Officer in monitoring and reviewing corporate governance, risk management and internal control systems. In 2019-20, the Committee consisted of four independent members. They participate in the Audit and Risk Assurance Committee meetings, consider my performance management and reporting arrangements and maintain a critical overview of my financial controls and risk management procedure.

Current members of the Audit and Risk Assurance Committee are:

**Steve Harford (Chair)**

**Appointed 01 April 2016 to 31 March 2021 (Appointed Chair from April 2017)**

Steve spent the last 18 years of his working career with Careers Wales from where he has retired from the role of Director of Corporate Services. During his time at Careers



Wales he advised and led on the merger of the previous six local Careers Companies to form one all-Wales organisation. He then worked with the Welsh Government to transfer the ownership of Careers Wales to become a wholly owned subsidiary of the Welsh Government.

Steve is a Director/Trustee of Carers Trust South East Wales and is currently the Chair of the Board of Directors. He has also been appointed as a member of the Greater Gwent (Torfaen) Pensions Fund Local Pension Board.

**Steve Milsom**

**Appointed 1 April 2016 to 31 March 2020**



Steve was a career civil servant in Welsh Government/Office serving 39 years, reaching the Senior Civil Service as Deputy Director for Adult Social Services

Policy where he led the development and implementation of the Strategy for Older People in Wales.

Since retirement, Steve has become a self-employed consultant and Associate with



Practice Solutions Ltd where he works with Councils to improve social care for older people. Steve is Chair and trustee at Cymru Older People's Alliance and a trustee at Age Cymru. He is also vice chair of Caerphilly 50+Forum and a member of the Welsh Government's Ministerial Advisory Forum on Ageing.

Steve's term of office ended on the 31 March 2020.

### Phil Davy

**Appointed 1 April 2017 to 31 March 2021**

Phil was Head of Economic Development for Caerphilly County Borough Council 10 years, managing a service area that covered business development, tourism, and regeneration. After 43 years in local government service Phil retired from full time employment.

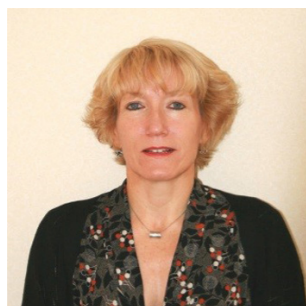


Phil has held a number of non-executive director roles with Careers Wales, Groundwork Caerphilly and Planning Aid Wales.

### Julia Evans

**Appointed 2 January 2019 to 31 December 2023**

Julia gained the Chartered Institute Public Finances Association qualification in 1987 and worked in the public finance sector for 35 years, firstly in an external audit capacity for 20 years and then moving into public sector accounting.



Julia was the Deputy Chief Executive (Finance, Personnel and Corporate Services) of the General Teaching Council for Wales

(GTCW) in January 2014. The GTCW was reconfigured, and became the Education Workforce Council in April 2015, and Julia continued as Deputy Chief Executive (Finance, HR and Corporate Services) until retiring from that post in December 2018.

## Corporate Reporting

### Raising concerns

In November 2016, the role of Commissioner became a 'prescribed person' under the Public Interest Disclosure Act 1998 (PIDA) for matters relating to the rights and wellbeing of older people in Wales. The Public Interest Disclosure Act 1998 (PIDA) protects employees who blow the whistle, provided that the worker making the disclosure reasonably believes that it falls within the remit of the Commissioner and that the information disclosed and any allegations contained in it are substantially true.

The Commissioner's overriding concern is to protect the public interest. The Commissioner is not required to consider whether a disclosure qualifies for protection under PIDA and will not be able to provide advice on this. It would ultimately be for an employment tribunal to determine whether an individual has the protection under PIDA. The Commissioner's role is to consider the matters disclosed to it.

PIDA does not require my office to investigate every disclosure received as I can only investigate disclosures that fall within the scope of my statutory functions and within the parameters of my statutory powers.

During 2019-20, no concerns were raised to me as a result of me being a 'prescribed person' (2018-19: nil).

## Welsh language

The Welsh Language Standards set out a number of ways in which I must provide and promote services through the Welsh language and facilitate and encourage its use in the workplace.

During 2019-20, I have complied with all Standards and have continued to demonstrate my commitment that the English and Welsh language will be treated on a basis of equality.

I have continued to take all possible steps to promote the Welsh language by ensuring that all staff are aware of the history of the Welsh language, maintaining a number of bilingual staff, providing a bilingual casework service for older people, providing Welsh language lessons to all staff during work time and operating a bilingual working environment.

**Website link: [Welsh Language Standards](#)**

## Strategic equality plan

I am required by law to produce an annual Strategic Equality Plan, but my commitment to fighting discrimination goes much deeper and further than this plan – it sits at the heart of my statutory duties. This plan includes Equality Objectives against which I will deliver in four year cycles.

As the independent voice and champion for older people across Wales, I protect and promote the rights of older people, ensuring that all older people have their rights upheld. This includes ensuring that older people's rights under the Equality Act 2010 are upheld and discrimination against older people is challenged.

During January and February 2020, I actively sought the views of older people and others on my proposed Strategic Equality Objectives 2020-24. This feedback was reviewed and final objectives were agreed, to be published on 1 April 2020. Due to the Covid-19 pandemic, the publication of my Strategic

Equality Plan 2020-24 was postponed. The objectives will be further reviewed, and an updated version will be published in October 2020.

**Website link: [Equality Plan](#)**

## Pension arrangements

My directly employed staff and I are eligible for membership of the Principal Civil Service Pension Scheme. Further details are set out in the Remuneration and Staff Report.

## Payment policy

I aim to comply with the UK Government's Better Payment Code. The target is for payment to be made within agreed payment terms or 30 days of receipt of invoices not in dispute for goods and services received.

Payment performance for the year averaged 99.07% paid on time (99.35% in 2018-19). No interest was paid in respect of late payments.

## Information

The protection of personal data is especially important, and during the year I have continued to work to ensure our compliance with data protection legislation including the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. As a result of the GDPR coming into force on 25 May 2018, Blake Morgan reviewed my contracts and policies for compliance with the Regulations. All relevant policies and procedures were updated to ensure compliance with the Regulations and a training session was delivered to all staff to raise awareness.

Arrangements have been put in place to safeguard the security of information. This includes personal data held relating to enquiries made on behalf of individual older people in Wales, and evidence gathered by me in the carrying out of my functions. In

2019-20, there were no data security incidents (2018-19: nil).

During 2019-20, I received five requests for information under the Freedom of Information Act 2000 (2018-19: three requests). All requests were responded to within the prescribed timescales.

I also received three Subject Access Requests, which were responded to within the prescribed timescales (2018-19: nil).

## **I.T**

During 2019-20, my I.T systems have been independently verified and I have been assured by IT specialists that they comply with the Cyber Essentials Plus Scheme, which is a government-backed cyber security certification scheme that sets out a good baseline of cyber security. The scheme addresses five key controls that, when implemented correctly, can prevent around 80% of cyber-attacks.

## **Registers**

I publish details of my own expenses, both direct and incurred on my behalf, on a quarterly basis on my website. These expenses are reviewed by my Audit and Risk Assurance Committee at every meeting.

**Website link: Commissioner's Expenses**

I maintain a register of all gifts and hospitality, both accepted and declined, in the course of official duties. This is updated quarterly and published on my website. These expenses are reviewed by my Audit and Risk Assurance Committee at every meeting.

**Website link: Gifts and Hospitality Register**

## **Significant interests held by board**

A register of Financial and Other Interests of Committee members and Directors is available on my website.

**Website link: Register of Interests**

## **Related party transactions**

During 2019-20, neither myself, nor other members of my Business Management Team, or any of their family, were involved directly or indirectly in any transactions with the office during the year, apart from normal expense claims and salary payment.

## **Audit arrangements**

These Accounts are audited by the Auditor General for Wales in accordance with paragraph 12 of Schedule 1 of the Commissioner for Older People (Wales) Act 2006. The cost for the audit of the 2019-20 accounts is £14,000 (£14,000 in 2018-19).

Deloitte provided internal audit services to me in 2019-20. Following a joint tender exercise with the Children's Commissioner for Wales and the Public Services Ombudsman for Wales, a new contract was negotiated that will run from 1 April 2017 until 31 March 2021.

Further information about the role of the Audit and Risk Assurance Committee and internal audit is provided within the Governance Statement.

## **Events occurring after the reporting period**

There were no significant events occurring between the year end and the approval of these accounts.

## **Disclosure of relevant audit information**

As Accounting Officer, I have taken all necessary steps to ensure that I am aware of any relevant audit information and to establish that the auditors are also aware of this information.

**Heléna Herklots CBE**  
**Older People's Commissioner for Wales**  
**22 October 2020**

# Statement of Accounting Officer's Responsibilities

As required by the Commissioner for Older People (Wales) Act 2006, I, as Accounting Officer, have prepared, for each financial year, an annual report and statement of accounts in the form and on the basis set out in the Accounts Directions issued by HM Treasury and Welsh Ministers, these documents are fair, balanced and understandable.

The accounts are prepared so as to give a true and fair view of the state of affairs as at the year-end and of the net expenditure, financial position, cash flows and changes in taxpayers' equity for the financial year then ended. The annual report is fair, balanced and understandable.

In preparing the accounts, I am required to comply with the requirements of the Government Financial Reporting Manual and in particular:

- observe the Accounts Directions, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the Government Financial Reporting Manual have been followed, and disclose and explain any material departures in the accounts;
- prepare the accounts on a going concern basis; and
- confirm that the Annual Report and Accounts as a whole is fair, balanced and understandable and take personal responsibility for the Annual Report and

Accounts and the judgements required for determining that it is fair, balanced and understandable.

The First Minister has appointed me as Accounting Officer of the Older People's Commissioner for Wales. The responsibilities of an Accounting Officer includes responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records, and for the Commissioner's assets as set out in the memorandum - 'Managing Public Money' - published by HM Treasury, and 'Managing Welsh Public Money', published by the Welsh Government.

As the Accounting Officer, I have taken all steps that I should to make myself aware of any relevant audit information and to establish that Audit Wales' auditors are aware of this information. So far as I am aware, there is no relevant audit information of which the auditors are unaware.

# Governance Statement

This Governance Statement sets out the basis of the statutory duties of the role of Older People's Commissioner for Wales, the way in which the discharge of my duties is governed and managed, and how I, as Commissioner, am accountable for what I do.

## Role of the Commissioner

The statutory office of the Older People's Commissioner for Wales was established as a Corporation Sole under Section 1 of the Commissioner for Older People (Wales) Act 2006. The statutory duties of the role are to:

- promote awareness of the interests of older people in Wales;
- promote the provision of opportunities for, and elimination of discrimination against older people in Wales;
- encourage good practice in the treatment of older people in Wales;
- keep under review the adequacy and effectiveness of the law affecting the interests of older people in Wales.

In carrying out these functions, I am responsible, as Accounting Officer, for putting in place appropriate arrangements for the management and control of resources, including sound governance arrangements and the identification and management of risks and opportunities. These responsibilities are set out in the Statement of Accounting Officer's responsibilities.

As a Corporation Sole and the Accounting Officer, I hold personal responsibility for directing and controlling the organisation but may delegate the exercise of my functions to any member of staff. As I have no Corporate Board as might be found in other public bodies, I have an Audit and Risk

Assurance Committee (Committee) to support me by providing assurance regarding the Governance of the organisation.

I am independent of Ministers and, subject to the 2006 Act, responsible for setting the strategic direction of my office. I am accountable to the Senedd Cymru for the actions of my office and the Public Accounts Committee are able to scrutinise my annual accounts.

## Purpose of the Governance Framework

Good corporate governance is fundamental to any well managed organisation. The governance framework within which I operate is underpinned by key systems, policies and processes through which the organisation is directed and controlled.

Systems of internal control are based on an on-going process designed to:

- ensure financial probity;
- ensure that I comply with statutory duties; and
- ensure that I identify, evaluate and manage risk efficiently, effectively and economically.

These controls are designed to maintain the risks facing the Commissioner within the risk tolerance levels that have been identified within the Risk Management strategy.

These internal control systems operate in an integrated manner, reflecting the importance of an integrated approach to governance and control. They can only provide reasonable, but not absolute, assurance of effectiveness.

## Governance Framework

Under the Commissioner for Older People (Wales) Act 2006, I must nominate a Deputy who may exercise the Commissioner's statutory functions if the office is vacant or should I, at any time, be unable to discharge my duties. Kelly Davies, Chief Operating Officer, is my nominated Deputy. A financial scheme of delegation is contained within my Ordering Goods and Services Procedure, which is also available on my website.

My governance framework included three key sources of assurance during 2019-20:

- An Audit and Risk Assurance Committee
- An internal audit programme
- A Business Management Team

These three sources of assurance assist me in discharging my statutory functions in a manner consistent with the principles appropriate to a Corporation Sole within the UK Corporate Governance Code and the Good Governance Standard for Public Services, i.e. consistent with the high standards expected from a publicly funded body.

As part of their terms of appointment, all employees and members of my Audit and Risk Assurance Committee are required to adopt the Nolan principles of public life. These principles, together with my corporate values and culture, underpin my Code of Conduct, which employees and Committee members must complete and keep up to date.

## Audit and Risk Assurance Committee

I have an Audit and Risk Assurance Committee to support me, as Accounting Officer, in monitoring and reviewing the effectiveness of my corporate governance, internal control and risk identification and management systems, looking for additional

assurance from internal and external audit. The Committee is provided with relevant, timely and accurate information from me and my Business Management Team.

In 2019-20, the Committee comprises four independent members with considerable experience of public and third sector organisations in Wales. During the year its membership was as follows:

- Steve Harford (Chair) – former Director of Corporate Services for Careers Wales. Term of office commenced 1 April 2016, appointed Chair 1 April 2017.
- Steve Milsom – former Deputy Director for Adult Social Services, Welsh Government. Term of office commenced 1 April 2016
- Phil Davy – former Head of Economic Development for Caerphilly County Council. Term of office commenced 1 April 2017
- Julia Evans – former Deputy Chief Executive (Finance, HR and Corporate Services) of the Education Workforce Council. Term of office commenced 2 January 2019.

The Committee meets quarterly and attendance at the meetings is summarised below:

	May 2019	July 2019	Nov 2019	Feb 2020
Steve Harford (Chair)	✓	✓	✓	✓
Steve Milsom	✓	✓	✓	X
Phil Davy	✓	✓	✓	✓
Julia Evans	X	✓	✓	✓

All members also attended a development session held in February 2020.

Good practice requires me to regularly review and rotate the cumulative diversity, skills, knowledge and experience of my Committee members.

At 31 March 2020, two of the Committee's members had completed a term of office, which is four years. Steve Milsom therefore left the Committee and Steve Harford's term as Chair has been extended by one year, enabling him to serve one full term of office as Chair. This extension will provide continuity to the Committee whilst two new members join in April 2020. These two additional members will ensure that the breadth of knowledge and experience of the Annual Risk and Assurance Committee is further increased.

The Committee operates within formal terms of reference, based on best practice guidance issued by the Treasury, which is reviewed annually. The minutes of the Committee meetings are published on my website to ensure greater transparency to my governance arrangements.

The Chair of the Committee attends annual meetings with Chairs from other Audit and Risk Assurance Committees of Welsh public bodies to share learning and good practice.

The Committee attended a development day in February 2020, in which my staff and I provided them with information on strategic matters. This session provided a valuable forum in which the Committee provided their perspective on my planned 2020-21 Business Plan, and also provided them with the additional context and knowledge with which to assist me in discharging my statutory functions.

I update Committee members via email on key matters as they arise, including any escalation of risks to the Strategic Risk Register. In line with the Committee's Terms of Reference, members are issued with required papers, detailing agenda items five working days in advance of Committee meetings.

This year, the Committee has discussed a range of items including:

- Strategic Risk Register
- Commissioner's quarterly Governance Reports
- Update of progress against the Commissioner's annual Business Plan
- Annual report and Accounts
- Commissioner's Estimate for 2020/21, including the Commissioner's medium-term financial plan
- Commissioner's key policies including Anti-Fraud and Money Laundering, and the Whistleblowing Policy
- External and internal audit plans and reports
- The Commissioner's Strategy 'Making Wales the Best Place in the World to Grow Older'

The Committee has noted in its Annual Report that as a result of the meeting that the Committee has with the internal and external auditors and the assurance level of the reports received from the auditors, they can provide me with assurance that neither audit team have concerns regarding the quality of information provided by the Commissioner.

As a result of its work in 2019-20, the Committee is content with the overall level of internal and external audit coverage.

Biennially, my internal auditor (Deloitte) is asked by the Committee to undertake an independent review of their effectiveness using the NAO Checklist of Audit Committee Effectiveness. This review involves discussions with myself and Committee members.

The review took place during March 2020 and found that there was good compliance with the checklist, accepting that some areas were not applicable to the specific circumstances of this Committee.

The feedback received was very positive and generally members were very content with the comprehensive papers provided to them and the engagement from the Business Management Team at the meetings. The Committee recognises that given the high levels of assurance in audit reports and the assurances provided by management the Committee has been able to focus on assisting the Commissioner through a process of support and challenge. It was acknowledged that the development sessions that take place every year are helpful to members.

Therefore, for 2019-20, the Committee has again concluded that it continues to operate effectively but recognised some opportunities to explore to ensure they continue to deliver value to the Commissioner in her work.

In addition to annually reviewing their own performance, the Audit and Risk Assurance Committee publish a formal statement annually on the extent to which they are satisfied with my overall levels of control of financial management, and the wider corporate governance and identification of risk and management processes. For 2019-20, the Committee considers that, based on the findings of the auditors and its own observations, it can provide me with a substantial level of assurance that the arrangements in place are appropriate and have been operating effectively. The Committee's annual report is published on my website.

It is my view that the Committee operates effectively and adds value to the systems of internal control and my wider strategic priorities.

**Website link: Audit and Risk Assurance Committee**

## Internal Audit

The role of internal audit is to provide independent and objective assurance on risk management, control and governance. The assurance given by internal audit is a key element of the governance framework and is one of the key assurances that I require as Accounting Officer.

The Strategic Risk Profile informs the focus of internal audit's work and provides the evidence upon which the annual assurance statement on internal control is based.

Deloitte have been appointed to provide my internal audit service. During 2019-20, they reviewed:

- Financial systems, including Payroll and Civil Service Pension Arrangements
- Corporate Governance
- Risk Management

Substantial assurance was provided by my internal auditors on all reviewed areas with no recommendations given.

Deloitte's annual report concluded that they can provide "Substantial assurance in relation to the organisation's arrangements for risk management, governance and internal control."

## Business Management Team

I worked with a Business Management Team (BMT) during 2019-20, which formally met monthly. The BMT keeps its working practices and ongoing effectiveness under constant review.

As a group the Business Management Team contribute to:

- the assessment and management of risk and opportunities;
- the development of my strategic aims and annual Business Plan;
- the allocation, in an efficient and effective way, of its financial, human and other resources to achieve those aims and objectives; and
- the overall assessment of the performance of the organisation against the objectives set out in the Annual Operational Plan and delivery of the Strategic Plan.

As Commissioner, I am accountable for any decisions made.

## Risk Management

The risk and control framework is underpinned by the Risk Management Strategy and forms a key strand of the internal control and corporate governance framework. The risk framework complies with the main principles outlined within HM Government Management of Risk – Principles and Concepts (Orange Book), taking into account the organisation's size, structure and needs. There have been no reported departures from the Orange Book. My Risk Management Strategy acknowledges that it is not possible to eliminate all risk but, through the Strategic Risk Register, risks are recognised and reduced to an acceptable level. The strategy also notes that whilst I am accountable for all risks, all staff have a role in identifying new potential risks. The Strategy is reviewed annually and was last reviewed in December 2019.

The Orange Book can be accessed at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/815635/Orange\\_Book\\_Management\\_of\\_Risk.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/815635/Orange_Book_Management_of_Risk.pdf)

A positive approach to risk management means that I am not averse to taking managed risks, specifically to achieve the priorities within my strategic plan. I will not only consider the risk of things going wrong, but also the impact of not taking opportunities or not capitalising on such opportunities. However, I will not tolerate a high level of risk that would lead to failure to comply with governance, statutory duties and legal requirements.

The Strategic Risk Register is considered when identifying the priorities of the organisation, including the production of an annual financial plan and Business Plan. The priorities identified address how they will assist me and my Business Management Team in managing significant risks.

For the strategic risks that I have identified, internal audit have evaluated the effectiveness of the existing controls and risk management responses and have provided substantial assurance.

Alongside my Audit and Risk Assurance Committee, I carried out a robust assessment of the current and emerging risks and challenges in the context of a rapidly changing environment. This analysis led to the development of my new Strategic Risk Register which was implemented in April 2019.

Following on from this analysis, the Audit and Risk Assurance Committee and I have identified the following risks:

- We do not comply with policies, procedures and other legal governance standards.
- We do not effectively plan, control and manage resources.
- We do not have an effective, robust and tested Business Continuity Plan in place.
- Staff are not effective in their role.

- We do not deliver the Commissioner's Strategic Plan 2019-22 and annual plan, and fail to deliver impact for older people.
- Older people's voices, in all their diversity, are not heard and not acted upon.
- We do not deliver the Commissioner's Strategic Plan 2019-22 and annual plan, and fail to deliver impact for older people.
- Older people's voices, in all their diversity, are not heard and not acted upon.
- Older people and other stakeholders do not support/ work with the Commissioner.
- The Commissioner does not have effective political links and influence.
- The Commissioner is not perceived as independent or holding public bodies to account effectively.

The cause, effect, controls and planned action within the Strategic Risk Register were also updated to reflect the significant change in the operating environment.

We will continue to monitor and review the risk register to ensure that the organisation continues to adapt to the changing environment and that all live risks are managed and future risks are identified with appropriate mitigating actions put in place.

These risks are integrated within the Strategic Risk Register and are formally discussed at the monthly Business Management Team, as well as the quarterly Audit and Risk Assurance Committee.

The Audit and Risk Assurance Committee are advised in real time of any escalation of risk to the Strategic Risk Register.

## Raising Concerns

My Raising Concerns policy details how members of staff can whistle blow if they suspect wrong-doing or dangers at work. In the event that my staff or others raise concerns about the organisation that cannot be easily resolved, I have put in place appropriate governance measures that include a Raising Concerns Policy and a Complaints Policy. Any issues raised relating to the role of the Commissioner are referred to the Chair of the Audit and Risk Assurance Committee.

During 2019-20, no concerns were raised to me nor the Chair of Committee under my internal Raising Concerns policy (2018-19: nil).

During 2019-20, there were two formal external complaints made under the Complaints Policy, neither of which were upheld (2018-19: 1). During the year, I also reported to my Audit and Risk Assurance Committee one informal complaint (2018-19: nil).

In planning for the impact that Covid-19 could have on the organisation, and anticipating an announcement by the Government of a lockdown, I enacted my Business Continuity Plan on 16 March 2020, which resulted in the office accommodation closing and all members of staff working from home until further notice. The significance of the pandemic on my work, both operationally and strategically, led to a review and resulting restructure of the Strategic Risk Register. This restructure ensured that risk description 3 "We do not have an effective, robust and tested Business Continuity Plan in place" became the overall risk, with the wording of risk description 4 changing from 'staff are not effective in their role' to 'staff are not effective in their role, which may have changed because of the circumstances'.

## Review of Effectiveness

As Accounting Officer, I continuously review the effectiveness of my governance framework. This is informed by the work of internal audit, my Business Management Team and comments made by external auditors (Audit Wales), as contained in the management letter and other reports.

During the year ended 31 March 2020, internal audit provided substantial assurance regarding my systems of internal control and did not raise any recommendations, however I will continue to ensure that I constantly monitor internal systems and seek to continually improve them.

I have considered the evidence provided in this governance statement and it is my view that the overall governance and internal control structures and procedures have been appropriate to support my functions and priorities and have worked effectively up to the date of publication of this document.

The above governance framework has been in place for the year ended 31 March 2020 and the statement is prepared in accordance with Treasury guidance.

**Heléna Herklots CBE**  
**Older People's Commissioner for Wales 22**  
**October 2020**

# Remuneration and staff report

## Remuneration Policy

My salary is set by the Welsh Ministers in accordance with Schedule 1(3) of the Commissioner for Older People (Wales) Act 2006. I am eligible to join and have joined the Principal Civil Service Pension Scheme.

I set the salaries of directly employed staff. A job evaluation exercise was last undertaken by an external HR organisation in 2017-18, which assessed employees' job descriptions and benchmarked roles of the same band against each other to ensure fairness and equality within my organisational structure. As part of my April 2019 restructure, three new roles were evaluated using the same benchmarking technique to ensure that they were appropriately graded within my organisational structure.

Incremental increases to other staff salaries were awarded in line with contractual terms and conditions. An inflationary cost of living increase of 1% was awarded in 2019-20 (1% was awarded in 2018-19).

## Service Contracts

Appointments of permanent members of staff, on terms and conditions set by me, are made on merit on the basis of fair and open competition. Staff are not members of the Civil Service but are entitled to membership of the Principal Civil Service Pension Scheme (PCSPS).

Unless otherwise stated below, staff covered by this report hold open-ended appointments. There is no mandatory retirement age, although PCSPS rules on earliest pensionable age will apply.

I have in place mechanisms for performance appraisal to ensure that the contribution of

individual employees is monitored at all stages of their employment with the organisation.

I have implemented an organisational development programme to enhance capability and improve overall performance levels.

Early termination, other than for misconduct or resignation, would result in the individual receiving compensation as set out under the Civil Service Compensation Scheme.

## Remuneration (including salary) and Pension Entitlements

(Subject to audit)

The following sections provide details of my senior staff and my remuneration and pension interests.

### Single Total Figure of Remuneration

(Subject to audit)

'Salary' includes gross salary, overtime and any other allowance to the extent that it is subject to UK taxation. This report is based on accrued payments made by the Commissioner and thus recorded in these accounts. Neither I nor any member of my staff received benefits-in-kind or any bonuses.

Name and title	Salary		Pension Benefits (1)		Total	
	2019-20 £000	2018-19 £000	2019-20 £000	2018-19 £000	2019-20 £000	2018-19 £000
Heléna Herklots <sup>2</sup> Commissioner	90-95	55-60	35	22	125-130	75-80
Sarah Rochira <sup>3</sup> Former Commissioner	n/a	15-20	n/a	7	n/a	20-25
Kelly Davies <sup>4</sup> Chief Operating Officer, Deputy Commissioner	60-65	70-75	25	27	85-90	95-100
Katie Holliday Head of Finance and Resources <sup>5</sup>	40-45	n/a	20	n/a	60-65	n/a

<sup>1</sup> The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) plus (the real increase in any lump sum) less (the contributions made by the individual). The real increases exclude increases due to inflation or any increase or decreases due to a transfer of pension rights.

<sup>2</sup> Heléna Herklots' term of office commenced on the 20th August 2018; the banding for the full year equivalent salary for 2018-19 was £90-95k.

<sup>3</sup> Sarah Rochira's term of office ended on the 5 June 2018; the banding for the full year equivalent salary for 2018-19 was £95-£100k.

<sup>4</sup> Sarah Rochira's term as Commissioner ended on the 5th June 2018 and Heléna Herklots commenced in post on the 20 August 2018. During the interim period Kelly Davies, as Deputy Older People's Commissioner for Wales, performed the function of Commissioner. Kelly Davies' full year equivalent salary for the period 5 June 2018 to 20 August 2018 was £90-95k, for the remainder of the year the full year equivalent salary was £60-65k.

<sup>5</sup> Katie Holliday was appointed as a member of the Business Management Team on the 1st April 2019. As such her comparative remuneration figures do not require disclosure

## Pension Entitlements

(Subject to audit)

	Accrued pension at pension age as at 31/3/20 and related lump sum	Real increase in pension and related lump sum at pension age	CETV at 31/03/20	CETV at 31/03/19	Real increase in CETV
	£000	£000	£000	£000	£000
Heléna Herklots <sup>1</sup> Commissioner	0-5	0-2.5	46	17	21
Sarah Rochira Former Commissioner <sup>2</sup>	n/a	n/a	n/a	174	n/a
Kelly Davies Chief Operating Officer, Deputy Commissioner	10-15	0-2.5	113	94	10
Katie Holliday <sup>3</sup> Head of Finance and Resources	10-15	0-2.5	126	111	8

<sup>1</sup> Heléna Herklots' term of office commenced on the 20 August 2018; there was no CETV at the 20th August 2018.

<sup>2</sup> Sarah Rochira's term of office ended on the 5 June 2018

<sup>3</sup> Katie Holliday was appointed as a member of the Business Management Team on the 1st April 2019. As such her comparative remuneration figures do not require disclosure.

## Pension Entitlements

(Subject to audit)

Pension benefits are provided through the Civil Service pension arrangements. From 1 April 2015, a new pension scheme for civil servants was introduced – the Civil Servants and Others Pension Scheme or alpha, which provides benefits on a career average basis with a normal pension age equal to the member's State Pension Age (or 65 if higher). From that date, all newly appointed civil servants and the majority of those already in service joined alpha. Prior to that date, civil servants participated in the Principal Civil Service Pension Scheme (PCSPS). The PCSPS has four sections: three providing benefits on a final salary basis (classic, premium or classic plus) with a normal pension age of 60; and one providing benefits on a whole career basis (nuvos) with a normal pension age of 65.

These statutory arrangements are unfunded with the cost of benefits met by monies voted by Parliament each year. Pensions payable under classic, premium, classic plus, nuvos and alpha are increased annually in line with Pensions Increase legislation. Existing members of the PCSPS who were within 10 years of their normal pension age on 1 April 2012 remained in the PCSPS after 1 April 2015. Those who were between 10 years and 13 years and 5 months from their normal pension age on 1 April 2012 will switch into alpha sometime between 1 June 2015 and 1 February 2022. All members who switch to alpha have their PCSPS benefits 'banked', with those with earlier benefits in one of the final salary sections of the PCSPS having those benefits based on their final salary when they leave alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes). Members joining from October 2002 may opt for either

the appropriate defined benefit arrangement or a 'money purchase' stakeholder pension with an employer contribution (partnership pension account).

Employee contributions are salary-related and range between 4.6% and 8.05% of pensionable earnings for members of classic, premium, classic plus, nuvos and alpha. Benefits in classic accrue at the rate of 1/80th of final pensionable earnings for each year of service. In addition, a lump sum equivalent to three years initial pension is payable on retirement. For premium, benefits accrue at the rate of 1/60th of final pensionable earnings for each year of service. Unlike classic, there is no automatic lump sum. Classic plus is essentially a hybrid with benefits for service before 1 October 2002 calculated broadly as per classic and benefits for service from October 2002 worked out as in premium. In nuvos, a member builds up a pension based on their pensionable earnings during their period of scheme membership. At the end of the scheme year (31 March), the member's earned pension account is credited with 2.3% of their pensionable earnings in that scheme year and the accrued pension is uprated in line with Pensions Increase legislation. Benefits in alpha build up in a similar way to nuvos, except that the accrual rate is 2.32%. In all cases, members may opt to give up (commute) pension for a lump sum up to the limits set by the Finance Act 2004.

The partnership pension account is a stakeholder pension arrangement. The employer makes a basic contribution of between 8% and 14.75% (depending on the age of the member) into a stakeholder pension product chosen by the employee from a panel of providers. The employee does not have to contribute, but where they do make contributions, the employer will match these up to a limit of 3% of pensionable salary (in addition to the employer's basic contribution). Employers also contribute a further 0.5% of pensionable salary to cover the cost of centrally provided risk benefit cover (death in service and ill health retirement).



The accrued pension quoted is the pension the member is entitled to receive when they reach pension age, or immediately on ceasing to be an active member of the scheme if they are already at or over pension age. Pension age is 60 for members of classic, premium and classic plus, 65 for members of nuvos, and the higher of 65 or State Pension Age for members of alpha. (The pension figures quoted for officials show pension earned in PCSPS or alpha – as appropriate. Where the official has benefits in both the PCSPS and alpha the figure quoted is the combined value of their benefits in the two schemes but note that part of that pension may be payable from different ages).

Further details about the Civil Service pension arrangements can be found at the website [www.civilservicepensionscheme.org.uk](http://www.civilservicepensionscheme.org.uk)

## Cash Equivalent Transfer Values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are the member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits they have accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued

to the member as a result of their buying additional pension benefits at their own cost. CETVs are worked out in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

## Real Increase in CETV

This reflects the increase in CETV that is funded by the employer. It excludes increases in accrued pension due to inflation, contributions paid by the employee (including the value of any benefits transferred from another pension scheme or arrangement) and uses common market valuation factors for the start and end of the period.

## Staff Report

(Subject to audit)

	2019-20		2018-19	
	£000	£000	£000	£000
	Permanent Staff	Other Staff	Total Staff costs	Total Staff costs
Salaries	673	109	782	786
Social Security costs	63	10	73	74
Other Pension Costs	183	27	210	168
<b>Sub Total</b>	<b>919</b>	<b>146</b>	<b>1,065</b>	<b>1,028</b>
Agency costs	0	0	0	15
<b>Total net costs</b>	<b>919</b>	<b>146</b>	<b>1,065</b>	<b>1,043</b>

From the 1st April 2019 the Civil Service Pension Scheme employer's pension contributions increased from an average of 21% to an average of 28%. This increase has led to my organisation's pension costs increasing by 25% from £168,000 to £210,000. During 2019-20 and 2020-21, Welsh Government has provided me with an additional £43,000 as a contribution towards these costs.

Included within staff costs is £8,700 (2018-19: £7,518) which relates to the remuneration of four Audit and Risk Assurance Committee Members. The term of office ended for an Audit and Risk Assurance Committee member in May 2018 and there was an interim period of seven months prior to a new member commencing in post, which has resulted in a slight increase in comparable year-on-year costs.

The Principal Civil Service Pension Scheme (PCSPS) and the Civil Servant and Other Pension Scheme (CSOPS) - known as "alpha" - are unfunded multi-employer defined benefit schemes, but the Older People's Commissioner for Wales is unable to identify its share of the underlying assets and liabilities.

The scheme actuary valued the scheme as at 31 March 2012. You can find details in the resource accounts of the Cabinet Office: Civil Superannuation [here](#).

For 2019-20, employers' contributions of £204,000 were payable to the PCSPS (2018-19: £168,000) at one of four rates in the range 26.6% to 30.3% of pensionable earnings, based on salary bands.

The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2019-20 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account: a stakeholder pension with an employer contribution. Employers' contributions of £6,000 were paid to one or more of the panel of three appointed stakeholder pension providers. Employer contributions are age-related and range from 8% to 14.75%.

Employers also match employee contributions up to 3% of pensionable earnings. In addition, employer contributions of £160, 0.5% of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service or ill health retirement of these employees.

Contributions due to the partnership pension providers at the balance sheet date were £1,000. Contributions prepaid at that date were £nil.

All of these contributions are included in Other Pension costs in the table on page 65.

## Staff Numbers

(Subject to audit)

The average number of whole-time equivalent persons that I employed across the year (including senior staff) was as follows:

	2019-20	2018-19
<b>Permanent Staff</b>	16.66	15.98
<b>Temporary/Casual Staff</b>	0	0.55
<b>Fixed Term Appointments</b>	3.94	3.39
<b>Total</b>	20.60	19.92

At the end of the financial period, the number of whole-time equivalent persons that I employed (including senior staff) was as follows:

	31 <sup>st</sup> March 2020	31 <sup>st</sup> March 2019
<b>Permanent Staff</b>	15.51	14.88
<b>Temporary/Casual Staff</b>	0	0
<b>Fixed Term Appointments</b>	3.94	1.96
<b>Total</b>	19.45	16.84

In the tables above, staff employed are reported as whole-time equivalent numbers.

## Fair Pay Disclosure

(Subject to audit)

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid Director in their organisation and the median remuneration of the organisation's workforce. Total remuneration includes only salary and does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

	2019-20 Salary	2018-19 Salary
<b>Band of highest paid director (Commissioner)</b>	£90,000 - £95,000	£90,000 - £95,000
<b>Median total remuneration</b>	£33,600	£33,250
<b>Ratio</b>	2.75	2.77

The banded remuneration of the highest-paid Director (the Commissioner) was £90,000-£95,000 in 2019-20 (2018-19: £90,000-£95,000). This was 2.75 times (2018-19: 2.77) the median remuneration of the workforce, which was £33,600 (2018-19: £33,250). The change in the median is equivalent to the 1% cost of living award that was paid to staff during 2019-20. The ratio has decreased very slightly as the overall staff remuneration has increased at a faster rate than the Commissioner's remuneration.

In 2019-20, no employee (2018-19: nil) received remuneration in excess of the role of Commissioner. Remuneration ranged from £21,800 to £90,000 (2018-19: £21,550 to £90,000).

## Gender Pay Gap

(not subject to audit)

The table below shows the median and mean hourly earnings of pay for my staff.

	31 <sup>st</sup> March 2020		31 <sup>st</sup> March 2019	
	Female	Male	Female	Male
<b>Median total</b>	£17.46	£17.55	£17.28	£19.05
<b>Mean total</b>	£20.66	£17.38	£20.89	£19.42

The staff composition of my office by gender at the end of each financial year was as follows:  
(Not subject to audit)

### Staff by gender 2019-20



	Headcount	Percent	
Female	14	63.6%	Female
Male	8	36.4%	Male
Total	22	100%	Total

### Staff by gender 2018-19



	Headcount	Percent	
Female	13	68.4%	Female
Male	6	32.6%	Male
Total	19	100%	Total

### Senior Management by gender 2019-20



	Headcount	Percent	
Female	3	100%	Female
Male	0	0%	Male
Total	3	100%	Total

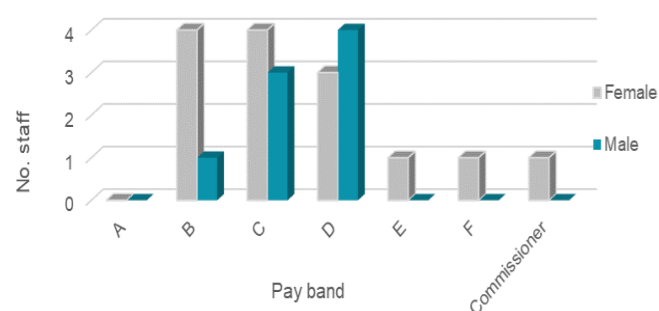
### Senior Management by gender 2018-19



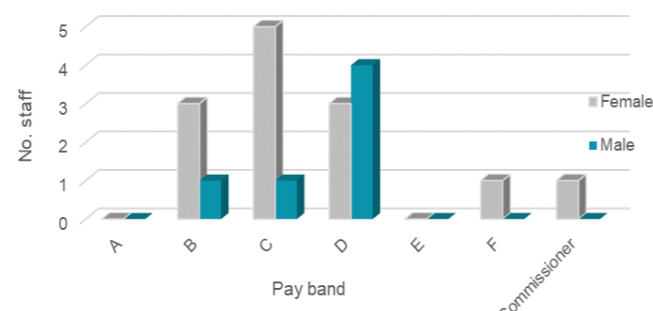
	Headcount	Percent	
Female	2	100%	Female
Male	0	0%	Male
Total	2	100%	Total

In the images above, gender and salary breakdown are reported as actual numbers, the images show that the workforce is predominantly female and that there has been little movement in the staff composition between 2018-19 and 2019-20.

### Gender by pay band 2019-20



### Gender by pay band 2018-19



## Workforce age statistics

(not subject to audit)

### Headcount by age on 31st March 2020

16-24	25-34	35-44	45-54	55-64	65+	Undisclosed
1	4	10	2	5	0	0

## Sickness Absence

The average sickness absence rate per member of staff was 4.04 days (8.68 days in 2018-19), which is less than the absence rate of the UK labour market rate of 4.40 days. The 2018-19 rate was higher than desirable and was attributable to a small number of staff who were on long-term sick. If the long-term absences, which are classified as being for more than four weeks, are removed from the average sickness absence rates then the 2018-19 rate was 5.22 days. There were no periods of long-term absence during 2019-20.

I am committed to the health and wellbeing of my staff and have a comprehensive policy on sickness absence.

## Equal Opportunities and Diversity

My staff and I are committed to, and fully supportive of, the Equality Act and strive to embrace the Act in everything that the organisation does. I am committed to equality of opportunity and seek to employ a diverse workforce. All applications are considered on the grounds that all job applicants should have equal opportunity for employment and advancement on the basis of their ability, qualifications and suitability for the work.

I recognise that discrimination in any form is unacceptable and I am committed to promoting and supporting equality. I am committed to providing a working environment free from discrimination and all forms of bullying and harassment as well as ensuring every member of staff is treated fairly, with dignity and respect.

I am committed to providing equality of opportunity for all staff currently in my employment and any prospective candidates. No member of staff or job applicant will receive unfavourable treatment on the grounds of gender, gender reassignment, sexual orientation, race, including ethnic or national origin, colour or nationality, religion or belief, including lack of belief, disability, age, marriage or civil partnership, pregnancy or maternity, or any other relevant consideration, nor will any individual be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

## Staff Policies Regarding Disabled Employees

If requested, recruitment information would be provided in an alternative format such as large print, Braille or electronically; job applications are also accepted in alternative formats. I would ensure that reasonable adjustments are made regarding arrangements for the interview and interviews will be held in the language of choice.

Reasonable adjustments would be made, where possible, to prevent disabled people being placed at a disadvantage. This relates not only to interviews and arrangements for new members of staff joining the organisation, but also for current members of staff returning to work following an injury or an illness.

## Impact of Covid-19 on employee working practices

As the potential impact of the Covid-19 pandemic became apparent, I informed my staff that the flexi time system would be frozen on the day that I formally closed the office: 17 March 2020. This initially allowed staff to adjust to their new working arrangements and it also supported them to achieve a positive work-life balance in the midst of a global pandemic.

All staff have since undertaken a DSE self-assessment of their work area and I have followed up any identified issues to ensure they have the necessary equipment to be able to operate effectively at home.

From 20 March, two weekly team meetings for all staff were established to update them on operational matters such as work planning and HR, as well as to answer any questions. Informal 'drop in and catch up' sessions are also held weekly, enabling staff to share their experiences and help to manage their wellbeing.

Feedback on the support that I have provided to staff during this extraordinary time has been very positive and welcomed.

## Employee Benefits

I support employees in maintaining a work-life balance via the operation of a flexi time system and provide opportunities for flexible working patterns,

Following reassessment in May 2018, the organisation retained the Gold Small Workplace Health Award, which is valid for three years. The Gold Small Workplace Health Award contributes to my recognition as being an exemplar employer and further enables staff to maximise their performance.

I have continued to ensure that a comprehensive health and wellbeing programme is delivered throughout the year for all staff, providing monthly information on different health and wellbeing topics such as mental health, heart and circulatory disease, hydration, awareness of sugar intake, benefits of cycling and getting fit.

During the year, all employees were able to attend team training sessions about topics such as ageism and age discrimination, mental health discrimination, nutritional therapy and the importance of zero waste

During 2019-20, I provided opportunities during work hours for all employees to receive Welsh language training, fully funded by the organisation. A total of 11 members of staff (50% of the organisation) took part in Welsh language lessons in a variety of formats comprising of weekly sessions with a tutor in the office, attending external classes, accessing online training, and attending a residential intensive course.

I have a free and confidential Employee Assistance Programme which is available to all staff.

Opportunities for learning and development are promoted to all staff, as well as access to benefits such as Childcare Vouchers and Cycle to Work Schemes.

The organisation continues to be an accredited Living Wage Employer. This accreditation means that every member of staff in the organisation earns at least the Living Wage. The Living Wage is based on the cost of living in the UK.

There has never been an instance whereby I have been required to negotiate with a trade union on behalf of staff nor have I been notified that any employees are currently members of a trade union.

## Employee Engagement

After taking up my appointment, I met with all staff individually and I continue to meet all new staff as part of their induction.

I engage with all staff and they have the opportunity to influence and contribute to decisions that affect their working lives and environment. New policies are presented to staff for feedback when they have been developed.

Employee policies are reviewed annually or biennially, as deemed appropriate. If there are any substantial changes to a policy, it is circulated to all staff for information or comment. All policies are equality impact assessed when they are introduced or if there are substantial changes to them.

Communication is embedded within the culture of my office. During 2019-20 I held monthly team meetings during which staff were updated on corporate governance matters, progress of the work programme for the year and have the opportunity to discuss and share information. There are two notice boards within the office on which information is disseminated to staff. One of these boards is dedicated to our employee welfare agenda and is linked to the Small Workplace Health programme.

During 2019-20, I also collaborated with staff on the design of our organisational values and behaviours.

## Off-Payroll Engagements

There were no off payroll engagements during 2019-20; nor 2018-19.

## Consultancy Expenditure

There was no expenditure on consultancy during 2019-20; nor 2018-19.

## Compensation for Loss of Office

(Subject to audit)

There were no compensation payments made in 2019-20; nor 2018-19.

**Heléna Herklots CBE**  
**Older People's Commissioner for Wales**  
**22 October 2020**

# The Certificate and independent auditor's report of the Auditor General for Wales to the Senedd

## Report on the audit of the financial statements

### Opinion

I certify that I have audited the financial statements of the Older People's Commissioner for Wales for the year ended 31 March 2020 under the Commissioner for Older People (Wales) Act 2006. These comprise the Statement of Comprehensive Net Expenditure, Statement of Financial Position, Statement of Cash Flows and Statement of Changes in Taxpayer's Equity and related notes, including a summary of significant accounting policies. These financial statements have been prepared under the accounting policies set out within them. The financial reporting framework that has been applied in their preparation is applicable law and HM Treasury's Financial Reporting Manual based on International Financial Reporting Standards (IFRSs) as adopted by the European Union.

### In my opinion the financial statements:

- give a true and fair view of the state of the Older People's Commissioner for Wales' affairs as at 31 March 2020 and of its net expenditure for the year then ended; and
- have been properly prepared in accordance with Welsh Ministers' directions issued under the Commissioner for Older People (Wales) Act 2006.

### Basis for Opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing in the UK (ISAs (UK)). My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I am independent of the body in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

### Conclusions Relating to Going Concern

I have nothing to report in respect of the following matters in relation to which the ISAs (UK) require me to report to you where:

- the use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the Older People's Commissioner for Wales has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

## Other Information

The Older People's Commissioner for Wales is responsible for the other information in the annual report and financial statements. The other information comprises the information included in the annual report other than the financial statements and my auditor's report thereon. My opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in my report, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by me in the course of performing the audit. If I become aware of any apparent material misstatements or inconsistencies, I consider the implications for my report.

## Opinion on Regularity

In my opinion, in all material respects, the expenditure and income in the financial statements have been applied to the purposes intended by the Senedd and the financial transactions recorded in the financial statements conform to the authorities which govern them.

## Report on Other Requirements

### Opinion on Other Matters

In my opinion, the part of the Remuneration Report to be audited has been properly prepared in accordance with Welsh Ministers' directions made under the Commissioner for Older People (Wales) Act 2006.

In my opinion, based on the work undertaken in the course of my audit:

- the information given in the Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and the Governance Statement has been prepared in accordance with Welsh Ministers' guidance;
- the information given in the Performance Report and Accountability Report for the financial year for which the financial statements are prepared is consistent with the financial statements and the Performance Report and Accountability Report has been prepared in accordance with Welsh Ministers' guidance.

### Matters on Which I Report by Exception

In the light of the knowledge and understanding of the body and its environment obtained in the course of the audit, I have not identified material misstatements in the Performance Report, Accountability Report or the Governance Statement.

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- proper accounting records have not been kept;
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records and returns;
- information specified by Welsh Ministers regarding the remuneration and other transactions is not disclosed; or
- I have not received all of the information and explanations I require for my audit.

## Report

I have no observations to make on these financial statements.

## Responsibilities

### Responsibilities of the Older People's Commissioner for Wales for the Financial Statements

As explained more fully in the Statement of Accounting Officer's Responsibilities, the Older People's Commissioner for Wales is responsible for preparing the financial statements in accordance with the Commissioner for Older People (Wales) Act 2006 and Welsh Ministers' directions made there under, for being satisfied that they give a true and fair view and for such internal control as the Older People's Commissioner for Wales determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Older People's Commissioner for Wales is responsible for assessing the body's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless deemed inappropriate.

## Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of my auditor's report.

## Responsibilities for Regularity

The Older People's Commissioner for Wales is responsible for ensuring the regularity of financial transactions.

I am required to obtain sufficient evidence to give reasonable assurance that the expenditure and income have been applied to the purposes intended by the Senedd and the financial transactions conform to the authorities which govern them.

**Adrian Crompton**  
**Auditor General for Wales**  
**04 November 2020**

Audit Wales // 24 Cathedral Road // Cardiff, CF11 9LJ

# Financial Statements

## Statement of Comprehensive Net Expenditure for the year ended 31 March 2020

	Note	2019-20 £ 000	2018-19 £ 000
<b>Expenditure</b>			
Staff costs	2	1,065	1,043
Other Operating Expenditure	3	462	461
Depreciation / Amortisation	3	13	14
Total Operating Expenditure		1,540	1,518
<b>Comprehensive Net Expenditure for the year</b>		<b>1,540</b>	<b>1,518</b>

All income and expenditure is derived from continuing operations and there are no recognised gains or losses in either 2018-19 or 2019-20

## Statement of Financial Position for the year ended 31 March 2020

	Note	31 March 2020		31 March 2019	
		£ 000	£ 000	£ 000	£ 000
<b>Non- current assets:</b>					
Computer equipment	4	11		15	
Office equipment	4	12		1	
Leasehold improvements	4	3		4	
Intangible assets	5	7		11	
<b>Total non-current assets</b>			33		31
<b>Current Assets:</b>					
Trade and other receivables	6	53		55	
Cash and cash equivalents	7	363		300	
<b>Total current assets</b>			416		355
<b>Total assets</b>			449		386
<b>Current liabilities:</b>					
Trade and other payables	8	(70)		(72)	
<b>Total current liabilities</b>			(70)		(72)
<b>Total assets less current liabilities</b>			379		314
<b>Non-current liabilities</b>					
Provisions	9	(78)		(78)	
Deferred creditor	10	(1)		(4)	
<b>Total non-current liabilities</b>			(79)		(82)
<b>Total assets less total liabilities</b>			<b>300</b>		<b>232</b>
Taxpayers' equity			300		232
<b>General reserves</b>			<b>300</b>		<b>232</b>

Heléna Herklots CBE  
Older People's Commissioner for Wales  
22 October 2020

## Statement of Cash Flows for the year ended 31 March 2020

		31 March 2020	31 March 2019
	Note	£ 000	£ 000
<b>Cash flows from operating activities</b>			
Net expenditure		(1,540)	(1,518)
Adjustments for non-cash transactions	3	13	14
(Increase)/decrease in trade and other receivables	6	2	1
Increase/(decrease) in trade and other payables	8	(2)	(26)
Increase/(decrease) in Deferred creditor	10	(3)	(1)
<b>Net cash outflow from operating activities</b>		<b>(1,530)</b>	<b>(1,530)</b>
<b>Cash flows from investing activities</b>			
Purchase of property, plant and equipment	4	(14)	(10)
Purchase of intangible assets	5		
		(1)	(2)
<b>Net cash outflow from investing activities</b>		<b>(15)</b>	<b>(12)</b>
<b>Cash flows from financing activities</b>			
Funding from Welsh Government		1,608	1,543
<b>Net financing</b>		<b>1,608</b>	<b>1,543</b>
<b>Net increase/(decrease) in cash equivalents in the period</b>		<b>63</b>	<b>1</b>
<b>Cash and cash equivalents at the beginning of the period</b>	7	<b>300</b>	<b>299</b>
<b>Cash and cash equivalents at the end of the period</b>	7	<b>363</b>	<b>300</b>

## Statement of Changes in Taxpayer's Equity for the year ended 31 March 2020

	General Reserve	
	1 April 2019 - 31 March 2020	1 April 2018 - 31 March 2019
	£000	£000
Balance as at 1 April	232	207
Net expenditure	(1,540)	(1,518)
Total recognised income and expense	(1,308)	(1,311)
Funding from Welsh Government	1,608	1,543
<b>Balance as at 31 March</b>	<b>300</b>	<b>232</b>



# Notes to the Accounts

## 1. Statement of Accounting Policies

These financial statements have been prepared in accordance with the 2019-20 Government Financial Reporting *Manual (FReM)*. The accounting policies contained in the *FReM* apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context.

Where the *FReM* permits a choice of accounting policy, the accounting policy which has been judged to be most appropriate to the particular circumstances of the Older People's Commissioner for Wales for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Commissioner are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

### 1.1 Accounting Convention

These accounts have been prepared on an accruals basis under the historical cost convention. The Commissioner has not re-valued any assets as any revaluation adjustments, were not, in the Commissioner's opinion material

### 1.3 Non-Current Assets

Non-current assets are included at cost as, in the opinion of the Commissioner, any adjustments arising from revaluation would not be material. All non-current assets are owned by the Commissioner.

### 1.4 Tangible Non-Current Assets

The minimum level for capitalisation of a tangible non-current asset is £1,000 inclusive of irrecoverable VAT. Title to all property is held by the Commissioner. All property occupied by the Commissioner is leased. Other tangible non-current assets are not revalued as, in the opinion of the Commissioner, the amounts involved would not be material.

### 1.5 Intangible Non-Current Assets

The minimum level for capitalisation of an intangible non-current asset is £1,000 inclusive of irrecoverable VAT. Software licences and information technology software are capitalised as intangible non-current assets and amortised on a straight-line basis over their expected useful lives (normally four years).

### 1.5 Depreciation / Amortisation

Depreciation / amortisation is provided at a rate calculated to write off the tangible non-current assets by equal instalments over their estimated useful lives. Depreciation is provided from the date the asset commences its useful life.

Asset lives are normally, as follows:

Leasehold improvements	Term of the lease or to break clause up to a maximum of 5 years
Office equipment	5 years
IT related equipment	4 years

### 1.6 Income, Funding and Expenditure

The main source of funding for the Commissioner is from Welsh Government via an annual funding allocation.

The accruals basis of accounting means that income and expenditure disclosed in the accounts are accounted for in the year that it takes place, not when cash payments are made or received.

Expenditure is that which relates directly to the activities of the Older People's Commissioner for Wales. The Commissioner's office operates in Wales and deals with the issues that impact upon older people in Wales. The Commissioner has only one operational segment as reflected in the Statement of Comprehensive Net Expenditure and associated notes.

The Commissioner is not registered for VAT. All expenditure is reported inclusive of VAT where applicable, as VAT is irrecoverable.

### 1.7 Reserves

Reserves enable the Commissioner to manage risk effectively and ensure business continuity and continuation of her ability to deliver against her statutory duties when faced with unforeseen and unforeseeable issues, either of a financial or service nature.

### 1.8 Foreign Exchange

Transactions that are denominated in a foreign currency are translated into sterling at the exchange rate ruling on the date of each transaction. Foreign currency imprests are translated into sterling at the exchange rate ruling at the time of funding.

### 1.9 Pensions

The Commissioner and directly employed staff are eligible for membership of the Principal Civil Service Pension Scheme (PCSPS). It is an unfunded multi-employer defined benefit scheme. Contributions to the scheme are charged to the net expenditure account when due for payment in the resource accounts of the Cabinet Office: Civil Superannuation. <http://www.civilservicepensionscheme.org.uk/>

### 1.10 Operating Lease Charge

Lease payments are recognised as an expense and charged to the Statement of Comprehensive Net Expenditure on a straight-line basis over the lease term.

### 1.11 Provisions

The Commissioner provides for legal or contractual obligations which are of uncertain timing or amounts at the statement of financial position date, on the basis of best estimate of the expenditure required to settle the obligation.

The Commissioner's dilapidations provision represents an estimate of the costs the Commissioner will incur in making good its leased properties at the end of the lease. This figure has been provided using an estimate of costs from a local contractor.

### 1.12 Cash and Cash Equivalents

The Commissioner drew funding regularly during the year, which is deposited in the Government Banking Service account upon receipt. Monies are drawn down into a commercial bank account to pay liabilities as they fall due. Petty cash is also held at the Commissioner's office.

### 1.13 Employee Benefits

Salaries and national insurance contributions for current employees are recognised in the Statement of Comprehensive Net Expenditure as the employees' services are rendered. The Commissioner accounts for paid annual leave as a liability where the compensation for absence is due to be settled within twelve months after the end of the period in which the employees render the service.

#### Accounting Standards Issued, Not Yet Effective:

In January 2016, IFRS 16 – Leases was issued, and is effective for annual periods beginning on or after 1 January 2021. This accounting standard will apply from 2021-22 and is not reasonably estimable at this stage.

The implementation of this standard has been delayed from 2020-21 due to Covid-19.

IFRS 16 will replace the current leases standard IAS 17 and requires a lessee to recognise assets and liabilities for leases with a term of more than 12 months unless the underlying asset is of low value. A lessee is required to recognise a right-of-use asset representing its right to use the underlying leased asset and a lease liability representing its obligation to make lease payments. As a consequence, a lessee also recognises depreciation of the right-of-use asset and interest on the lease liability and classifies cash repayments of the lease liability into a principal and interest portion. This is a significant change in lease accounting and will have a material effect on the Commissioner's accounts Financial Statements.

### 2. Staff costs comprise:

	2019-20	2018-19
	£000	£000
	Permanent Staff	Other Staff
	£000	Total Staff costs
	£000	Total Staff costs
Salaries	673	782
Social Security costs	63	73
Other Pension Costs	183	210
<b>Sub Total</b>	<b>919</b>	<b>1,065</b>
Agency costs	0	0
<b>Total net costs</b>	<b>919</b>	<b>1,043</b>

### 3. Other Operating Expenditure

Other operating expenditure consists of:

	2019-20	2018-19*
	£000	£000
Rentals under operating leases	71	67
Other accommodation costs	78	66
Information technology	59	54
Professional fees	43	48
Training & development	15	11
Travel & subsistence	11	15
Audit fees – Internal audit	7	7
Audit fees – External audit	14	14
Specific Programmes	112	132
Other administrative expenses	52	47
	<b>462</b>	<b>461</b>
Non-cash items:		
Depreciation	8	9
Amortisation	5	5
	<b>13</b>	<b>14</b>
<b>Total</b>	<b>475</b>	<b>475</b>

\*2018-19 figures restated

Further disclosure on Other Operating Expenditure is provided within the Financial Performance Highlights section.

## Specific Programmes

The table below provides a breakdown of my work programme expenditure during the first year of my new strategic plan 'Making Wales the best place in the world to grow older. I have also disclosed the spend on my State of the Nation report.

Strategic priority area	£000
End Ageism and Age Discrimination	34
Stop the Abuse of Older People	17
Enable everyone to Age Well	47
State of the Nation	14
<b>Total</b>	<b>112</b>

The expenditure disclosed above does not include any apportionment of Commissioner's staff salary costs and reflects additional direct costs only.

## 4. Tangible non-current assets

	Computer Equipment £000	Office Equipment £000	Leasehold Improvements £000	Total £000
Cost or valuation				
At 1 April 2019	34	37	279	350
Additions	1	13	0	14
Disposals	0	(18)	0	(18)
<b>At 31 March 2020</b>	<b>35</b>	<b>32</b>	<b>279</b>	<b>346</b>
Depreciation and impairment				
At 1 April 2019	19	36	275	330
Charged in the year	5	2	1	8
Disposals	0	(18)	0	(18)
<b>At 31 March 2020</b>	<b>24</b>	<b>20</b>	<b>276</b>	<b>320</b>

<b>Net book value at 31 March 2020</b>	<b>11</b>	<b>12</b>	<b>3</b>	<b>26</b>
Net book value at 31 March 2019	15	1	4	20

There has been no impairment of any assets and they are shown at cost which is considered to be the 'fair value'.

## 5. Intangible Non-Current Assets

	Software Licences £000	Information Technology £000	Total £000
Cost or valuation			
At 1 April 2019	46	67	113
Additions	0	1	1
Disposals	0	0	0
<b>At 31 March 2020</b>	<b>46</b>	<b>68</b>	<b>114</b>
Amortisation			
At 1 April 2019	46	56	102
Charged in the year	0	5	5
Disposals	0	0	0
<b>At 31 March 2020</b>	<b>46</b>	<b>61</b>	<b>107</b>

<b>Net book value at 31 March 2020</b>	<b>0</b>	<b>7</b>	<b>7</b>
Net book value at 31 March 2019	0	11	11

## 6. Trade receivables

	31 March 2020 £000	31 March 2019 £000
<b>Amounts falling due within one year:</b>		
Trade receivables	0	0
Prepayments and accrued income	53	55
	<b>53</b>	<b>55</b>

A prepayment is an amount paid in advance, usually for items such as rates or rent. It is initially recognised as an asset and is expensed in the period when the benefit is received.

There were no receivables falling due after more than one year.

## 7. Cash and Cash Equivalents

	2019-20 £000	2018-19 £000
Balance at 1 April	300	299
Net change in cash and cash equivalent balances	63	1
<b>Balance at 31 March</b>	<b>363</b>	<b>300</b>
The following balances at 31 March were held at:		
Government Banking Service	7	139
Commercial banks and cash in hand	356	161
<b>Balance at 31 March</b>	<b>363</b>	<b>300</b>

## 8. Trade Payables and Other Current Liabilities

	31 March 2020 £000	31 March 2019 £000
Amounts falling due within one year		
Trade payables	9	2
Accruals	61	70
	<b>70</b>	<b>72</b>

## 9. Provision for Liabilities and Charges

	31 March 2020 £000	31 March 2019 £000
Balance at 1 April	78	78
Provided in year	0	0
Provision utilised in year	0	0
<b>Balance at 31 March</b>	<b>78</b>	<b>78</b>

A provision is made for redecorating / dilapidations of the office during the term of the lease and on the termination of the lease. In accordance with IAS 37, this provision is reviewed annually.

## 10. Deferred Creditor

	31 March 2020	31 March 2019
	£000	£000
At 1 April	4	5
Accrued expenditure during the year	0	0
Released to Statement of Comprehensive Net Expenditure Account during year	(3)	(1)
<b>Balance at 31 March</b>	<b>1</b>	<b>4</b>

The Commissioner holds a five-year operating lease in respect of office accommodation, which includes a variable rental over the life of the lease, and a break without prejudice at year three in August 2021. Operating costs are charged on a straight-line basis over the lease term in accordance with IAS 17. The deferred creditor will release fully in year three of the lease.

## 11. Commitments Under Leases

### Operating leases

Total future minimum lease payments under operating leases are given in the table below analysed according to the period in which the lease expires

	31 March 2020	31 March 2019
	£000	£000
<b>Obligations Under Operating Leases Comprise:</b>		
Land and buildings:		
Expiry within one year	69	69
Expiry after one year but not more than five years*	25	94
Later than five years	0	0
	<b>94</b>	<b>163</b>

\*The Commissioner holds a lease on one office in Cardiff Bay. The Commissioner has agreed a lease term for a period of five years from 5 August 2018 with a break option in year three. The rent payable was set for the initial three years of the term with years four and five to be agreed during 2021-22. The value of this lease will be in-line with open market value following inspection by an independent surveyor.

HMT have recently confirmed that IFRS16 issued in January 2016, will not now become effective until 1 January 2021. This will require that all leases with a lease term of more than 12 months be recognised as assets and liabilities in the financial statements.

## 12. Financial Instruments

As the Commissioner's cash requirements are met through funding provided by the Welsh Government, financial instruments (investments, derivatives and other financial instruments) play a more limited role in creating risk than would apply to a non-public sector body.

The majority of financial instruments relate to contracts to buy non-financial items in line with the Commissioner's expected purchase and usage requirements and the Commissioner is therefore exposed to little credit, liquidity, interest rate or foreign currency risk.

There is no material difference between the book values and fair values of the organisation's financial assets and liabilities as at 31st March 2020.

## 13. Finance Leases and PFI Contracts

There are no obligations under finance leases or PFI contracts (2018-19: nil). The Commissioner has not entered into non-cancellable contracts which are leases or PFI contracts (2018-19: nil).

## 14. Contingent Liabilities Disclosed Under IAS 37

*The Commissioner has not incurred any contingent liabilities that are not disclosed elsewhere in these accounts (2018-19: nil).*

## 15. Related-Party Transactions

In 2019-20, the Commissioner received funding of £1,608,000 from the Welsh Government (2018-19: £1,543,000).

The Welsh Government is regarded as a related party.

During 2019-20, neither the Commissioner, nor other members of the Business Management Team, or any of their family, were involved directly or indirectly in any transactions with the office during the year, apart from normal expense claims and salary payments.

## 16. Events After the Reporting Period

There were no significant events occurring between the year end and the approval of these accounts.

These financial statements were authorised for issue on 22 October 2020 by Heléna Herklots CBE.



