

To:

SHA Chief Executives
Regional Directors of Public Health
NHS Trust and Foundation Trust Chief Executives
Local Authority Chief Executives
Directors of Adult Social Services
PCT Chief Executives
Arms Length Bodies
Royal Colleges
Directors of Government Offices of the Regions
Deputy Directors of Adult Social Care
DH Age Discrimination Advisory Group
Third sector strategic partners
Third sector social enterprise sounding board
Research organisations
Chairs of Local Involvement Networks
Chairs of Regional Fora on Ageing

Dear colleague

National review of age discrimination in health and social care

The Secretary of State has asked us to undertake a review of the actions required to implement the provisions in the Equality Bill currently before Parliament relating to age discrimination in health and adult social care. In October we will publish our recommendations on the following areas:

- The timetable by which health and adult social care organisations will implement the ending of unjustifiable age discriminatory practice in the provision of services as set out in the Equality Bill.
- For which health and adult social care services it is beneficial and therefore objectively justifiable to retain age-based differentiation.
- How to support the health and social care system to implement the public sector equality duty in respect of all ages.
- The key actions that the health and adult social care system should take to make demonstrable progress in meeting their obligations as quickly as possible.

We will advise how health and social care organisations can support people to achieve a high quality of life, irrespective of their age. The review will look both at ending age discrimination and the promotion of the new duty on all public bodies to advance equality of opportunity in society and it will be informed by a number of key principles including -

- > Age discrimination and unfair treatment based on age have no place in a fair society, which values all its members;
- > Personalisation means that meeting individuals' needs for health and social care should be based on their individual condition and circumstances, not assumptions about their age;
- > Services should be differentiated by age only where this is beneficial and therefore objectively justifiable; and
- > Services should demonstrate value and beneficial outcomes for all people in the use of public funds.

The review will be led by the NHS and social care in the South West. It will address the way forward in England and take into account the financial and planning framework within which work to tackle age discrimination must take place. The Department of Health will support the national co-ordination and liaise across government and with the devolved administrations.

Evidence from published research and from individual cases demonstrates there is age discrimination in some health and adult social care services, but we need to ensure that we have a comprehensive picture of the current position across the country and what needs to be done to deliver the changes required by the new legislation. We are therefore keen to gather as much evidence as possible from interested groups and individuals. We are interested in views on the four areas listed above, i.e. we are looking for:

- > Evidence and views on what timetable should be set for implementation of the provisions in health and social care for adults;
- > Evidence of and views on those services and practices that differentiate on the basis of age in a positive and fair way that should be retained;
- > Evidence and views on what actions public bodies need to take to implement the new equality duty in respect of age, and how they can best be supported to do so for both adults and children;
- > Evidence and views on which actions need to be taken to tackle age discrimination, and by whom.

More broadly, we are keen to gather the analysis and evidence that underpins responses to these questions, for example on issues such as:

- > good practice in the ending of age discrimination and the promotion of equality for all ages;
- > differential access to services, and also where services provide an equitable balance between age groups;
- > how service design can lead to ending age discrimination, and how it can be used to support age-appropriate services;
- > how the challenges faced and actions needed vary across different types of services;
- > how behaviours and culture contribute to age discrimination and how they can be changed;
- > which systems, levers and incentives can support the delivery of the changes required;

- > how individuals, teams and organisations will know they have succeeded in ending age discrimination and demonstrate transparency in decisions on resource allocation.

This is by no means an exhaustive list, and respondents should not feel constrained by it.

We would like to take this opportunity to emphasise that we are approaching this review without any assumptions about the conclusions it will draw. Given the complexity of the issues, we are keen to gather as much evidence as possible from a large number of interested parties.

The review will engage stakeholders within and beyond the health and adult social care system both in co-producing the analysis and in shaping the recommendations. Please therefore feel free to disseminate this call for evidence further through your own networks and contacts.

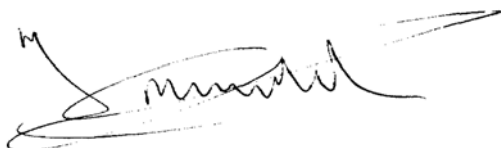
We are committed to making the review transparent, placing the analysis of information that supports the final advice in the public domain, as well as the report. Finally, we are determined to ensure that the review is realistic and based on the capacity and capability of the system to deliver change and improvement.

We would very much appreciate hearing from you as soon as possible, but at the latest by **3rd July 2009**. You can send your evidence to agediscriminationreview@dh.gsi.gov.uk or to Lindsay Gardiner, Room 516, Richmond House, 79 Whitehall, London SW1A 2NS.

We attach with this letter the terms of reference for the review. If you require any further information to help develop your thoughts, please contact Richard Gleave, Programme Director based at the Government Office of the South West, 2 Rivergate, Temple Quay, Bristol BS1 6EH (richard.gleave@dh.gsi.gov.uk)

We look forward to hearing from you in the near future and our thanks in advance for your help.

Yours sincerely



Jan Ormondroyd
Chief Executive
Bristol City Council



Sir Ian Carruthers
Chief Executive
NHS South West

Annex: Terms of Reference for the Review

The review will provide advice and recommendations to the Secretary of State for Health on the implementation of the provisions in the Equality Bill relating to ending age discrimination and promoting age equality as soon as possible in the health and social care system. This review will report publicly in October 2009. The review will take into account the financial and planning framework within which work to tackle age discrimination must take place.

The review will be led by Sir Ian Carruthers, Chief Executive of the South West Strategic Health Authority and Jan Ormondroyd, Chief Executive of Bristol City Council.

The Review's objectives are:

- To recommend the timetable by which health and adult social care organisations will implement the ending of unjustifiable age discriminatory practice in the provision of services as set out in the Equality Bill.
- To recommend for which health and adult social care services it is beneficial and therefore objectively justifiable to retain age-based differentiation.
- To advise the Secretary of State on how to support the health and social care system to implement the public sector equality duty in respect of all ages.
- To recommend the key actions that the health and social care system should take to make demonstrable progress in meeting their obligations as quickly as possible.