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## Guiding Questions in preparation for the VIII OEWGA

Information about discrimination against older persons and inequalities of opportunities or outcomes experienced by older persons is mainly reported by The Equality Ombudsman (EO) and the National Board of Health and Welfare.

### Equality and non-discrimination

According to the Discrimination Act (2008:567) all employers – not only government agencies – are obliged to run goal-oriented work to actively promote equal rights and opportunities at work. However, previously there were no requirements that active measures should be taken regarding age in the workplace or in education. In order to tackle this, in March 2016 the Government submitted a bill that proposes that work on active measures should also cover age as grounds for discrimination. The changes entered into force on 1 January 2017.

To ensure that older people are fully integrated and able to participate in society, it is important to counter all forms of discrimination due to age or disability. Expanded protection against age discrimination entered into force on 1 January 2013. The ban on discrimination linked to age previously only applied at work and in education, but this has now been expanded to also cover the areas of society – goods, services, housing, general assemblies, public office, care and health care, social services, social insurance, unemployment insurance, government study grants and public appointments.

Many older people are disabled in some way, which means that they risk encountering obstacles in their daily lives. Consequently it is important that

society is made accessible to everyone at all ages. From 1 January 2015, poor accessibility has been included as a form of discrimination in the Swedish Discrimination Act.

Many people will eventually suffer from illness or different kinds of physical or mental impairments, which may cause difficulties in everyday life. The Government has therefore proposed a new legislation on future proxy, which will give individuals the opportunity to appoint someone who can take care of their personal and economic affairs later in life, in case the person's own ability is decreasing. Future proxy is an alternative to an administrator or trustee appointed by the court and a supplement to ordinary proxies. It strengthens individual self-determination by improving opportunities to plan for the future and keep control. The future proxy is valid when the individual experiences a reduced decision-making capacity and it is the proxy holder who decides when this happens. The new legislation will enter into force on 1 July 2017.

It is important that elderly care services are available to everyone in need, women and men alike, irrespective of their socioeconomic, cultural or ethnic background. To boost expertise, safeguard quality and achieve uniform care and health care throughout Sweden, the National Board of Health and Welfare has drawn up several national guidelines since 2012. The guidelines are geared towards decision-makers and the profession and contain among other things recommendations regarding musculoskeletal diseases, diabetes care, good palliative end-of-life care and special support for people with dementia.

To attain the overarching goal whereby elderly people nationwide are to receive good quality help and support on the basis of their individual needs, the National Board of Health and Welfare has developed a needsbased and systematic way of working that has partly resulted in the model "Äldres behov i centrum" ("Needs of the elderly central"). This is a model for processing care of the elderly in which the life situation of the older person and their need for support are described and documented using the WHO's International Classification of Functioning, Disability and Health (ICF).

The National Board of Health and Welfare's web-based platform Kunskapsguiden (Knowledge guide) contains different types of online training, including training on medication reviews for elderly people, in order

to reduce the risk of side effects, such as a higher risk of falls. The proportion of elderly people in assisted living services who have been prescribed medication that may be considered unsuitable for elderly people continued to fall during 2015.

With the aim of surveying the opinion of older people about their care, and in order to compare the quality of social services and health care throughout Sweden, the National Board of Health and Welfare has carried out annual nationwide user surveys since 2013. The National Board of Health and Welfare's user survey in 2015 shows that satisfaction is higher among those receiving assisted living services (89 per cent) compared with those who live in specialized accommodation (82 per cent). This can partly be explained by the fact that older women and men who move into specialized accommodation have reached an advanced age and have poorer health compared with those who remain living at home. The median age for moving into specialized accommodation is 87 for women and 85 for men. The staff receives good scores for their approach both in assisted living services (97 per cent) and in specialized accommodation (94 per cent). However, women suffer from loneliness to a greater extent than men, and more women than men also suffer anxiety, worry or stress.

The prohibition on discrimination in all areas does not prevent differential treatment on grounds of age if there is a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose. The prohibition of discrimination does not prevent the application of age limits with regard to the right to pension, survivor's or invalidity benefits (Discrimination Act chapter 2 section 2).

The prohibition in the area of supply of goods, services and housing have the following exceptions according to Discrimination Act chapter 2 section 12b:

1. does not prevent the application of provisions of an act in which a certain age is prescribed,
2. does not apply to the provision of insurance services,
3. does not prevent the application of lower age limits for admission to establishments where spirit drinks, wine, strong beer and other fermented

alcoholic beverages which the business operator is licensed to serve are served on a commercial basis, and

4. does not prevent other differential treatment on grounds of age if the differential treatment serves a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

In order to raise awareness about ageing as a natural phase it is important to develop non-discriminatory images of older persons. The National Institute for the Study of Ageing and Later Life (NISAL) is a Swedish institution that conducts leading-edge research on key social, political and cultural issues of ageing. While providing basic and advanced academic training within these fields NISAL also contributes to the proliferation of knowledge about ageing. NISAL also participates in various national and international research networks and is in charge of the Swedish contribution to the COST Action IS 1402 together with Karlstad University. There is no upper age limit to study at a university or an university college in Sweden, which provides the basis for lifelong access to high education and training.

### **Neglect, violence and abuse**

In the past 10 years the Government has contributed towards improving quality in preventing, counteracting and tackling violence against elderly people through legislation and different stimulation initiatives geared towards municipalities. The measures have mainly focused on three strategic areas: the dignity and wellbeing of the individual, the quality of care, and help and support to relatives who are carers. The Social Services Act (2001: 453), SoL, clarifies that the social welfare committee shall provide support and assistance to victims and that the committee should take into account that women who have or have been subjected to violence or other abuse of related persons may be in need of support and help to change their situation. In order to further support the municipalities' quality development, in June 2014 the Government decided on a national strategy on violence towards elderly people in care and medical care. The intention of the strategy is to inspire municipalities to raise their sights and improve quality in terms of working to prevent, identify and tackle violence against older people that occurs in the care and health sector. The National Board of Health and Welfare also provides different types of online training for staff working within elderly care on how to prevent, identify and support older people who are the victims of violence.