

**Citizens' Assembly meeting on
The Challenges and Opportunities of an Ageing Population
9th July**

Draft Ballot Paper Explanation by the Assembly Chairperson

Introduction

Over the course of the last two weekends, the Members of the Assembly have considered a range of issues in relation to the second topic in the terms of reference for the Assembly; *the Challenges and Opportunities of an Ageing Population*.

Before this weekend's meeting a draft Ballot Paper was circulated to the members. That draft attempted to capture some of the key issues which have emerged during discussions during the weekend in June and to also anticipate some of the issues which would emerge during yesterday's discussion.

When it was circulated, Members were invited to provide initial observations to the Secretariat. The revised draft Ballot Paper which has been circulated to the members this morning, incorporates some of these suggested changes. It also incorporates further suggestions received from the members yesterday in feedback sessions.

Before the Members go into Private Session to discuss the revised draft Ballot Paper, I want to provide a brief explanation of each of the questions; to explain what the question is trying to get at, what each of the options presented to the Members mean, and in some cases why certain terminology has been used.

Following the Roundtable discussions, the relevant members of the Expert Advisory Group; Patricia Rickard Clarke, Eamon O'Shea and

Susan Cliff, together with the Chair and Secretariat will then be available to answer any questions on the draft. Time has been included on the agenda to allow any amendment agreed by the members to be included on the Ballot Paper.

The results of the final Ballot will form the basis of the recommendations to be made to the Houses of the Oireachtas.

Draft Ballot Paper Structure

The revised draft Ballot paper has an introductory question dealing with implementation of existing policies followed four sections as follows:

Section A: Long-Term Care

Section B: Pensions

Section C: Member Generated Additional Questions

Under each section one or more draft questions are provided. I will now move on to explain each of these in turn.

Former section on opportunities in retirement

Before I do however, I will just say that the initial draft Ballot paper contained a reference to a section on opportunities in retirement. We had intended to include member generated suggestions here, but none were received. In any event, I think an overriding theme of the Ballot paper is about enhancing the opportunities that arise from an older population.

Question 1

The revised draft ballot paper now includes a specific question about the implementation of existing policies. This was perhaps the most dominant theme emerging from yesterday's discussions and it was felt that it was

therefore appropriate to include it as the very first question on the Ballot Paper.

Section A- Long-Term Care

Question 2

Question 1 seeks to obtain relatively straightforward information from the Assembly: who should be principally responsible for providing required care for older people? The earlier draft of this question also referred to the organising of this care. However based on Member feedback, and on further reflection, I concluded that this only complicated this question unnecessarily.

As the short preamble to the question states, this question is posed to establish the views of the Citizens' Assembly about who should be responsible for providing care. In this question the Assembly will give its view about where in society, responsibility should lie.

Four options are presented, for this question you are being asked to select only one:

Option 1: That the family/ older person should be totally responsible

Option 2: That it is mainly the family/ older person which should be responsible, but the State should have at least some responsibility

Option 3. That it is mainly the State that should be responsible, but the family/ older person should have at least some responsibility; and

Option 4. That the State should be totally responsible

Essentially, the question seeks to establish if the members of the Assembly feel that responsibility should rest either at individual level (family/ older person), or with the state or somewhere in-between the two.

This is not an insignificant matter. As we heard at our last weekend, in some countries, families are viewed in society as having primary

responsibility for care giving, while in others the role of the State is seen as central.

The question does not confine itself to just who provides care however; it is widened to include organising that care. This is in recognition of the fact that many families may not be able to provide the care directly, but help to organise it on behalf of the older person.

Equally and perhaps more importantly, it recognises the fact that many older people who require care, and have the capacity to do so, make those arrangements themselves.

Before I go any further, I want to make clear that this question is not about who should fund care- this is dealt with in subsequent questions. I know that it can be conceptually difficult to disentangle the two, but they are distinct. I might outline how some of these distinctions may occur.

You might ask, “if I select family/ older person in this question, how could it follow that someone other than that same family/ older person should be responsible for the payment of that care (or indeed the provision of that care where no payment is provided)”.

The distinction here is that it is possible for the family to be fully responsible, but for the State to be fully liable for the cost of this care.

By voting for Option 1, you would be saying that the family should be supported to care for the older person, through appropriate adequately funded State supports such as a carer’s allowance.

Moving to another point of clarification.

In answering this question, you may find it difficult to decide how best to vote when considering certain individual circumstances that you are familiar with or aware of.

For example, what about older people who don’t have families? You may ask yourself, how should I vote to take account of their needs? Again, I would ask you to consider this question from the point of view of individual responsibility. Ideally everyone would plan ahead to make their wishes clear for their future care needs, well before that care is needed in the event that it is. As such, do you want a society that places

that responsibility on the individual? If so you may decide to select Option 1, or perhaps Option 2 or 3, where that responsibility is shared with the State to a greater or lesser degree.

You might also ask about capacity. What if an older person does not have the capacity to make that decision? The Secretariat circulated a document by the CIB (Relate) which summaries the provisions of the Assisted Decision Making Capacity Act 2015, which although enacted, many of the provisions have not yet been commenced. However when those provisions are commenced, it will put in place a number of new arrangements. These arrangements include assisted decision making and co-decision making and advance health directives, which will enable a person to make legally binding agreements to be assisted and supported in making decisions about their welfare, property and affairs if the person lacks capacity in the future.

In addition, the 2015 Act will also set out new arrangements in relation to Enduring Powers of Attorney and provide for a Director of Assisted Support Services who will have a statutory function in relation to overseeing all of these services.

In these cases you may feel that it is always appropriate for the State to have a role and intervene, or indeed for the State to have full responsibility, in which case you would select Option 4.

In your discussions you may well have other issues which might emerge in relation to this question, but in considering this question, I ask you to reflect on this questions core objective; to establish the view of the Assembly as to where responsibility should rest.

In terms of reporting on this question; the recommendation of the Assembly will be the option which obtained the highest number of votes with the chair having a casting vote if required.

The majority will be determined by reference to the total votes cast in favour of all options available.

Question 3

Question 3 (question 2 in the old draft) is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks "Do you think there should be an increase in public resources allocated for the care of older people?" In recognition of the fact that generally speaking, people will vote for more money for everything, (unless they have to actually pay for it themselves!), the question also asks you to remember when casting your vote that any additional public resources allocated will mean less money is available for other areas of need and/or new forms of funding will be required to pay for any increase. The potential source of that funding is interrogated in question 4.

In terms of reporting on this question, a majority, and therefore the recommendation of the Assembly, will be determined by reference to the total votes cast in favour of 'Yes' and 'No', with the answer with the highest number of votes deemed to be the majority

Question 4 (question 3 in the old draft)

Some possible options for the areas of funding referred to in question 3 are provided in question 4.

Question 4 asks, "if more resources for care of older people became available, where do you believe this funding should come from?"

Five potential options are provided and Members are asked to select one of these.

Option 1 is that the additional funding for older people would come from a reallocation of existing tax-based resources. In other words, funding would be diverted from some other area, or funding would be obtained through a more efficient use of resources.

Option 2 is that the additional funding for older people would come from an increase in general taxation. Some examples of the relevant taxes here include income tax, Value Added Tax, other indirect taxes like excise duties and levies and property taxes.

Option 3 is that the additional funding for older people would come from a compulsory social insurance payment. This would be an earmarked

tax for all workers linked to labour market participation –not unlike the current PRSI mechanism to fund long-term/ social care for older people. What is envisaged here is a payment which would cover all self employed and PAYE workers.

Option 4 is that the additional funding for older people would come from Long-term/ social care private insurance (privately funded by the insured). This would be something similar to private health insurance.

Option 5 is that the additional funding for older people would come from cost sharing arrangements for users of all services. Included in this would be home care. Such a scheme would be financed by co-payments or by a charge on someone's assets. An example of a similar scheme which you are familiar with is the fair deal scheme.

In terms of reporting on this question, the recommendation of the assembly will be the option which obtained the highest number of votes with the chair having a casting vote if required.

The majority will be determined by reference to the total votes cast in favour of all options available.

Question 5 (question 4 in the old draft)

At this point the Assembly has answered questions about whether additional funding is required and if so where it should come from. Question 5 asks where this additional funding will be spent. The wording of the question has once again been altered to aid comprehension and for consistency.

This question is posed to establish where the Members of the Assembly believe additional funding should be mainly spent. In this version of the Ballot paper this question has been reworded for clarity following Member feedback. To be clear, this question is not asking where all funding should go- it is asking where new or extra funding should go.

In this question, the Members are being asked to rank each option in order of preference. Please note that you do not need to mark a preference against each option, but you must express a minimum of one

preference, marked as the number 1 in order for your vote to count however.

Before I go any further in relation to this ballot I want to say something about what would constitute a spoiled vote on this question. Questions 12 and 13 follow a similar format and therefore these rules apply there also.

Where a voter marks 1 beside more than one option or does not mark 1 beside any question, this will be considered as spoiled vote as the intention of the voter is not clear.

Where a voter either skips or duplicates a preference other than the first preference then only any preferences indicated up to the missing/duplicated one will be counted. For example in a question with five options if the voter marks 2, 1, 3, 4, and then another 3 then preferences 1 and 2 are counted and the remaining ones are not. Similarly if a voter marks 1, 2, 4, 5 then only preferences 1 and 2 are valid, as the intention of the voter is not clear.

Full details of the voting arrangement are provided in the note you were circulated with in advance and which is also in your packs. The note will also be available on the website.

Moving back to the options on the draft Ballot Paper, you will see that there are three options presented.

Option 1. Residential care services

Option 2. Home care services and supports

Option 3. Community-based integrated housing models

As is the case in all questions on the Ballot Paper, there is no right answer. For example, you may decide to pick option 1 here if you feel this area needs more expenditure to improve the quality of care and life experience of those living in residential care.

Similarly you might pick option 2 if you feel home care is underfunded and requires investment.

Or you may pick option 3 as this is a model which you feel would allow for an improved quality of life for older people in the long term.

The voting mechanism to be employed here, where you express an order of preference, means that you will be able to weight your responses.

Before I move on to the next question I want to explain how we will count the votes for this question. Further explanation is provided in the note on voting.

The results will provide details of the number of votes cast in respect of each option. In order to facilitate clear reporting for these questions, the returning officer will assign a score to each question and these scores will be added up. For example if there are 5 options in the question then each time an option is voted as the first preference of a citizen that question scores 5 points. Similarly a score of 4 points is awarded for a second preference down to 1 point for last preference. The total scores are added up to give an overall vote for each question and the results can be reported as a list of options in decreasing order of preference.

A majority, and therefore the recommendation of the Assembly, will be the option which obtained highest score. However the report of the Assembly on this topic will provide the full voting results, and will therefore reflect the full spectrum of opinion of the Members of the Assembly.

Question 6 (question 5 in the old draft)

Once again question 6 is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks "do you think that the government should expedite the current commitment to place home care for older persons on a statutory footing?" This question is informed by the fact that the Government has committed to developing a new statutory scheme for home care services. On Thursday this week the Department of Health launched a public consultation to help the Department to develop plans

for a new statutory scheme. As such, this question is asking if you believe efforts to develop this policy should be accelerated.

Question 7 (question 6 in the old draft)

Question 6 is another referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks “do you think that regulation, such as that currently in place for residential centres, should be extended to afford better protection to older and dependent people in receipt of other health and care services.”

For the sake of clarity, the regulation referred to here- that currently in place for residential services- is the work which is undertaken by HIQUA.

Question 8 (question 7 in the old draft)

Question 7 follows on from question 6 and asks “if the Government were to decide to extend regulation to other health and care services for older people, what other services do you believe should be regulated?” The earlier draft of this question referred to 'residential services' whereas the correct term is 'residential centres'.

In this question, Members are invited to Mark X for each service you wish to see regulated. The four options presented are:

Option 1: Respite services- this can cover very short-term *respite*, for example, a carer for an evening, or a much longer arrangement for a holiday. Schemes of *respite* care are sometimes called 'Breakaway' or 'Friendship' schemes. *Respite* care or temporary care may be based in the community or in an institution.

Option 2: Day care services- This would cover centres providing a range of social and rehabilitative services for older people.

Option 3: Care and support services in a person's own home. Regulation in this case would refer to the care providers being regulated to ensure

that they are following best practice and have adequate safe guards in place. It does not mean that people's homes would be regulated

Option 4: Care and support services provided through a supported housing scheme.

In terms of reporting for this question, the results will simply report for each of the options the number of people who marked that option along with the percentage of the electorate that number represents.

The recommendation or recommendations of the Assembly will arise where a majority, i.e. 50% or more of the Assembly, votes in favour of one or more options.

Section B- Questions on Pensions

Section B relates to Pensions and Income. The questions included in the draft Ballot Paper are those which emerged from the material presented this weekend.

Question 9 (question 8 in the old draft)

Question 9 is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks "do you think that the State should introduce some form of mandatory pension scheme to supplement the State Pension?"

Yesterday we heard from a number of speakers about possible options here including auto-enrolment, but also the possibility of enhancing the existing PRSI scheme to cover pensions.

In revising this draft ballot paper we contemplated including new questions on each of these, but the reality is that any such scheme would be highly complex and I want to ensure that the recommendation the Assembly make here is meaningful and reflects the will of the members. In my view, those members who expressed view on this matter seemed to be motivated by a desire to improve the take up of pension schemes. This question allows the members to express that view, without getting bogged down in the detail. We must remember,

that we are not pensions experts and we have a finite number of questions we can include on a Ballot paper.

Question 10 (formerly question 10 but has been reordered)

Once again question 10 is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks "do you think that the current anomaly, which arises when a person who must retire at 65 is not entitled to the State pension until 66, should be removed?"

This is in reference to the fact that there is a gap of one year between the age of retirement at 65 and the age at which a person can access the State pension, currently 66, but due to rise to 67 from 2021 and 68 from 2028.

Question 11 (question 9 in the old draft)

Once again question 11 is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks "do you think that mandatory retirement on the basis of age should be abolished?" Yesterday we heard a number of perspectives on this issue- the personal impact of mandatory retirement, as well as the impact on the wider economy and society.

Question 12 (new question)

Question 12 is a new question based on Members deliberations yesterday.

Once again this is a simple referendum style question which asks a straightforward question with 'Yes' or 'No' options.

The question asks, “Do you think that the State pension should be benchmarked by reference to average earnings?”

Question 13 (new question)

Question 13 is a new question based on Members deliberations yesterday.

Once again this is a simple referendum style question which asks a straightforward question with ‘Yes’ or ‘No’ options.

The question asks, “Do you think the Government should take steps to rationalise private pension schemes to include greater transparency in relation to fees?”

Question 14 (new question)

Question 14 is a new question based on Members deliberations yesterday.

Once again this is a simple referendum style question which asks a straightforward question with ‘Yes’ or ‘No’ options.

The question asks, “Should the Government backdate the Homemakers Scheme to 1973?”

Question 15 (new question)

Question 15 is a new question based on Members deliberations yesterday.

Once again this is a simple referendum style question which asks a straightforward question with ‘Yes’ or ‘No’ options.

The question asks, “Do you think State support for carers, including access to education, retraining and pension arrangements, should be enhanced?”

Section C: Member Generated Additional Questions

To reiterate the preference Over the course of the two weekends when the Assembly discussed the topic *the Challenges and opportunities of an ageing population* a number of further issues emerged in the discussions, which were not directly related to the topic of 'long-term care' or 'pensions, income and retirement'.

As the Citizens' Assembly is an exercise in deliberative democracy, the issues outlined in question 16 are a result of Members input.

Members are therefore invited in this question to express, in order of preference which of these issues they consider to be the most important. This mechanism is favoured over individual questions on each item as it is the view of the Chairperson that it would not be appropriate to include a wide range of distinct questions given the Members did not receive expert briefings on the matters included.

Question 16

Issue 1

The responsibility for older people should be formally devolved to the relevant Minister of State.

(ref Ita Mangan)

Issue 2

Have a dedicated one-stop shop for older people to access information about their entitlements and run an education campaign to support it.

(member feedback)

Issue 3

Take steps to ensure that older people have a stronger voice in determining their own care needs

(ref Christine McGarrigle)

Issue 4

Ensure stronger governmental leadership in relation to the prioritisation of the health and social care needs of older people