



OFFICE OF THE STATE  
COMPTROLLER AND  
OMBUDSMAN OF ISRAEL

# SURVEY ON THE ROLE OF THE OMBUDSPERSON IN ADVANCING THE RIGHTS OF OLDER PERSONS



**Office of the Ombudsman of Israel**

August 2023

## Introduction

Medical and biotechnological progress has led to a breakthrough in the field of public health, both on the individual and communal level. This poses new and fascinating challenges for society, such as an increase in life expectancy and the resulting increase in the percentage of older persons in modern society.

According to the World Health Organization, the global life expectancy at birth in the year 2000 was 66.8 years. In the year 2019, global life expectancy reached 73.3 years.

Issues dealing with improvement in the quality of life of older persons and the study of aging (gerontology) occupy government authorities across the globe. The Covid-19 pandemic, which started spreading throughout the world in late 2019, stressed the importance of improving public services for this community.

On 1.12.2021, the Office of the Ombudsman within the Office of the State Comptroller and Ombudsman of Israel hosted a professional, international conference in celebration of its 50th anniversary. The theme of the conference was "Advancing the Rights of Older People in an Age of Longevity". Ombudspersons and academics from over 51 countries took part in the online conference.

Prior to the conference, the Office of the Ombudsman sent out a questionnaire to all the members of the International Ombudsman Institute (IOI). The questionnaire asked a number of quantitative and qualitative questions relating to the handling of complaints of older persons and addressed several issues, including the difficulties of older persons in using the digital services provided by the ombuds institutions; the barriers preventing older persons from filing complaints; the exploitation of older persons by different sources and the ramifications for older persons of the measures adopted by the governments of the different countries to prevent the spread of Covid-19. It should be pointed out that while the questionnaire relates, among other things, to the crisis stemming from the Covid-19 pandemic, the insights gained from it are applicable to all emergency situations.

55 ombuds institutions from six continents<sup>1</sup> participated in the survey<sup>2</sup> The primary findings of the survey were presented at the international conference of the Office of

---

1 The ombudsman institutions that answered the questionnaire are those of Tirana, Andorra, Argentina, Australia - Commonwealth, New South Wales, Southern Australia, Western Australia, Austria, Belgium, Bermuda, Burkina Faso, British Columbia, Newfoundland and Labrador, Ontario, Quebec, Croatia, Cyprus, Czech Republic, Djibouti, Faroe Islands, Finland, Georgia, Great Britain, Greece, Hungary, Israel, Italy, Japan, Kenya, Kosovo, Mauritius, Mexico, Mexico City, Moldova, Morocco, New Zealand, Northern Cyprus, Norway, Panama, Peru, Poland, Romania, Russia, Canary Islands, Catalonia, Zurich, Thailand, The Palestinian Authority, Timor Leste, Turkey, Ukraine, Iowa, Ohio, Zambia, and the Pensions Ombudsman of Belgium.

2 Not all the respondents answered all the questions.

the Ombudsman by the head of the Office, Dr. Esther Ben-Haim. They were subsequently included in the special report published by the Office in February 2023, titled "Challenges and Goals in Providing Services for Older Persons - Lessons Learned from the Investigation of Complaints".

In the present report we are honoured to provide a detailed analysis of the survey findings.

The Office of the Ombudsman highly values learning from fellow ombuds institutions around the world. The data before you open a skylight to the knowledge and experience gained by the international ombuds community in relation to the investigation of complaints of older persons.

It should be added that the IOI has approved the Israeli Ombudsman's request to write a Best Practice Paper on the subject of services provided for older persons, and the BPP will make use of the findings of the survey.

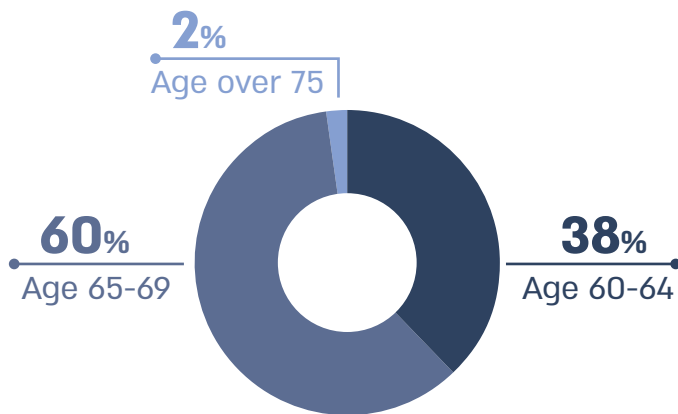
The Ombudsman of Israel wishes to thank all the ombuds institutions that took part in the survey and contributed to the research on this important topic.

# Survey Findings

## A. Quantitative questions

The respondents were asked from what age a person is considered an older person in their country. The following chart illustrates the findings:

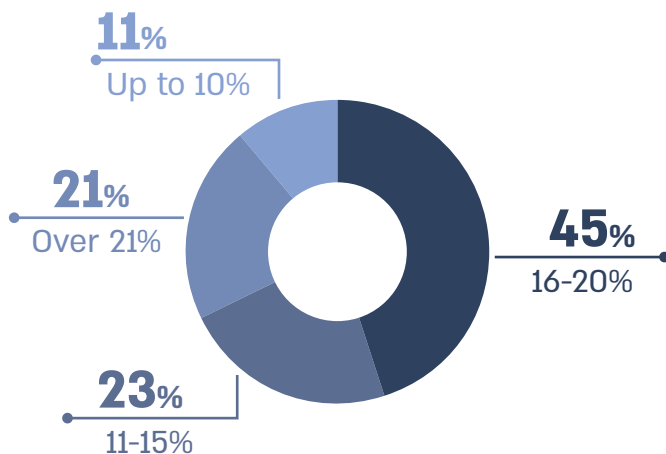
**Chart 1: Age from which a person is considered an older person**



The chart shows that most of the responding institutions consider persons aged 65 and above as older persons.

The respondents were asked to specify what percentage of the overall population of their countries comprised older persons. The following chart shows the data gathered:

**Chart 2: Percentage of older persons of the overall population**



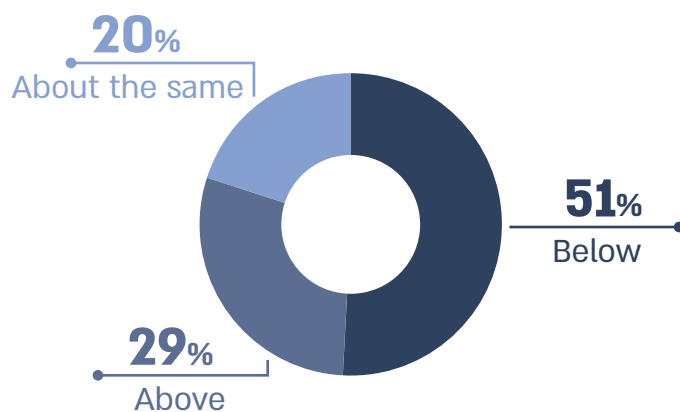
The chart shows that in a large portion of the geographical areas represented<sup>3</sup>, older persons constitute 16-20% of the population.

The respondents were asked to estimate the breakdown of complaints of older persons by gender.

According to the answers received, approximately 55% of the complaints were filed by men, while only 45% were filed by women.

The respondents were asked to estimate the percentage of complaints filed by older persons in relation to the total number of complaints filed in 2020. The following chart shows the findings:

**Chart 3: Estimated percentage of complaints filed by older persons in relation to total number of complaints filed**

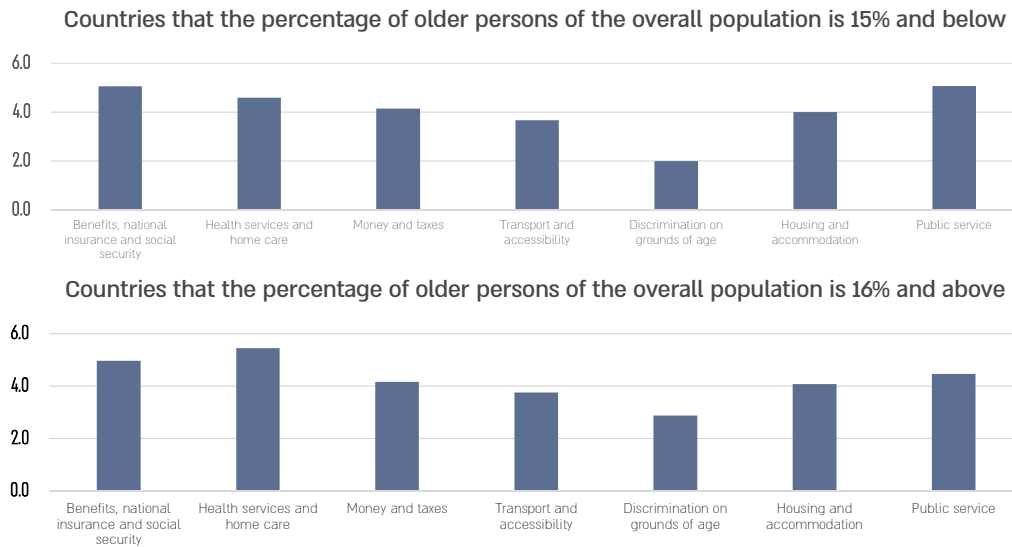


The chart shows that in most (51%) of the ombuds institutions represented, the estimated percentage of complaints filed by older persons was less than the percentage of older persons within the total population. This signifies an under-representation of older persons' complaints in these ombuds institutions.

The respondents were asked to rank the frequency of complaints of older persons about different issues, whereby the higher the rank (its closeness to 7) the higher the frequency of the complaints. The following chart shows the frequency of complaints about the different issues:

3 Countries, provinces, states, cities.

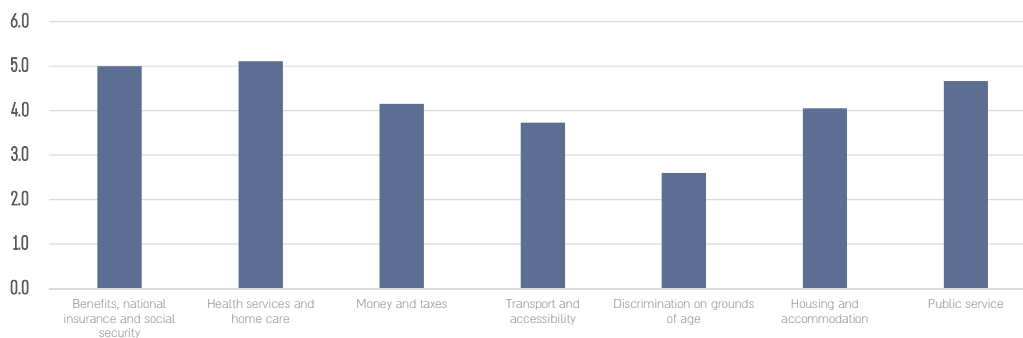
**Chart 4: Frequency of subject of complaints of older persons in ascending order (1-7)<sup>4</sup>**



The chart illustrates that, according to the respondents' estimation, the most common issues complained about by older persons are benefits and national insurance (mean 5 and Std. Deviation 2.1); health services and sheltered housing (mean 5 and Std. Deviation 1.9); public service (mean 4.7 and Std. Deviation 2.0). The least common complaints are about ageism (mean 2.7 and Std. Deviation 2.0).

The following chart shows the differences in frequency of complaint subject between institutions in countries with a high percentage of older persons and those with a low percentage of older persons.

**Chart 5: Frequency of subject of complaints of older persons (1-7)<sup>5</sup>, in relation to the percentage of older persons of the total population**



When a comparison was made between responding countries whose percentage of

4 From the least common subject (1) to the most common (7).

5 From the least common subject (1) to the most common (7).

older persons does not exceed 15% and responding countries whose population of older persons is 16% or over, it was found that there was practically no difference in the frequency of complaints about the different issues. However, it was found that respondents in whose country the percentage of older persons is higher, the rate of complaints about ageism is higher (2.1 2 +/- 1.3 & 2.9 +/- respectively). (Chart 5).

## B. Correlations

Correlations were made between subjects of complaints and national indices. The results are collated in the following table:

**Table1: Correlations between subjects of complaints and national indices**

	Benefits, National insurance and social security	Health services and home care	Money and taxes	Transport and accessibility	Discrimination on grounds of age	Housing and accommodation	Public service
GDP per capita	-0.227	<b>0.437</b>	-0.212	<b>0.363</b>	-0.231	0.160	0.254
Aged 65 and older	-0.171	0.253	0.062	0.146	0.074	0.051	0.152
Life expectancy	-0.162	<b>0.306</b>	-0.019	0.167	-0.015	0.194	0.276
Human Development Index	-0.239	<b>0.356</b>	-0.200	0.229	-0.115	0.264	0.258

An examination of the correlations between subjects of complaints and characteristics of the different countries (GDP per capita, percentage of older persons aged over 65, life expectancy and Human Development Index [HDI]) disclosed the following:

A moderately positive correlation was found between GDP and complaints about health services and home care (0.437) - the higher the GDP, the higher the number of complaints about health services and home care.

A moderately positive correlation was found between GDP and complaints about transport services and accessibility (0.363) - the higher the GDP, the higher the number of complaints about transport and accessibility.

A moderately positive correlation was found between HDI and complaints about health services and home care (0.356) - the higher the HDI, the higher the number of complaints about health services and home care.

A moderately positive correlation was found between life expectancy and complaints about health services and home care (0.306) - the higher the life expectancy, the higher the number of complaints about health services and home care.

**GDP per capita** - a financial metric that breaks down a country's economic output per person and is calculated by dividing the GDP of a nation by its population.

**Aged 65 and older** – Persons aged 65 and above (percentage of total population).

**Life expectancy** - a statistical measure of the average time an individual is expected to live, based on the year of his/her birth, current age and other demographic factors, such as gender.

**The Human Development Index (HDI)** is a summary measure of average achievement in key dimensions of human development: a long and healthy life, access to education and having a decent standard of living.

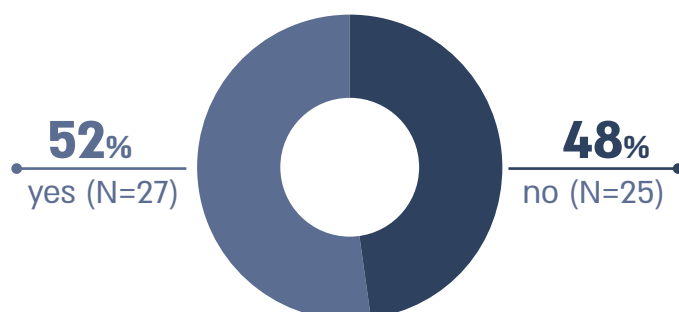
- Positive correlations were found between health services and home care and GDP, human development index and life expectancy.
- Positive correlations were found between transport and accessibility and GDP.

## C. Qualitative questions

The respondents were also asked a number of qualitative questions, giving them the opportunity to provide detailed answers. The following is a presentation of the questions asked and the data accumulated from the answers:

Q. Do you receive complaints that testify to the loneliness of older persons and their dependence on others? If yes, please describe these complaints.

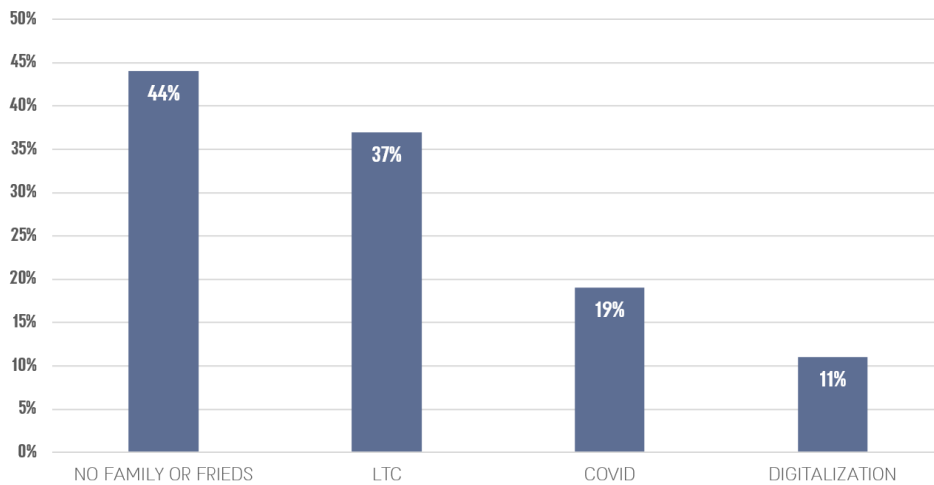
Do you receive complaints that testify to the loneliness of older persons and their dependence on others?



27 of the respondents to the above question (52%) answered "yes". As the question refers to two issues – 1. loneliness 2. dependence on others - the following responses are summarized within those parameters.



## Loneliness



According to many respondents, the complainants specified in their complaints that “they have no one to help them” and that they were on their own (44%). A large percentage of the complaints of older persons referred to **long-term care** (LTC) institutions (37%). Some cases related to the restrictions in visiting due to Covid-19, which had a direct impact on their loneliness (19%); others concerned the digitalization barrier (11%). Some of the answers indicated more than one sign of loneliness, and thus the total percentage is higher than 100%.

## Dependence on others

When analyzing the ways and forms in which older persons perceive their dependency on others, a few recurrent answers from the different countries were found:

1. **Family and neighbors** – (10) Older persons, especially those with physical or mental disability, are mainly dependent on their immediate family and neighbors. Older persons who do not have such support find it much harder to cope than those who do.
2. **LTC** (long-term care) – (9) Although most older persons prefer to continue living at home, with home care if needed, in many countries LTC is very common and older persons are becoming increasingly more dependent on the professionalism and goodwill of these facilities. Many complaints to the ombudsman concern the treatment in these facilities.
3. **Covid-19** – (5) Complaints concerning Covid-19, dealing mainly with the lockdowns and separation from families, the ability to travel without restriction and registration for vaccinations.
4. **Digitalization barrier** – (3) In general, the digitalization of services makes it harder for older persons to access them and increases their dependency on others to utilize them. The Covid-19 pandemic accelerated the transition

of many government and private service providers to digital platforms, thus making it even harder for older persons. Some ombudsman institutions responded that they offer a hotline which people can call. Other ombudsman institutions still receive the public at their offices or allow the submission of complaints by letter.

Q. What signs of exploitation of the older person can be found in the letter of complaint or in the course of the investigation? If such signs exist, what measures do you take both on an intra-organizational level and on an extra-organizational level?

27 respondents to this question (66%) confirmed dealing to some extent with the exploitation of older persons. However, 14 respondents (34%) answered that they never receive complaints relating to exploitation, or are unable to give accurate information regarding exploitation (8) or that this issue is not within the jurisdiction of the ombudsperson (6).

Most responses referred to exploitation in general, though 9 out of the 27 responses (33%) specified financial abuse and 5 responses (19%) referred to exploitation in the context of LTC. 11 institutions (41%) answered that they conduct an investigation of the complaint. 21 respondents (78%) answered that in complaints about exploitation they refer the matter to the police or the State Attorney's office/prosecution, even if they do not investigate them themselves.

In **Western Australia**, "The Ombudsman's risk management process has rigorous controls around complaints indicating risk to older people."

In **Ohio**, "Exploitation is taken extremely seriously and responded to by investigation quickly."

**Japan** raised a valid concern about the potential dilemma of breaching the privacy of the plaintiff: "it must be difficult without consent of the complainant since provision of personal information to third parties is prohibited."

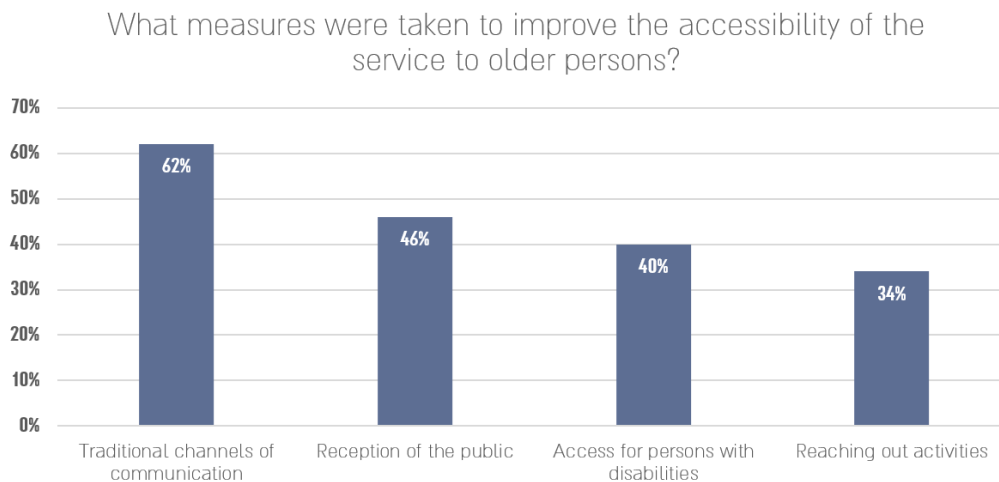
**The Province of Newfoundland and Labrador responded**, "If letter of complaint is on behalf of senior we query why senior is not complaining in person. If the third party complaining on behalf of the senior restricts access or will not permit interviewing senior alone etc. these are signs of potential senior abuse, financial control etc. our province has a dedicated agency called Adult Protection that will take referrals from the Ombudsman."

**Cyprus** responded, "If we identify any signs of exploitation (namely physical, psychological or economic violence or neglect), we inform the Police and the Social Welfare Services, asking them to take action. On our behalf, we monitor the action taken."

**Georgia** answered, "In cases of violence or ill-treatment of the older persons, we appeal to the Ministry of Internal Affairs to launch an investigation."

Q. Have you taken measures to improve the accessibility of your service to older persons? Please detail.

50 respondents answered that they attach great importance to this matter and that they have taken some kind of action to improve accessibility to the older community. The following chart shows the measures taken:

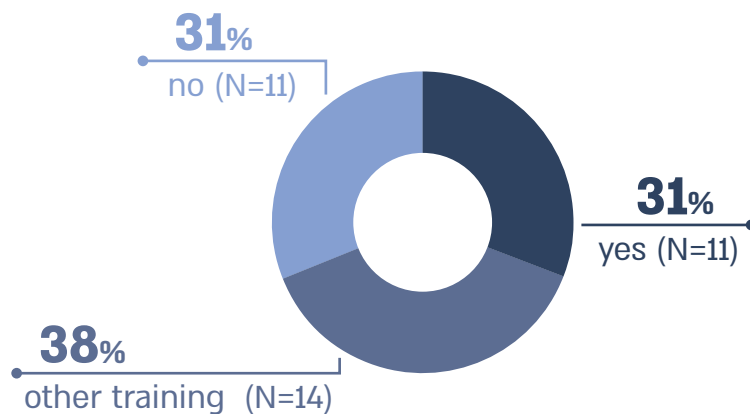


The measures taken can be divided into the following groups:

1. **Traditional channels of communication** – The highest number of respondents - 31 (62%) - answered that they enable communication via phone and/or regular mail. Some have a hotline (Western Australia, Panama, Greece, etc.) that provides general information and also receives complaints.
2. **Reception of the public** – 23 respondents (46%) answered that they receive the public at their offices.
3. **Access for persons with disabilities** – Many institutions that receive the public - 20 (40%) - answered that they have made the necessary physical and digital adjustments for the disabled population.
4. **Outreach activities** – 17 respondents (34%) answered that they conduct activities to raise awareness, such as different media campaigns. Some answered that they reach out to rural areas, meeting with the older community that lives there and has less access to the large cities (Croatia, Catalonia, Georgia, Canary Islands, etc.).
5. **Language support** – 4 respondents (8%) emphasized that they translate their materials into multiple languages and that they allow the submission of complaints in different languages (British Columbia, Australia, Czech Republic, Finland, Mexico, Israel) For example, **Australia** answered that “Information on how to make a complaint to the Ombudsman is available in 17 languages in addition to English and features on the homepage of the Ombudsman’s website.”

Q. Do you train your staff to handle complaints of older persons? What type of training do you provide?

Do you train your staff to handle complaints of older persons?



69% of the responses indicated that there is no special training for dealing with older persons. Some respondents answered that the general training of staff, which teaches empathy and patience, is applicable for dealing with older persons (38%). Others responded that they found it beneficial to provide specialized training for the staff that deal with this population group.

In **Finland**, for example, "Various kind of trainings; regarding the interpretation of legislation and fundamental human rights, participation in international conferences, meetings with the other Nordic countries. Meetings with different kind of specialists like dentists and gerontology researchers to gain deeper understanding on how different issues affect the lives of the elderly."

In **Quebec**, intense training is provided: "Members of the team specializing in complaints and reports relating to care and services for the elderly receive ongoing training on how to deal with clients. There are also regular sharing of relevant content, guidance or scientific content on care and services for the elderly. Finally, most of the team members have field experience in care and services for the elderly."

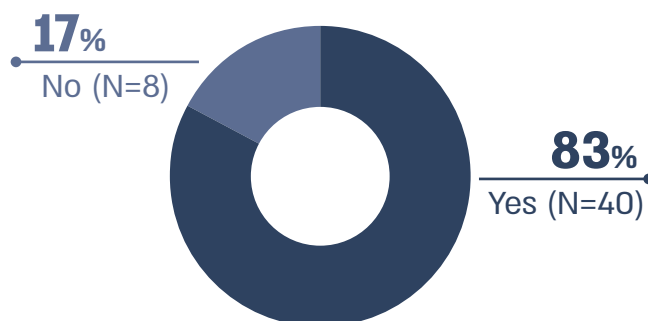
In **Catalonia**, "The personnel who directly care for people are in continuous training, both in terms of their more technical professional skills - updating of regulations - and in the field of emotional management and healthy habits in caring for people. In addition, the Personnel Assistance service staff has a psychologist for cases in which greater empathy is required."

In **Mexico City**, "First contact personnel is trained on older people rights, as well as their common psychosocial needs."

In **Western Australia**, "The Ombudsman provides ongoing training and professional development to staff to effectively handle complaints from older people. This includes the Office's induction, Continuous Professional Development program and direct feedback from managers. Further, the Ombudsman's intranet includes training materials that are relevant to the handling of complaints by older people, including guidelines on effective communication."

Q. Do you have solutions to the difficulties encountered by older persons in using the digital services of your institution? Please detail.

Do you have solutions to the difficulties encountered by older persons in using the digital services of your institution?



While the majority of respondents (83%) answered that digital services restrict older persons and that they therefore provide alternative channels of communication, 17% did not consider this an issue. The most common solution to overcoming the digital barrier is to allow the use of more traditional means of submitting complaints, such as in person (17) (although this was somewhat limited due to the Covid-19 restrictions), via telephone hotlines (28) - many of which are toll-free - and via regular mail. 15 of the respondents answered that they provide a hotline but also allow persons to file complaints in person. Some of the respondents answered that they allow others, such as family members and friends, to submit the complaints on behalf of the older person.

An excellent example of an institution that offers a wide range of options for improving accessibility to the older population is **Andorra**: "Our institution works to guarantee easy, confidential and direct access through multiple channels. Through the Internet, Web and social networks (Google Business, Facebook, Twitter and Instagram), as well as by phone, email and face-to-face visits. During confinement, the face-to-face service was maintained exclusively for the elderly or people with mobility problems."

In **Ohio**, they have gone the "extra mile" in their approach: "We visit facilities where older, vulnerable adults live in order to remove the barriers for them to call us, write us or Chart out how to reach us. We use volunteers for this purpose as well."

**Austria** responded, "Elderly persons often have difficulties with the use of digital

communication, therefore the AOB provides possibilities to get in touch on a personal level. All Ombudsmen offer consultation days in district cities and larger municipalities. Besides, there are special consultation days via telephone, especially for people having difficulties with writing."

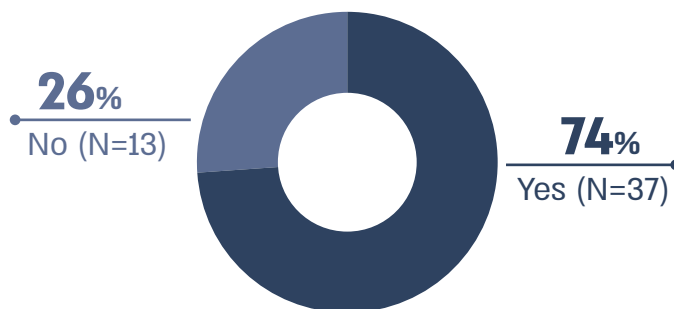
In **Belgium**, "It is not necessary to use digital tools to reach us. When they want to reach us they can send an e-mail or fill in a form on our webpage and when we don't exactly understand what they want to ask we phone them or ask if it is possible to pay a visit at our office."

In the **Province of Newfoundland and Labrador**, "Investigators may attend on the senior in their home or place of residence to assist or assist via telephone."

In **Thailand**, "The Office of the Ombudsman has publicized and demonstrated how to use Ombudsman's digital services through the Ombudsman Care project, which is outreach to various community areas that will help all people - including the elderly - to know how to access the Ombudsman through a digital system, which is a convenient, safe and appropriate way of communication in the current situation."

Q. Do you identify unique barriers that hinder or even prevent older persons from filing complaints?

Do you identify unique barriers that hinder or even prevent older person from filing complaints?



74% of the responses addressed different barriers that prevent older persons from filing complaints. The main barriers that recur in the responses are:

1. Digital barrier and lack of access to internet (16 countries).
2. Lack of awareness of rights or how to file complaints and with whom (10 countries).
3. Physical and cognitive limitations, especially for those in long term care homes (7 countries)

An interesting response on the matter that summarizes the issue was received from

**Georgia:** “Older people have a low awareness of fighting for their rights. They basically do not know which agency to turn to protect their rights. In addition, they have transportation problems. Unfortunately, older people, either do not have access to technology at all, or cannot take full advantage of these opportunities.”

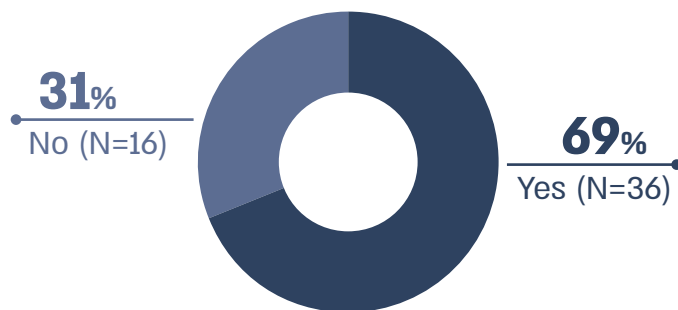
A similar observation was made by **Kosovo:** “The Ombudsperson Institution of Kosovo during its work has identified as the most common obstacles that prevent older people from filing complaints the following: Lack of information about their rights and mechanisms for their protection.”

**Finland** responded that “Older people may also fear that filing complaints might lead to a worse situation.”

**Quebec** answered that “Older people and their families are sometimes afraid of suffering reprisals following a complaint or a report concerning the quality of care and services. Indeed, it is difficult to make a complaint or to express dissatisfaction with a person or an organization that gives us care in such an intimate way. In addition, the people housed are often very vulnerable people and families are reluctant to make complaints for fear that their parents/relatives will suffer the consequences.”

**Q. Do you initiate awareness-raising activities for older persons?**

Do you initiate awareness-raising activities for older persons?



69% of the respondents answered that they initiate awareness-raising activities for older persons. Some conduct initiatives designed for the older population, while others use their regular awareness-raising activities that are also applicable for the older population.

In **Croatia**, for instance, “Through media appearances (TV and radio) in programs that are specifically aimed at older persons, we discuss our work and the issues that concern them (including maintenance-until-death contracts), we mark international days and events that are relevant to older persons. After a severe earthquake that left a part of Croatia in rubble (the area has a high percentage of older population), the Ombudswoman made several visits to the area and conducted research on the needs of the most vulnerable groups in the area, which was later presented to relevant authorities and stakeholders. A liaison officer from our Office went to coordination meetings in the affected area on a weekly basis.”

In **Thailand**, "The Office of the Ombudsman has created various projects and activities to promote understanding of the Ombudsman, such as the Ombudsman Meet and Greet Project, the Ombudsman Care Project, the Ombudsman's broadcasting on television program - the People's Station Program on Thai PBS Television Station, etc. These projects and activities provide knowledge about the Ombudsman for all groups of people including the elderly."

**Australia** responded that "In the past our Office has done presentations for organizations and community groups aimed at older people. We have also regularly held a stall at the Seniors Expo, an event run by the Council on the Ageing in the ACT."

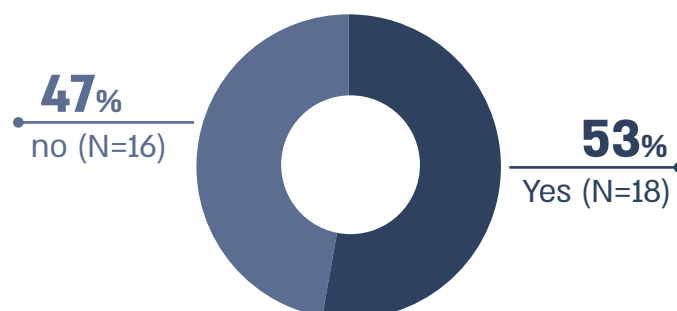
In **Peru**, "The Ombudsman's Office has 28 offices and 10 defender service modules at the national level, through which rights promotion activities are carried out (informative talks, webinars, etc.) aimed at civil society in general and also individually, specific to the older adult population. Likewise, activities are carried out with the aim of informing about the rights of said population. For example, during the year 2021, 33 activities were carried out to promote rights related to older adults in different offices and ombudsman service modules."

In **Catalonia**, "the Síndic gives talks in different parts of Catalonia. Some of these talks have been directed especially at older people and entities that work for this group. At the same time, within the framework of his daily activity, the Síndic also visits facilities such as day centers or residences for the elderly."

**Russia** responded that "The High Commissioner for Human Rights in the Russian Federation conducts legal education events aimed at senior citizens, such as the socially oriented project "Legal Marathon for Pensioners" and the "Integration" festival, which include human rights master classes, trainings, film screenings, and free legal consultations. "Legal Marathon for Pensioners" is a socially oriented educational project of the Office of the High Commissioner for Human Rights in the Russian Federation. This project has been implemented since 2015. It is a new form of legal education for people of retirement age, including free legal consultations and seminars on legal topics."

Q. Do you have programs for the realization of rights of older persons? What do these programs stress? Please illustrate with examples.

Do you have programs for the realization of rights of older persons?





53% of the respondents answered that they do have a program for the realization of rights of older persons. The majority of the activities are focused on advancing the rights of older persons and raising the awareness of older persons as to their rights.

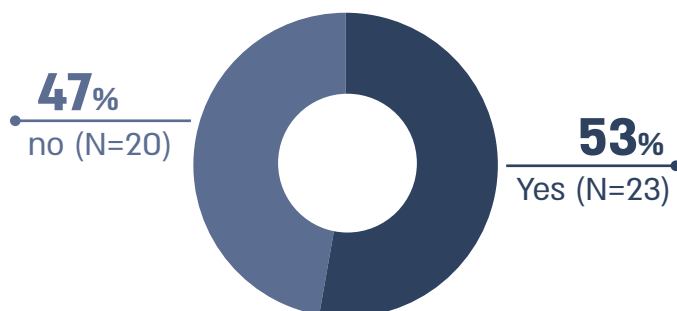
**Finland** responded that “The Human Rights Centre it is part of the Office of the Parliamentary Ombudsman, but it operates autonomously and independently. The duties of the Human Rights Centre include providing information, education, training and research associated with fundamental and human rights, as well as drafting reports, presenting initiatives and issuing statements in order to promote and implement fundamental and human rights.”

In **Mexico**, the National Human Rights Commission “carries out actions to promote and disseminate the human rights of people, especially those who are in a situation of vulnerability such as older people, young people and their families, such as talks, conferences, talks and workshops, with the objectives of: • Generate a culture of recognition, respect and protection of people’s human rights. • Make visible the violations of their human rights such as violence and discrimination and disseminate information on their prevention, care and progressive elimination. • Promote the specialization of public servants who directly serve this sector of the population.”

In **Western Australia**, “The Ombudsman promotes and protects the rights of older people through the investigation and resolution of complaints. In particular, the Ombudsman investigates complaints relating to the Office of the Public Advocate (OPA) and the Office of the Public Trustee (OPT).”

Q. Have you identified changes in the number or subject matter of complaints of older persons as a result of the Covid-19 pandemic?

Have you identified changes in the number or subject matter of complaints of older persons as a result of the Covid-19 pandemic?

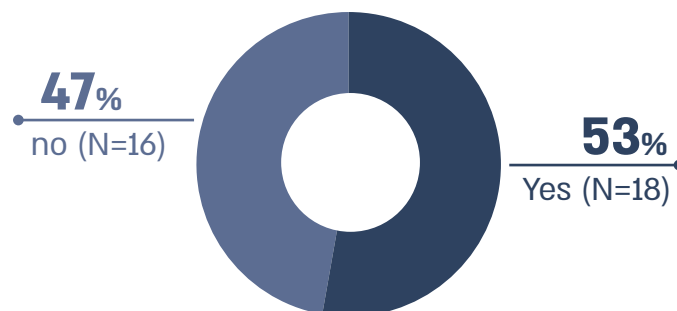


According to 53% of the responses, there were changes in the number or subject matter of complaints during the Covid-19 pandemic. Many of the complaints related to restrictions in travelling and visiting people, and the extent to which LTC homes were prepared for coping with the pandemic. Some experienced a reduction in the number of complaints, which they attributed to Covid-19.

An interesting response was received from the **Czech Republic**: "The number of complaints filed by people of age 60+ is slightly decreasing compared to previous years (from 2018 on). The changes are, however, not dramatic and it is hard to assess what was the cause of the decrease. The subject matter of the complaints has changed as a result of the COVID-19 pandemic - there are new issues and problems older people complain about. In addition to what was mentioned in responses to other questions, older people experience problems at work. We received several complaints indicating that some employers ordered older people to take a vacation or to stay at home on "home office" to protect their health. There were also cases in which an older person was fired from work."

Q. Have you investigated complaints dealing with the violation of fundamental rights of older persons following the measures taken to prevent the spread of Covid-19? If so, on what issues?

Have you investigated complaints dealing with the violation of fundamental rights of older persons following the measures taken to prevent the spread of Covid-19?



36% of the respondents investigated Covid-related complaints. The main topics related to LTC facilities (9), the health care system (6), travel restrictions and visiting ban (7), vaccinations (3).

"The Ombudsman of **Thailand** examined the overall case of COVID-19 vaccine administration and made recommendations in relation to the elderly."

**British Columbia** responded that "We have investigated complaints related to a program for allowing essential visitors to visit older people in long-term care facilities. As a result of COVID-19, only essential visitors were allowed to visit these facilities."

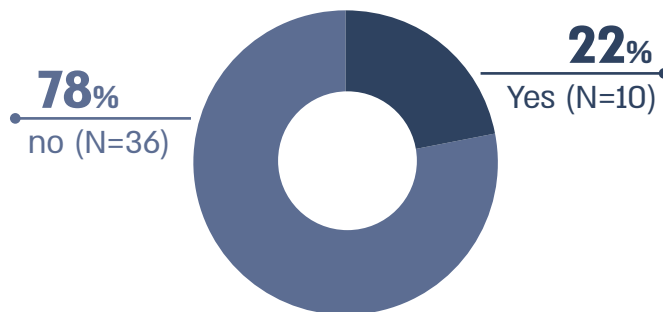
In **New Zealand**, "The Ombudsman monitors the treatment and conditions of people who are detained in health and disability facilities, including aged care facilities. While not an investigation of complaints in this area, the Ombudsman monitored the conditions and treatment (including violation of fundamental rights) of older persons in secure aged care facilities during the COVID-19 pandemic."

**Catalonia** responded that "The health emergency situation experienced during the year

2020 highlighted the vulnerability of the care system for the elderly. In the framework of the complaints received and the actions initiated, the Síndic has detected insufficiencies in information, relationship and dialogue with family members, transparency and leadership, and serious shortcomings have also been evidenced in both material and human resources, especially at the beginning of the pandemic."

Q. Have you experienced an increase in the number of complaints of older persons relating to physical or mental health issues? If so, please detail.

Have you experienced an increase in the number of complaints of older persons relating to physical or mental health issues?



Only 22% of the respondents had experienced an increase in the number of complaints of older persons relating to physical or mental health issues. Among those who experienced an increase, the majority attributed this to Covid-19. Only **Japan** answered that it had experienced a decrease in the number of complaints.

In **Croatia**, "Older persons living in LTC facilities complained about the detrimental effect of not being able to go for a walk or have visitors, claiming that their physical and mental health is rapidly deteriorating."

**Cyprus** responded, "We received such complaints, that were submitted on behalf of people at Social Care Homes or people with dementia, regarding the restriction of visitations by family and friends, which resulted to the increase of their anxiety, vulnerability and social exclusion."

In **Mexico**, "The General Directorate of Complaints and Orientation of the National Human Rights Commission of Mexico, carried out a comparison of the two recent decades, in which it located the following data: In the period from January 1, 2000 to December 31, 2010, the number of complaints was 1,770. As for the period from January 1, 2011 to August 31, 2021, the number of complaints was 13,442. Which implies an increase of 660%."

Q. Is there a designated ombudsman for older persons in your country? If so, kindly provide us with contact details.

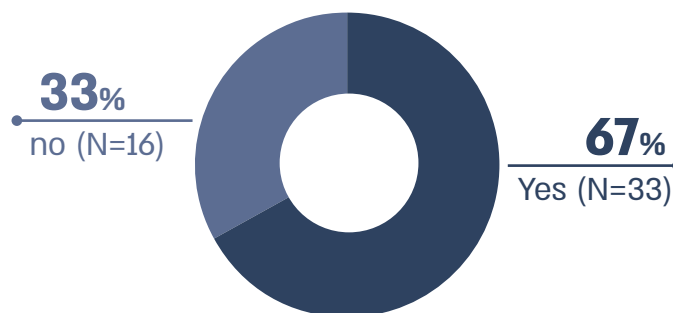
11 respondents answered that they have a separate, designated ombudsman - Zurich,

Finland, Austria, Norway, New South Wales, Ohio and Iowa - or a special division (4 other countries) that specifically deals with the older population. However, the majority of the respondents do not differentiate the complaints of older persons from other complainants, and they are handled by the institution in the regular way.

An interesting example is **Finland** where “the Parliament of Finland passed the bill of the Ombudsman for elderly in June 2021 and the law entered into force on 19 August 2021. The appointment of the person for the office is still pending, but the Ombudsman shall take up the duties on November 1, 2021. The Parliamentary Ombudsman will investigate complaints, launch investigations on his/her own initiative and carry out inspections as before whereas the new Ombudsman for elderly will be responsible for the general promotion of the rights of the elderly.”

**Q. Have you published a report or part of a report dealing with older persons?**

Have you published a report or part of a report dealing with older persons?



67% of the respondents have either issued a separate report that deals with older persons or dedicated a special chapter to the subject of older persons in their annual report.

The Ombudsman institution of **Thailand** “is currently working on a project to prepare for aging society in Thailand. The project is to study and analyze the current situation of Thai elderly. The study found policy recommendations that the government should implement - in order to expand protection, promotion, and support for accessibility to the rights and welfare of the elderly in various fields, namely: economic, health, information, resident, social services and welfare. When the study is completed, its result will be recommended to the relevant government agencies along with disseminated to the public.”

**England** gave a list of different reports, including “Breaking down the barriers: Older people and complaints about health care, PHSO, 2015”.

**Kenya** has published a report with regard to social security and pension. The report is called “Sentenced to Poverty at Sunset”.

**Peru** has published a report on “The right to health of older adults in residential care

centers: proposals for comprehensive and priority care against COVID -19".

**British Columbia** responded that "in 2012 we published The Best of Care: Getting it Right for Seniors in British Columbia (Part 2), with 176 recommendations to improve seniors' care in our province... In 2013 we published No Longer Your Decision: BC's Process for Appointing the Public Guardian and Trustee to Manage the Financial Affairs of Incapable Adults, which also addressed issues relevant to seniors with cognitive challenges. "

The **Canary Islands** published "Special Report on Residential Care Centers for the Elderly in the Canary Islands".

**Panama** published "Report of visits made to care centers for the elderly".

In February 2023, **Israel** published Special Report no. 3 "Challenges and Goals in Providing Services for Older Persons - Lessons Learned from the Investigation of Complaints".

## Summary

The survey on the role of the ombudsman in advancing the rights of older persons disclosed interesting data based on the experience and insights of different ombudsman institutions around the world.

It was interesting to learn from 38% of the ombudsman institutions that people aged 60 and above are considered "older persons" in their country. In most of the countries (60%), an "older person" is defined as being aged 65 and above.

Furthermore, in most countries older persons file an equal or smaller number of complaints with the Ombudsman as compared with the rest of the population; in only 29% of the countries was a higher rate of complaints of older persons found in relation to the rest of the population.

According to the assessments of the ombudsman institutions that answered the questionnaire, the most common issues of complaints of older persons were pensions, national insurance and social security; health and nursing services; public service. The least common issue of complaints was prejudice on grounds of age.

An analysis of the complaints of older persons disclosed a few correlations<sup>6</sup>: The higher the GDP of a particular country, the higher the number of complaints of older persons on subjects such as health and nursing services, housing, and transport and accessibility (according to the assessment of the countries in question). Furthermore, a medium positive correlation was found between the Human Development Index and life expectancy, and complaints relating to health and nursing services, and housing; the higher the Human Development Index and life expectancy in a particular country, the higher the number of complaints about health and nursing services, and housing (according to the assessment of the countries in question).

52% of the institutions responded that they received complaints testifying to the loneliness of older persons and their dependence on others.

The majority of responses (66%) illustrated the susceptibility of older persons to exploitation by different sources.

---

<sup>6</sup> The correlation coefficient, generally marked by the letter  $z$ , is a measure of the direction and strength of the relationship between the variables. The values of the coefficient range between 1 (perfect positive correlation) to -1 (perfect negative correlation), and 0 represents no correlation at all. The interpretation of the strength of the correlation (weak, medium or strong) generally depends on the field of the research at hand. In the Social Sciences, it is customary for a weak and negligible correlation to range from 0 to 0.3, a medium correlation - from 0.3 to 0.7 and a strong correlation - from 0.7 to 1.

A clear majority of the respondents (94%) answered that they attach great importance to making their services accessible to older persons and take measures for improving the access of this community to the services that they provide. 68% responded that they initiate outreach activities for older persons.

Only 31% of the institutions that took part in the survey give specialized training aimed at teaching their staff to handle the complaints of older persons.

74% of the respondents to the questionnaire answered that they identify barriers to the filing of complaints by older persons, the major barrier being that of digitalization.

11 respondents answered that there was a designated, sectoral ombudsman for older persons in their country.

The data accumulated from the survey disclose the vulnerability of older persons and the need to pay special attention to this community to ensure the realization of its rights. The examples showing how different countries address the various issues affecting older persons provide useful guidelines as to how to act to ensure that this deserving community receive the service and rights to which it is entitled.

#### **List of the ombuds institutions that participated in the survey**

Tirana  
Andorra  
Argentina  
Australia  
New South Wales  
Southern Australia  
Western Australia  
Austria  
Belgium  
Bermuda  
Burkina Faso  
British Columbia  
Newfoundland and Labrador  
Ontario  
Quebec  
Croatia  
Cyprus  
Czech Republic  
Djibouti  
Faroe Islands  
Finland

Georgia  
Great Britain  
Greece  
Hungary  
Israel  
Italy  
Japan  
Kenya  
Kosovo  
Mauritius  
Mexico  
Mexico City  
Moldova  
Morocco  
New Zealand  
Northern Cyprus  
Norway  
Panama  
Perú  
Poland  
Romania  
Russia  
Canary Islands  
Catalonia  
Zurich  
Thailand  
The Palestinian Authority  
Timor Leste  
Turkey  
Ukraine  
Iowa  
Ohio  
Zambia  
Pensions Ombudsman of Belgium