



*Saskatoon
Community
Clinic*

Seniors Advisory Council Student Research Project
Seniors Advocates in Canadian Provinces

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May 2023

Executive Summary

At the Saskatoon Community Clinic's Annual General Meeting of 2017, the Clinic's membership adopted a resolution moved by the Seniors Advisory Council requesting the establishment of an Independent Seniors Advocate in Saskatchewan. The purpose of this report is to explore the role and function of Seniors Advocates in Canada in order to help inform this resolution.

Saskatoon Community Clinic is committed to addressing health care needs in a holistic fashion by considering the social determinants of health and their affects on health; this includes the health care needs of Saskatchewan seniors. The Saskatoon Community Clinic's 2020-2025 Strategic Plan asserts that: "Recognizing that healthy public policy and adequate funding is critical to supporting the health and well-being of people in our community, we will undertake advocacy and government relations strategies to... Improve conditions that impact the social determinants of health."

A provincial Seniors Advocate for Saskatchewan can support this goal by:

- Helping seniors navigate though various governmental and nongovernmental supports such as housing benefits and community initiatives
- Collecting quantitative and qualitative data on seniors
- Conducting in-depth systematic reviews to assist government developing policies for seniors
- Raising awareness of unique challenges of seniors, such as challenges with Long-Term Care homes
- Helping fulfill legislative and reporting requirements of a potential *United Nations Convention of Rights of Older Persons*

Introduction

The Saskatoon Community Clinic (SCC), founded in 1962, is one of the oldest primary health care clinics in Saskatchewan, and Saskatoon's only primary health care co-operative. In 1980, the Clinic established a Seniors Advisory Council (SAC) to provide feedback on its seniors' services, programs, and accessibility needs. SAC also undertakes research on issues of interest to seniors, such as long-term care, food security, transportation, pedestrian safety, the affordability of vaccines, and advocacy for safe and affordable housing. At the May 2017 Annual General Meeting, a resolution presented to the SCC membership calling for the establishment of an Independent Saskatchewan Seniors Advocate was adopted. The purpose of this report is to explore the intent of this resolution by examining the functions and benefits of Seniors Advocates programs that have been established in other Canadian provinces.

It is important to note that seniors' issues considered by the SAC extend beyond the scope of traditional health care. Seniors' issues can range from elder abuse, systemic discrimination by ageism, food insecurity, housing challenges, poverty, and gaps in health care and social support services. The SAC's 2022 *Aging in Place* survey explored the SCC's senior patients' thoughts on a variety of topics. This survey demonstrates the wide variety of challenges seniors encounter in their lives. These challenges included tasks required for daily living, access to health care services at the clinic, and supports needed to maintain independent living.

The United Nation's (UN) *Universal Declaration of Human Rights (UDHR)* was proclaimed in 1949 and was seen as a milestone for Human Rights progress¹. It enshrines the rights and freedoms of every person on earth and recognizes that all of us have equal dignity and rights. The *Canadian Human Rights Act* is intended to prevent discrimination at the level of federal jurisdictions in Canada such as the federal civil service and the military. On a provincial level, the *Saskatchewan Human Rights Code* aims to prevent discrimination based on age in public aspects of life such as work, education, and housing. Importantly, the Saskatchewan Human Rights Commission has put forward the principle that every person is free and equal in dignity and rights without regard to age. In fact, the Commission has a duty to undertake any program that is designed to eliminate and remove disadvantages based on age, amongst other types of discrimination².

While the current human rights legislation is comprehensive, there are some areas of concern which remain unaddressed. According to the UN, these are called 'normative gaps'. Normative gaps in relation to seniors include "international standards on rights within community-based and long-term care settings for both the caregiver and the person receiving care, legal planning for older age, and the abolition of mandatory retirement ages"³. Because of the existing normative gaps between the global seniors and the rest of the population, it is crucial that steps are taken to restore and maintain the rights of seniors in our communities. In Canada, the

introduction of independent provincial Seniors Advocates could contribute to developing and strengthening the safety net for vulnerable seniors, identifying policy gaps and recommending solutions.

Models across Canada

Since Seniors Advocates are legislated under provincial laws, there is no single definition of what a Seniors Advocate is. However, across Canada, there are certain common hallmarks, which include:

- Helping seniors navigate their concerns, including housing, income support, and community services
- Connecting seniors to appropriate services and resources for the aforementioned concerns
- Collecting seniors' complaints and elevating them to stakeholders, including provincial governments

As outlined below, Seniors Advocates have been established in five provinces, and legislation for that purpose introduced in one other:

New Brunswick – The Seniors Advocate of New Brunswick reports directly to the Legislative Assembly ⁴⁰. The Advocate is mandated to protect the rights and views of seniors, connect seniors to services, attend to seniors' complaints, and advise government and communities about services of relevance of seniors ⁴. The Advocate specifically makes recommendations on health care, housing, transportation, and finances ⁴. In 2019, for example, the Advocate made recommendations for implementing policy and regulations to maintain reasonable temperature control in nursing homes ⁵.

Nova Scotia - Nova Scotia's Seniors Advocate is unique in Canada. It takes the form of a Seniors Advisory Council as opposed to a single officer. The council is elected by volunteers representing nine seniors' organizations in Nova Scotia. The council serves as an advisory body to the government to facilitate development of policies and governmental programs ⁶. A bill to establish a traditional seniors advocate was introduced in 2022, who would provide an annual report to the legislature and have the full investigative powers which the current council does not possess⁷.

Newfoundland and Labrador - Unlike the Advocate for New Brunswick, the Newfoundland and Labrador Seniors Advocate reports to the government rather than legislature. The Advocate addresses systematic challenges affecting seniors in the province by analyzing issues of relevance to seniors and advising the government and government agencies. According to the 2022-23 annual report, 44% of all recommendations made by the Advocate were

completely implemented and another 44% have been partially implemented ⁸. Those fully implemented include a review of provincial dental and vision care services, expansion of age-friendly communities through Newfoundland and Labrador, and improvements in housing options for seniors. The Advocate also connects seniors to services and raises awareness about issues of seniors' concerns.

Ontario - In 2020 legislation was proposed for the establishment of a Seniors Advocate office⁹ in the Legislative Assembly. However, the bill did not move past the Standing Committee phase in the Legislative Assembly.

Alberta – Alberta had a Seniors Advocate office from 2014 until 2019, when it was combined with the Health Advocate Office as a cost saving measure ¹⁰. The advocate was answerable to the Minister of Health only. During the 2018-2019 reporting year, Alberta's seniors advocate handled over 3,850 interactions ¹¹, compared to the health advocate, who served 1326 cases during the same reporting year ¹². In the year following the dissolution of the Seniors Advocate office, the Health Advocate reported 2,012 cases, still significantly less than the cases handled by the previous Seniors' Advocate ¹³.

British Columbia - BC's Seniors Advocate analyzes seniors' issues and makes recommendations to government ministers, public officials, and others persons who deliver seniors' services. Additionally, the Advocate has the power to investigate by conducting interviews, surveys, and consultations with relevant stakeholders ¹⁴. The Advocate publishes the collected data and analysis in their annual reports, as well as special systematic reviews when warranted. The Advocate is expected to report to the Ministry of Health on at least a yearly basis for guidance and advice ¹⁴. A portion of the Seniors Advocate's budget is designated to operating the Office of the Seniors Advocate (OSA), which assists the Advocate in duties such as operating their phone line and preparing the reports. The Advocate is guided by a Council of Advisors. The Council of Advisors is divided by regions of the province to gather insight into the diverse challenges of seniors across the province ¹⁵. Currently, BC's OSA is the oldest and the only Seniors Advocate Office in Western Canada. As such, it will be the primary reference model for the rest of this report.

Functions

Supports to Seniors

In Saskatchewan, there is a patchwork of services which makes it hard for seniors to navigate any supports they may need. For example, seniors in Saskatchewan may be eligible for Old Age Security, Guaranteed Income Supplement, Seniors Income Plan, and Saskatchewan Pension Plan, along with other targeted benefits such as Personal Care Home Benefit and Seniors Tax

Credits to supplement their incomes. The challenge may be especially great for seniors in lower incomes groups, who report having a harder time than rest of the population in accessing services ¹⁶. In BC, the OSA provides a convenient source of information and referrals to seniors in order to help navigate their challenges.

Large gaps remain between the use of internet by seniors as well as the rest of the population. Additionally, that use is negatively correlated with education, health status, age, and income ¹⁷. In the SAC's *Aging in Place* survey, 18% of responders identified use of internet and technology as a challenge, with one responder commenting "our biggest challenges are dealing with technology issues which seems to be coming more and more needed". This presents an inequality between seniors and the rest of the population, as programs and services shift to online-centered or online-only models.

There is no single support line, via telephone or internet, for seniors in Saskatchewan to direct a senior to an appropriate service. This is an obstacle for seniors, as several government services also operate with an online-only format and offer limited hours of phone support alongside long wait-times. The OSA of BC offers an Information and Referral line that is available for 24 hours a day on all days of the week. During office hours, seniors' services specialists, who are staffed by the OSA, are available to assist callers. In nonworking hours, staff at BC211, which is an organization providing information and referrals for nonemergency services to BC residents, is available on the phone line to assist callers.

To supply British Columbians with adequate information about residential long-term care, the Seniors Advocate maintains an online directory of all Long-Term Care and Assisted Living facilities in BC. The directory lists details such as room configuration, care hours, and number of complaints and incidents ¹⁸. In Saskatchewan, the Saskatchewan Health Authority (SHA) website has a list of Long-Term Care homes in the province ³⁹. The SHA separately publishes results of Long-Term Care home assessments in Saskatchewan, but it does not publish qualitative data on the aforementioned categories ¹⁹.

The Advocate may also directly provide services to seniors by collaborating with stakeholders who deliver services. For example, the OSA collaborated with the United Way of British Columbia, to pair seniors with community volunteers who could assist with nonmedical essential activities like yard work during the outset of the COVID-19 pandemic ²⁰. In Saskatoon, a need for help with yard maintenance and snow shovelling were also identified as the tasks seniors most need help with by 37% of respondents to the SAC's 2022 Aging in Place survey.

Public Input

In Saskatchewan, there is a diffused system to report the complaints and the issues identified by seniors and their loved ones. For example, some complaints go through SHA, while others through the Provincial Ombudsman. As a result, there may be confusion on who seniors should contact for assistance. More importantly, there is no unified system for assessing and responding to complaints. An example of this is the reporting of LTC complaints. The Saskatchewan Ombudsman had previously recommended a single, comprehensive system of reporting LTC abuses to the SHA ²¹.

As previously mentioned, the Office of Seniors Advocate in BC operates a 24-hour phone line. This can be used by seniors to share their concerns. To further enhance access to a fair complaint process, the Office of the Seniors Advocate records information from all modes of contact, including emails and letters, website, social media and public engagement ²⁰. The seniorsadvocatebc.ca website has a public input form for seniors, their friends and family, or professionals to report any concerns they encounter and any ideas they may have for solutions ²².

The BC Advocate may also seek advice from its Council of Advisors. The Council of Advisors consists of volunteers who provide insight to the Advocate about issues the seniors of BC experience. The Council is composed of seniors representing all five Health Regions of the province ²³. The volunteers are also varied by cultural backgrounds, living environment, activity levels, and capacity to communicate independently ²³. The Council meets twice yearly to discuss topics of importance to seniors. For example, some of the Council's focus subcommittees during past meetings included the 'Disability Issues Advisory Committee', the 'Rural Issues Advisory Committee', and the 'Multicultural Issues Advisory Committee' ²⁴. The Council members may also be asked by the OSA to read materials and offer their feedbacks or opinions.

Data Collection

According to the Office of the Privacy Commissioner of Canada, data about citizens is collected by governments to "deliver programs and set public policies in vital areas, such as health, transportation, public safety and national security" ²⁵. At a federal level, deidentified data is collected by Statistics Canada and made available publicly. At a provincial level, there is no analogous body which collects, publishes, and analyzes provincial data specific to Saskatchewan.

In BC, the Seniors Advocate collects data on areas such as seniors' health care, community supports, housing, transport, income supports, and safety and protection. For example, the 2022 *Monitoring Seniors Services* report included quantitative data on chronic illness rates, fall related deaths, and number of actively driving seniors ²⁶. Besides demographic counting, the

report also presented data on services of interest to seniors such as public transport availability, vaccine coverage in Long-Term Care homes, and subsidized housing availability. As mentioned previously, the SHA publishes data on LTC homes in Saskatchewan. However, this does not include categories such as number of vaccinated residents, or organization of the rooms ¹⁹.

In addition to gathering quantitative data, the BC Advocate also conducts focus group interviews and surveys to collect rich qualitative data on the lived experiences of seniors. The SAC's *Aging in Place* survey used open-ended questions to gather qualitative information about the unique challenges individual seniors may experience. For example, one patient recounted their decline in mobility after the shutdown of their exercise program during the pandemic. This suggests the need for collection of qualitative and quantitative data on the seniors of Saskatchewan, as this problem in mobility would not have been uncovered if only quantitative data was collected.

Without comprehensive data, it is difficult to find evidence for the day-to-day challenges of seniors in Saskatchewan. As a result, the division of resources may not be representative of what is needed by our population. Data of the sort collected by the BC Seniors Advocate can be used to inform policy development. For example, the BC Advocate's *2016-2017 Annual Report* indicated that 91% of residential care facilities in the province were not meeting the daily recommended 3.36 care hours ²⁷. These findings led to a staffing review and a new action plan on home and community care. Over the next three years the BC Health Ministry worked to implement the plan with \$500 million of new funding ²⁸. As demonstrated by this example, a Seniors Advocate in Saskatchewan mandated to collect various data related to seniors could be useful in alerting the provincial government to the issues of greatest concerns for seniors, and in assisting them in making effective decisions and policies on seniors' issues.

Analyzing areas of concern

A variety of information about each contact with the BC Seniors Advocate is tracked, including the reason for contact, areas of concern, the response by the OSA, as well as any follow-ups. This information is used to inform future research by the OSA ²⁹. Based on tracked trends and areas of interest, the Advocate may also conduct in-depth systematic reviews to uncover a full picture about a topic. For example, a systematic review on income inequality, titled *BC Seniors: Falling Further Behind* was published in 2022. The review included surveyed data from a random sample of seniors of the province, as well as organizations of interest ²⁹. The report revealed almost half of seniors had incomes less than an equivalent of fulltime minimum wage ²⁹. However, this had been unreported since a small fraction of high-earning seniors drive up the mean income ²⁹. Data on seniors described by median and average is not available for Saskatchewan. This would make it hard for someone examining inequality in Saskatchewan to fully understand the real challenges of the seniors of the province. Additionally, the report by the OSA analyzed income inequality through several different lenses, such as Housing, Health

care, Housing, Community Support, and Transportation. All of these are the specific areas that BC's Seniors Advocate monitors. The *BC Seniors: Falling Further Behind* report recommended indexing provincial income supports to inflation and to develop a program to assist low- and modest-income seniors with home repairs²⁹. Such recommendations, which are independently delivered and grounded in evidence, can help the government focus on the best interventions to improve the welfare of seniors.

The BC Seniors Advocate has authority to require "any body or person" to provide information it requests within a specified time limit¹⁴. In the 2021 publication, *Review of COVID-19 Outbreaks in Care Homes*, the Advocate examined factors which influenced COVID-19 outbreaks in long-term care or assisted living sites. To research for the review, information was collected from sources which are not publicly available. These sources include site-level records, Continuing Care Reporting System assessment records, and incident and inspection reports from health authority licensing divisions³⁸. Site-level data revealed that only 10% of sites provided paid sick leave for casual staff in 2020-2021³⁸. The report outlined this as a significant issue as the sites that provided fewer days of paid sick leave correspond to the sites that experienced larger outbreaks³⁸.

Improving Democratic Accountability: Reporting on Seniors Wellbeing

An additional problem is that ageism results in a lack of visibility and awareness of seniors' issues in the eyes of the public. This may be contributing to the recent alarming deflation of interest in seniors' issues during election cycles. Currently in Saskatchewan, seniors aged 65 and up make up 16.7% of the population³³, with the median age of the province trending upwards for the last 2 decades³⁴. Since seniors make up a significant portion of the Saskatchewan electorate, it is unhealthy for our democracy that issues relevant to this group continue to be overlooked. Some seniors' groups in Saskatchewan have run campaigns to raise the community awareness of seniors' issues, such as Canadian Association of Retired Persons (CARP) Saskatchewan's campaign leading up to the 2020 provincial election about issues affecting older people³³. Nonetheless, it was reported that the campaign platforms in the 2020 provincial election "[lacked] understanding that older adults are a very broad range of people, of needs and abilities"³⁷.

As an independent body, a Seniors Advocate for Saskatchewan can play a valuable role in increasing awareness about seniors' issues by educating the government and the public. In BC, the Advocate reports to the Minister of Health on a yearly basis. The OSA's Annual Reports and other publications make the Advocate's findings publicly available. This measure may facilitate public discussion, as well as facilitate conversation about seniors' welfare in the BC legislature

²⁸.

In BC, the Seniors Advocate also fulfills this role by directly engaging with the public. For example, the Seniors Advocate in BC participated in 70 public engagements, lectures at universities, and responses to media requests from journalists from April 2021 to March 2022²⁰. Some of the topics discussed the pandemic, long-term care, and the heat dome²⁰. The Advocate has also presented to specific groups, like the National Seniors Council on Seniors' Abuse.

Helping fulfill stipulations of a potential United Nations Convention of Rights of Older Persons

The *United Nations Principles for Older Persons* sets out the foundational principles to address the issues of seniors in its 193 member-countries³⁰. However, since this is not a legally binding document, it can not establish a comprehensive or systematic oversight.

Currently, there is a campaign to push for the ratification of a UN *Convention of Rights of Older Persons*³¹. Included in this convention will be laws to guide government policymaking across the UN member nations. If ratified, this would require signing countries to change laws to be in line with the convention. If Canada officially adopts the convention, it will be expected to report on a regular basis about the implementation of its stipulations. At present there is no structure which would be suitable to report on its implementation in Canada. Seniors Advocates for each of the Canadian provinces may potentially serve as a mechanism to monitor and report such progress.

The convention would also provide a mechanism for remedying any violations of rights of older persons by advising and supporting member states on how to protect seniors. Advocates could be involved in the provincial level to provide advice to stakeholders and monitor the progress.

Federally, a National Seniors Advocate could be involved in coordinating between provincial Seniors Advocates and the convention. This may be done by collecting data on the progress made in each province and encouraging provincial Seniors Advocates to support the implementation of the stipulations.

Mechanisms to ensure Independence and Accountability

For an Advocate to successfully accomplish its role, it should be independent of other entities it investigates and advises, and should be insulated from their interference. For example, in Saskatchewan, the Advocate for Children and Youth are granted a significant degree of independence. The advocate for Children and Youth is appointed by the Legislative Assembly and reports to it³⁶. The advocate is also paid a salary equal to the average salary of all deputy ministers, and this salary cannot be lower than previous years' salary³⁶.

Similar protection of the independence of a Saskatchewan would be desirable. While all Seniors Advocates in Canada at present are afforded some protection, mechanisms to achieve this goal vary.

In British Columbia, the Seniors Advocate reports to the Minister of Health ¹⁴. However, it has been noted that independence of Advocates is best protected when they are officers appointed by and reporting to the legislature ²⁷. This is the case in New Brunswick, where the Seniors Advocate Reports directly to the legislature ⁴⁰. In Newfoundland and Labrador, the salary of the Seniors Advocate can only be reduced on the resolution of the House of Assembly of Newfoundland and Labrador ³⁷. A novel approach is adopted in Nova Scotia, where the Advocates are nominated by seniors' organizations ⁶. This may also contribute to their independence and ensure accountability of Advocates.

Conclusion

There are currently four Canadian provinces with active Seniors Advocates. Three Seniors Advocates are in the Atlantic provinces of New Brunswick, Nova Scotia, Newfoundland and Labrador. All three offices are varied in functions and level of autonomy. The fourth model is in BC, which is most well-established of the group.

The BC OSA is therefore a useful model for Western Canadian provinces, including Saskatchewan, on which to model their own independent Seniors Advocates. The OSA in BC has demonstrated its capacity to improve the livelihoods of BC seniors in several ways. The BC Seniors Advocate can do this by providing supports to seniors, such as hosting a unified and accessible phone line to respond to any concerns or questions BC seniors may have. The Advocate can also collect the complaints seniors have, as well as collect demographic data on seniors to conduct systematic reviews on specific issues they may be experiencing. The collected data and systematic reviews are useful for the BC government to understand and address the real challenges that seniors of the province experience.

Saskatchewan's population is steadily aging. It is therefore imperative that investments are made to ensure that the normative gaps in human rights which seniors in Saskatchewan currently experience are minimized. A Seniors Advocate for Saskatchewan could support this mission by addressing the needs that seniors currently face.

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