

**Submission to the Department of Business, Enterprise and Innovation on the
Consultation on Proposed Guiding Principles to frame the State's Economic Migration Policy**

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Sage Support and Advocacy Service

Sage is a support and advocacy service whose mission is to promote, protect and defend the rights, freedom and dignity of vulnerable adults and older people¹. It was established in 2014 with funding from the HSE and The Atlantic Philanthropies with support and governance provided by Third Age. Sage Advocacy clg assumed responsibility for governance of the service on 1st March 2018.

The development of Sage has been influenced by the scandals of Leas Cross and Aras Attracta. Through its dedicated support and advocacy service, Sage works to ensure the will and preferences of the person can be heard and implemented, independently of family, service providers or systems' interest. The model to which Sage works is of core paid staff supported by, and in turn supporting, trained volunteers. Some of these volunteers act in support roles, some are advocates and some have specialist legal, financial or other professional skills.

It is conservatively estimated that the work of Sage in 2016 impacted on the lives and practice of some 20,000 people. Sage works to uphold the right to self-determination and autonomy by supporting a functional approach to capacity and ensuring the person is enabled to make decisions that affect them.

Sage works with vulnerable adults and older people at transition points in the person's life when they are adapting to a cognitive impairment, moving from home to residential care, in acute hospital, transitioning from hospital to residential care and when they are experiencing significant loss associated with these changes. Sage works to build and maintain a supportive and sustainable circle of support around the person, to strengthen the natural support structures of family and community in partnership with professionals and services.

Introduction

Sage welcomes the opportunity to make this submission and will address the principles of most relevance to the care sector.

Sage has continuously highlighted the inadequacies of current policy and care provision for older people to enable a person to receive care in accordance with their wishes, and in response to their individual care needs in a timely manner, which respects, protects and upholds their human rights. The lack of flexible models of care, suitable accommodation for people with care needs, an over reliance and systemic bias towards care in congregated settings and an under resourced home care system has resulted in violations of individual's dignity and rights.

Despite repeated policy and research on care for older people policy, current provision of care is wholly inadequate to meet existing and emerging needs. At one point in 2017 there were 4,600 people on waiting lists for home care. The impact of this shortage results in vulnerable older people remaining in acute hospital for prolonged periods, and people moving into residential care due to the lack of suitable alternatives to be cared for at home or in a place of their choosing.

¹ The main Objective of Sage Advocacy clg is "To promote, protect and defend the rights and dignity of vulnerable adults and older people, the prevention of cruel, inhuman and degrading treatment and deprivation of liberty and the enhancement of personal autonomy and decision making in all care settings and in the transition between them within the Republic of Ireland".

Research suggests that more than 50% of people in long-term residential care centres could be cared for at home if adequate resources for home and community based care was provided². The establishment of a statutory scheme for home care would ensure that an individual's right to be cared for at home could be met, and those working within the home care sector could benefit from the associated standards, regulations and employment rights that a statutory scheme introduces. Undocumented migrant workers who are providing care in a private home, and ensuring Government policy of enabling older people to remain living in their own homes is realised, are at risk of exploitation and poor working conditions³. The situation leaves the worker and the person in receipt of care in a vulnerable and precarious situation, forcing people into an informal economy which has an impact on the person's employment rights, and is a loss of revenue to the State.

The ESRI Report on projected demands for healthcare in Ireland up 2030 found that the population will grow between 14 to 23%, with people aged 65 and over increasing to one in six people, and the population of people aged 85 and over will almost double. Increases in population are expected to create increased demand on already inadequate services for older people. Demand for home care, and residential care places in nursing home is expected to increase by 54%, with increased demand for acute hospital and GP services. Along with greater infrastructure requirements there is a need for workforce planning and training to meet the expected demands.⁴

Workforce planning and training, and the increase of migrant workers in the care sector, is not being presented in this submission as a solution to meet the needs of an ageing population. The demand for people with the appropriate skills and competencies to be recruited into the care sector is one element in a broader systemic and societal response needed to respond to the individual needs of people who are ageing in Ireland.

The care sector, and provision of care in the home, is characterised by low pay, demanding work environments and for some people poor working conditions with low levels of job security. The quality of relationships with a carer has a significant impact on an older person's quality of life, it is often a dependent relationship involving intimate care, and can be the main supporting and meaningful relationship an older person has. Considering the importance of the role, people who enter the care sector to provide vital services to some of the most vulnerable people in society should be appropriately trained and supported to work with vulnerable adults, and should have the core competencies and skills needed, including language and cultural competencies. In return the sector employers should be required to appropriately value the role and service the workforce provide, provide adequate remuneration and ensure employment rights are upheld. Consultation on labour market needs and skill shortage in this context should incorporate the contribution of the NGO and community and voluntary sector organisations in the migration, integration, older persons and care sectors. Organisations working at a grassroots level have immediate and accurate awareness of changing needs, and play a significant role in enabling the integration of migrant workers at local and national level from provision of English language supports to representation of workers' rights.

Principle 2: Labour Market Responsiveness and Principle 3: Skills Shortage

As highlighted earlier current research and data indicates that there is and will be an increased demand for

² Donnelly, S., O'Brien, M., Begley, E. and Brennan, J. (2016). "I'd prefer to stay at home but I don't have a choice" Meeting Older People's Preference for Care: Policy, but what about practice? Dublin: University College Dublin. Available at

http://www.dementia-neurodegeneration.ie/sites/default/files/publications/staying_at_home_-_older_peoples_preference_for_care_2016.pdf [accessed 23/06/2017]

³ <https://www.mrci.ie/press-centre/new-report-reveals-poor-treatment-of-migrant-home-care-workers-in-ireland/> [accessed 17/04/2018]

⁴ ESRI (2017) Projections of demand for healthcare in Ireland, 2015-2030: First report from the Hippocrates Model Available at <https://www.esri.ie/news/demand-for-healthcare-projected-to-increase-substantially-with-rapid-growth-and-ageing-of-population/> [accessed 17/04/2018]

services for older people as the population ages. Provision and planning needs to be prioritised to develop a skilled workforce that can respond to these needs. In order to develop a comprehensive understanding of skills shortage in the care sector the Department could engage a range of stakeholders including older people, families, carers and sector specific organisations.

To harness the existing skills and experience of the many undocumented migrants currently providing vital support and care to older people, and to meet skills shortage, a scheme should be introduced to facilitate skilled undocumented migrants to fairly re-enter the employment permits system. A transitional measure would enable people who currently, or in the future, wish to employ a carer to support the regularisation of a person's immigration status. The employer could benefit from tax relief for employing a home carer, and the outcome would generate revenue for the State.

Principle 4: Sector Preferences and Principle 6: Net contributor

The designation of work in the care sector as low or unskilled work does not adequately value the role that is provided by carers who work in very stressful and demanding conditions, and are often taking on the sole responsibility for the physical care and social care needs of a vulnerable adult. The carer role, and the provision of care and support services in a flexible and responsive way, is essential to ensure that any policy to enable older people to live according to their wishes is meaningfully implemented. While informal models of family and community support and care that meet individual's needs should be supported, there exists a need for dedicated personnel that can provide a range of care and support services in a responsive and flexible way, who are adequately remunerated, supported in their work and protected by employment rights. The value of this role in society is not easily measured, however a broad range of sector organisations, older people themselves, family members and researchers can demonstrate the value of a meaningful quality relationship for an older person.

The salary threshold for an employment permit for a person working as a carer should reflect the skills of the person, the responsibilities of the role, provide an adequate living wage for the person and be realistic in the current market context to ensure that the threshold does not act as a barrier to obtaining an employment permit. In some circumstances additional benefits are provided to an employee in the care sector, for example accommodation, which could be considered as part of a remuneration package.

Principle 7: Employment Rights:

To protect against control and exploitation of workers in the care sector the employment permit system should enable mobility between employments in the sector. The introduction of a sector based employment permit would enable mobility for a worker within the sector and would allow for flexibility and responsiveness to the needs within the sector